

**REGULAR SESSION OF THE  
BRIGHAM CITY COUNCIL  
April 18, 2013**

PRESENT:	Dennis Fife	Mayor
	Scott Ericson	Councilmember
	Ruth Jensen	Councilmember
	Brian Rex	Councilmember
	Mark Thompson	Councilmember
	Tyler Vincent	Councilmember

ALSO PRESENT:	Mary Kate Christensen	City Recorder
	Jared Johnson	Community Development Director
	Paul Larsen	Economic Development Director
	Bruce Leonard	City Administrator
	Tyler Pugsley	Public Works Director
	Paul Tittensor	Police Chief

Mayor Fife called the meeting to order. The Reverence Period was given by President John Ferry of the Brigham City West Stake. The Pledge of Allegiance was recited.

**Approval of Minutes:** A motion to approve the minutes of the April 4, 2013 Budget Work Session and Council meeting was made by Councilmember Vincent, seconded by Councilmember Jensen and unanimously approved as distributed.

**INTRODUCTION OF NEW EMPLOYEES**

**CONSENT**

- Reappointment to the Golf Course Commission
- Appointments to the CERT Council
- Request to Write-off Accounts Due to Bankruptcy or Being Sent to Collections

**SCHEDULED DELEGATION**

- Recommendation of Collective Community Initiative (CCI) Grants

**NEW BUSINESS**

- Request for Approval of Ordinance Dissolving the Central Square Economic Development Area by Repealing Ordinance #05-07

**PLANNING COMMISSION BUSINESS**

- Ordinance Amending Chapter 29.21, West Forest Street Corridor Overlay
- Ordinance Amending the North Shore Development Planned District to Modify the Regulations Governing Signs to Allow a Single Low Profile Off-Premise Sign Located at Approximately 3300 West Forest Street

**PUBLIC COMMENT**

**INTRODUCTION OF NEW EMPLOYEES**

Sage Perry was introduced as a new Officer I and Jevan Weeks as an Officer III. Chief Tittensor presented them with their police badges.

**CONSENT**

**Reappointment to the Golf Course Commission**

It was recommended Dick Wuthrich be reappointed to the Golf Course Commission.

**Appointments to the CERT Council**

It was also recommended Dee Neilson, Don and Vallene Robinson, and Bryan and Carrie Baugh be appointed to the CERT Council.

**Request to Write-off Accounts Due to Bankruptcy or Being Sent to Collections**

A list of accounts totaling \$3,912.47 was presented to be removed from the City's billing system due to customer taking out bankruptcy or being sent to collections.

**MOTION:** A motion to approve the Consent Agenda as presented was made by Councilmember Rex, seconded by Councilmember Jensen and unanimously carried.

**SCHEDULED DELEGATION**

**Recommendation of Collective Community Initiative (CCI) Grants**

Mr. Jeff Scott came forward and reported that they had requests come from ten organizations. They used a matrix to score them in several areas. They recommended the requested amount for eight of the ten.

<b>Organization</b>	<b>Project</b>	<b>Amount Recommended</b>
Box Elder 4H	Science Spooktacular	\$ 730
BE Family Support Center	Young Parents Life Skills Class	8,982
BEHS Key Club	Reducing Prescription Drug Access	1,245
BE Fine Arts Center	Drum Bus	750
Brigham City Police Department	Night Out Against Crime	1,100
Boys & Girls Club	Back to School Family Nights	3,500
Habitat for Humanity	Four Harlem Ambassadors Assemblies	2,250
New Hope Crisis Center	Back-to-School Workshop	1,015
Pregnancy Care Center	WAIT (Why am I Tempted) Abstinence Education Program	-0-
Pregnancy Care Center	Window to the Womb Ultrasound Program	-0-

Mayor Fife asked that some of the organizations report to the Council on their project when it has been completed.

**NEW BUSINESS**

**Request for Approval of Ordinance Dissolving the Central Square Economic Development Area by Repealing Ordinance #05-07**

Mr. Larsen explained that this EDA was established prior to the LDS temple being constructed on the block. This EDA now needs to be dissolved.

**MOTION:** Councilmember Ericson made a motion to approve the ordinance dissolving the Central Square Economic Development Area, seconded by Councilmember Vincent. Councilmember Ericson, Councilmember Jensen, Councilmember Rex, Councilmember Thompson and Councilmember Vincent voted aye. Motion was unanimously approved

**PLANNING COMMISSION BUSINESS**

**Ordinance Amending Chapter 29.21, West Forest Street Corridor Overlay**

Mr. Bradley stated that there are several permitted uses that were included in the overlay in 2010 that were not part of the original overlay in 2004. The permitted uses increase the appraisal on the property. The Planning Commission recommended that the permitted uses be removed from the overall overlay until the Planning Commission can review and evaluate the overlay. This would allow the county to clear the property without impacting the overlay as it was originally established.

The Planning Commission will review the entire overlay and make a recommendation to the City Council in approximately three months.

**MOTION:** Councilmember Ericson made a motion to amend Chapter 29.21, West Forest Street Corridor Overlay, seconded by Councilmember Jensen. Councilmember Ericson,

Councilmember Jensen, Councilmember Rex, Councilmember Thompson and Councilmember Vincent all voted aye. Motion carried.

**Ordinance Amending the North Shore Development Planned District to Modify the Regulations Governing Signs to Allow a Single Low Profile Off-Premise Sign Located at Approximately 3300 West Forest Street**

Mr. Bradley explained that the P zoning on this property was established when the property was annexed into Brigham City in 2003. The property owners are requesting an amendment to the ordinance to allow an off premise sign that will serve as a directional sign for the Machine Lake Westland Mitigation Bank.

**MOTION:** Councilmember Vincent made a motion to approve the ordinance amending the North Shore Development Planned District to modify the regulations governing signs to allow a single low profile off-premise sign located at approximately 3300 West Forest, seconded by Councilmember Jensen. All councilmembers voted aye.

**PUBLIC COMMENT**

DeLoy Mecham, County – Mr. Mecham thanked the Police Department and Sheriff's Department. They do a great job. He honored them for everything they do every day.

Lee Johnson, 130 N 300 W – Mr. Johnson thanked the CCI for moving forward. This is one step closer to saving the country by not taking federal money and trying to let the private industry take over. He has received a few speeding tickets in his lifetime and he found out that speeding tickets are derived out of the federal commerce laws. People have a distorted look at how things work. When a person gets pulled over the officer asks for a driver's license, proof of insurance and registration. What is the definition of a driver? If you go back in history a driver was a person who operated a vehicle in exchange for money. When someone hands over a driver's license they are providing evidence that they are engaged in commerce. The same is true for vehicle registration. This was designed so commercial vehicles could be identified for safety reasons. This is all commerce related. By providing this, a person is providing evidence that they are conducting business and therefore subject to regulations under the commerce clause of the United States. During the 1950s there was a push to standardize state codes and they also used federal codes as a guide. This is just one example of how the system has been distorted by not coinciding the common definition of words.

DeAnna Hardy, County – Ms. Hardy commented on what Mr. Mecham said at the last meeting. They are not a hate group. They love their country. They love their freedoms, their rights, and their property. They are trying to stand up for those rights. That is why they try to get involved and try to reverse what has happened. This is a republic and there are laws. There is a constitution and a lot of the laws come from the Bible. The Founding Fathers would read from the Bible after their meetings. The Bible was also read a lot in schools until it was taken out. There is another set of scriptures, The Doctrine & Covenants. In Section 98 it states, *"And that law of the land which is constitutional, supporting that principle of freedom and maintaining rights and privileges, belongs to all mankind and is justifiable before me. And as pertaining to the law of man, whatsoever is more, or less than this, cometh the evil. I, the Lord God, make you free, therefore you are free indeed; and the law also maketh you free."* We can see over the years how a lot of freedoms have been lost; a lot of our property. We are trying to encourage you to do away with a lot of the socialism, to restore property back to the people, their money and their property rights.

Bonnie Robinson – Ms. Christensen read the following letter prepared by Ms. Robinson who could not be in attendance. *"Dear Councilmembers, I'm sorry that I could not attend Council meeting tonight. I own property to the east and upstream of the mitigation bank. I'm OK with the sign but have a concern about the unintended consequences of the mitigation bank. Since the installation of the dike and head gates the level of water on our property has risen. We have already completed two mitigation projects and hope to maybe do another one or two. We are concerned that the designation for our land may be changed as a result of the rising water level and then we would lose the opportunity to pursue another mitigation project. It concerns me that this project has had an adverse effect on the value and options of our property. Thank you for your service to our community."* Mayor Fife asked Mr. Leonard to look into this issue.

Councilmember Jensen – Councilmember Jensen reported that she had given her resignation to the New Hope Crisis Executive Board after a meeting about Annette McFarland, the Director of the Center. She felt that the actions that were taken to deal with the situation created by Ms. McFarland were insufficient and were only aimed to pacify the community, not to rectify the situation. When Ms. McFarland stated at the Tremonton City Council Meeting that the sons are no better than their fathers, and is speaking of a certain race or creed, not only are they showing prejudice to that race or creed by definition, but they are also giving that race or creed no hope for a future. In a sense they are saying that each generation will progressively get worse. In effect, Ms. McFarland helped to build a wall in the Center's relationships. Her resignation to the Executive Board is to show her disapproval of Ms. McFarland's comments as the Director of the Center and her refusal to apologize in a public setting and the weak actions of the Center Executive Board. She added that this was not an appointed position through the Brigham City Council, but a voluntary position on her own accord.

The Council adjourned to an RDA meeting at 7:56 PM.