

**REGULAR SESSION OF THE  
BRIGHAM CITY COUNCIL  
May 2, 2013**

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

ALSO PRESENT:	Jim Buchanan	Emergency Services Director
	Mary Kate Christensen	City Recorder
	Jared Johnson	Community Development Director
	Paul Larsen	Economic Development Director
	Kristy Law	Recreation Manager
	Mike Nelsen	Police Lieutenant
	Jason Roberts	Finance Director

Mayor Fife called the meeting to order. The Pledge of Allegiance was recited.

**Approval of Minutes:** A motion to approve the minutes of the April 18, 2013 Council meeting and Budget Work Session was made by Councilmember Vincent, seconded by Councilmember Jensen and unanimously approved as distributed.

**2013-14 BUDGET PRESENTATION  
CONSENT**

Appointment to the Benefits Committee

**PUBLIC HEARING**

Adjustments to the 2012-13 Budgets for the General Fund, Fleet Fund, Electrical Emergency Fund to Reflect Changes Recommended by the City Council

**SCHEDULED DELEGATION**

Youth City Council Annual Report  
Request for Waiver of Building Permit Fee  
Academy Building Fundraiser

**NEW BUSINESS**

Request for Approval of Resolution to Rename the Brigham City Municipal Airport to the Brigham City Regional Airport  
Request for Approval of Memorandum of Understanding with Utah Lands, Fire and Forestry to Provide Fire Suppression Services

**OTHER BUSINESS  
PUBLIC COMMENT**

**2013-14 BUDGET PRESENTATION**

Mayor Fife came forward and presented his 2013-14 budget.

Major Factors and Concerns

- UTOPIA payment of \$438,840. This will continue to increase 2% every year.
- Personnel Costs
  - Retirement costs increased over 65% since 2008.
  - Health insurance costs have increased over 47% since 2008.
- Ambulance Revenue
- Electrical Rate Increases
- Swimming pool in immediate need of costly repairs.
- Revenue has been relatively constant with some increased expenses.

#### Departmental Subsidy – General Fund

- Cemetery is no longer being subsidized.
- The Senior Center subsidy has increased slightly every year and is being subsidized this year \$310,000.
- The Recreation Department has made some great changes and their subsidy has leveled off while serving more people.

#### Budget Savings

- Right-sized staff.
- Proposed change of two full-time positions to part-time.
- Reduced engineering hours.
- Reallocation of hours.
- Consolidation of green waste/recycling facility.
- Reorganization of Fire and Ambulance Divisions and reduction of firefighters from 50 to 35.
- Removed the Youth Empowerment Team run by the City and formed the Coordinated Community Initiative run by non-profit organizations.

#### Budget Support

- Ambulance Revenue
  - Decreased considerably over forecasts due to an increase in Medicare and Medicaid usage and billing issues.
  - New billing agency will start July 1, 2013.
  - Change in rates and how they are billed.
- Electrical Rate Structure
  - Proposed base cost/summer and winter rates.
  - RMP rates have increased every year (over 2%) with no rate increases to residents.
  - RMP's approved rate increase of 2.82% for next year to be passed through to electrical users.
- Reduced Debt
  - Refinanced a GOB in the General Fund.
  - Paid off a utility bond 11 years early.
- Supporting creation of new jobs.
  - HyperComp and Vexxel have hired several engineers and it is projected they will be up to 140 employees in five years.
  - More projects that will be announced soon that will bring more jobs to the area.

#### Capital Projects in the General Fund Budget

- Project Commitments for 2013-14
  - Pickle Ball (Phase 2 - \$30,000).
  - Realignment of 400 S 800 W intersection (\$296,000). Class C road funds can be used if necessary.
  - Purchased triplex by Zion's Bank (\$105,000) – funding carried forward from last year.
- Other Projects Included in Budget
  - 1100 South 1100 West Intersection – finish environmental impact report (\$25,000)
  - Golf Course cart paths and watering system \$25,000)
  - Facade grant funding (\$30,000)
  - Impact fee assessment study (\$12,000)
  - City electronic files backup (\$11,200)
  - Senior Center parking lot (\$70,000). Part of this will be funded from previous capital projects.
  - Addition to cemetery building (\$60,000). This funding will come from the Cemetery Fund.
  - Entrance and storm water discharge plan (\$12,500). This funding will also come from the Cemetery Fund.
  - Renovation of swimming pool (\$500,000). It is proposed this will come from the Emergency Fund.

Budget Includes Upgrades to Brigham City's Infrastructure (25-year plan)

- Electric
- Water
- Waste Treatment
- Green/Waste Recycle Facility
- Storm Drain

Fleet Proposed Purchases

Normally the City has approximately \$1M in fleet purchases. In this budget there is \$800,000. The City has tried to keep \$500,000 in the Fleet. He recommended that any excess over that be applied to the Electrical Emergency Fund. This Fund currently has \$504,000 in it. With the excess added to it, it will be approximately \$1.2M. He also recommended this Fund be converted to a Facility Asset Fund which would work similar to the Fleet Fund in that the City will continue to add to it with a lifetime cycle on City facilities for major capital improvements and repairs. This could be used to repair the swimming pool, and then the swimming pool will pay back the fund over a period of time.

Employee Benefits

- 1.7% merit budget, a \$139,000 increase.
  - The CPI for year ending 2012 is 2.1%.
  - Social Security recipients and federal employee are receiving 1.7%.
- Market adjustments/career progression.
  - \$49,000 total in the General Fund of which \$31,000 will go the Police Department to bring some of the Officers I, II, and III up to a 90% comp ratio.
- A small health insurance increase has been budgeted.
- An increase for Worker's Compensation premiums has been budgeted.

Transfer to General Fund from Utility Fund

- Proposed 15% transfer.

**CONSENT**

Appointment to the Benefits Committee

It was recommended Linda Chipley be appointed to the Benefits Committee.

**MOTION:** Councilmember Ericson made a motion to approve the Consent Agenda, seconded by Councilmember Vincent and unanimously carried.

**PUBLIC HEARING**

Adjustments to the 2012-13 Budgets of the General Fund, Fleet Fund, Electrical Emergency Fund to Reflect Changes Recommended by the City Council

Mr. Roberts came forward and explained that this is to improve an amendment to the current budget to pay for emergency repairs to the swimming pool for approximately \$65,000 to get the pool ready to open. In a previous meeting, a motion was made to take the funds out of the fund balance in the General Fund. Mr. Roberts recommended these repairs come out of the current budget's Fleet Fund. This may affect the future budget.

A motion to open the public hearing was made by Councilmember Jensen, seconded by Councilmember Ericson and carried.

Mike Allen, Brigham City – Mr. Allen expressed concern with changing the emergency fund to what he considers a slush fund. The pool project obviously needs to be done, but he asked the Council to consider that a lot of citizens in the community do not approve of getting away from an emergency fund. It has not been used because so far the City has been lucky, but someday when it needs to be there, it needs to be there.

DeAnna Hardy, County – Ms. Hardy asked how much revenue the pool makes every year. Councilmember Ericson replied that the pool brings in \$239,000 a year and the expenses are approximately \$320,000. Ms. Hardy said as she has been learning about the Constitution and the proper role of government, she realized that a lot of people love a municipal swimming pool. When the pool was first constructed a lot of people thought it was a great idea. But other people said they did not like to go swimming so the City has to forcibly take their money to provide for the swimming pool. The City did not protect those citizens' property rights. The City should not be in the swimming pool businesses; private enterprise should take this over. Then if people want to swim, they pay money, they use the pool and then they pay for the expenses rather than forcing the general citizens to pay for something they do not use and did not want.

Becky Maddox, Brigham City – Ms. Maddox said she is also concerned about taking money from the emergency fund to fix the pool. This money needs to be kept for significant things that are a true emergency. The City should plan ahead. She agreed with Ms. Hardy's points. Maybe the City should look at increasing the costs to users with the idea that if someone wants to take on a swimming pool it would be feasible for them. If people knew the true cost of the government to run this, they might think a private enterprise, not public, would have a lesser cost and those who do not use it are not being charged for something they are not using. There are a lot of older people who \$5 a month extra means maybe they can't have their medications or food because the government is taking that money from them.

DeLoy Mecham, County – Mr. Mecham said since 2008 they have had to run their business in a negative. Funds come from other sources than their actual business. He suggested the City look at what participants are charged and consider increasing it if needed. He realizes it is mostly youth that use the pool and if activities are taken away from the youth they start doing things they should not. It's still a business and sometimes you have to run in the negative until it becomes positive.

Bonnie Germer, Brigham City – Ms. Germer suggested reopening the pool on Sundays and leaving it open a little longer in the season. There are a lot of people who would like to use it on Sundays and it could generate some revenue.

Carol Barello, Brigham City – Ms. Barello thought that when the City built the new pool that the City advertised it as a revenue maker and it would pay for itself. If it is not paying for itself, maybe it's time to get out of the business of running a lot of nice things for people, even recreation. She questioned whether government is supposed to worry about recreating their citizens. The Constitution does not say anything about government worrying about recreation. The pool is wonderful and a lot of people enjoy it, but if it does not pay for itself, it goes under. She suggested raising rates and extending hours. The City needs to be concerned about the services that are important to the majority of citizens.

A motion to close the public hearing was made by Councilmember Jensen, seconded and unanimously carried.

A resolution will be brought to the Council at the next Council meeting.

Mayor Fife clarified that there are two emergency funds - the Disaster Fund, which will be kept as is, and an Electric Emergency Fund. The Council felt that keeping enough funds to cover the cost of the most expensive piece of equipment in the Electric Emergency Fund was adequate.

Councilmember Ericson added that the issue is that the City has not put any significant money into the pool since it was constructed 17 years ago. The Council has been foolish over the last 17 years not to put any money aside for this. This has happened with other facilities as well. Either the Council can ignore the problem and fix the problem when it is an emergency, or find a way to put money in a fund every year. This will protect the facilities that citizens' money has paid for. The HVAC at City Hall, for example, is in poor condition and there are no longer parts available. There is no money in place or any plan to fix it.

## SCHEDULED DELEGATION

### Youth City Council Annual Report

Youth Mayor Schuyler Bradley, Ms. Tiffany Jeppsen and Sarah Thompson came forward. Mayor Bradley expressed appreciation to the Mayor and City Council for all their support and funding so they can enjoy the many fun opportunities they participate in. He reviewed the activities and projects they have done throughout the year.

- Service Projects
  - Placed U.S. flags on the graves of veterans on Memorial Day.
  - Helped at the Heritage Theater by organizing shelves.
  - Raked leaves at the New Hope Crisis Center.
  - Served Thanksgiving dinner at the Senior Center.
  - Participated in the Family Fishing Day at Mantua Reservoir by providing games for the kids.
  - On Valentine's Day they delivered cookies to Brigham City Street Department employees, Mayor and Council, Waste Treatment employees and the Chamber of Commerce.
  - Disassembled the Christmas display at the Academy Building.
  - Assisted 300 scouts earn merit badges at the Natural History Museum at the Bunderson Center.
  - Assisted with Kiwanis Easter Egg Hunt.
  - Designed and assembled the Brigham City booth for the County Fair.
  - Third Annual Senior Ball.
- Other Activities
  - Attended Local Official's Day and met with Representatives Menlove and Perry.
  - Toured the Emergency Services Building, the historic train depot, the post office and Storm Products building.
  - They heard from Councilmember Thompson, Representative Ronda Menlove and County Clerk Marla Young.
  - Past Mayor Kano spoke to them on leadership
- They were privileged to attend YCC Leadership Conference in Logan.
  - Presented a workshop on leadership entitled "Why Not?"

### Request for Waiver of Building Permit Fee

Mr. Andy Kimball, representing the Acts Soup Kitchen, and Bruce Porter, representing the Eagles, came forward. Mr. Kimball said they serve 120-130 meals a week. They were located at the old Lincoln School. When that was demolished they relocated to the Eagles building. They have a large walk-in cooler in storage and it needs to be installed in the Eagles building. When they came to the City to get a building permit, they found out it would cost \$92.91. Due to their limited budget, they requested a waiver of these fees.

Councilmember Jensen said last year the Food Pantry wanted a waiver of \$35 for a sign permit. Someone anonymously paid for that. She did not want to set a precedent of helping non-profits and then not be able to help taxpayers. She suggested she or someone contribute money. She said she would be willing to pay the fees.

**MOTION:** Councilmember Ericson made a motion for each councilmember to contribute \$15 to cover the \$92 fee. The motion was seconded by Councilmember Jensen and unanimously carried.

### Academy Building Fundraiser

Ms. Lori Nawyn came forward and said her daughter, Maggie, has planned another concert with Alex Boye to raise money for the Academy Building on June 22, 2013. In addition, Mr. Boye has asked her to do a music video in Brigham City. They will do a \$30,000 video for \$5,000. It was anticipated this would take place in August, but Mr. Boye said it needs to be done next Tuesday, the 7<sup>th</sup>. They have approached some community members and have had some generous donations. They are still \$3,500 short.

Councilmember Jensen asked if they had worked with the Academy Square Foundation. Mr. Brad Mortensen, Chair of the Foundation, stated that their intent is to solicit funds from the public and various foundations to help with the renovation of the Academy Building. They feel that they will be able to use this video as well as the concert as a tool to do that. They have some funds available which they have allocated for the video. They are hoping the City would be willing to make up the difference.

Councilmember Vincent said the City's budget is very tight. He recommended they try to raise more funds and then return to the next Council meeting and update the Council.

## NEW BUSINESS

### **Request for Approval of Resolution to Rename the Brigham City Municipal Airport to the Brigham City Regional Airport**

Mayor explained that this resolution changes the name of the airport to the Brigham City Regional Airport. The Airport Advisory Board voted unanimously to approve this.

**MOTION:** A motion to approve the resolution to rename the Brigham City Municipal Airport to the Brigham City Regional Airport was made by Councilmember Vincent, seconded by Councilmember Jensen. All councilmembers voted aye, making voting unanimous.

### **Request for Approval of Memorandum of Understanding with Utah Lands, Fire and Forestry to Provide Fire Suppression Services**

Mr. Buchanan explained that this MOU will make Brigham City a contract with the State of Utah, rather than just subcontractor. This will increase revenue.

**MOTION:** Councilmember Ericson made a motion to approve the MOU with Utah Lands, Fire and Forestry to provide fire suppression services, seconded by Councilmember Vincent and unanimously carried.

## PUBLIC COMMENT

DeAnna Hardy, County – Ms. Hardy said she was taught that if you don't learn about history the mistakes of the past are repeated. She thought this is what has happened. Karl Marx believed that government should redistribute the wealth and this country has basically adopted that believe. In 1900 certain wealthy influential groups lacked confidence in the original American system and began propagandizing people into believing that a redistribution of wealth would greatly improve the American lifestyle. This theory of economics with its concentration of political power at the center of government is usually referred to as socialism. Samuel Adams vigorously warned against these principles. The result has been that these policies launched America into a wild trajectory which resulted in runaway inflation, a huge national debt, taxes which are devouring nearly half of people's earning power, a serious invasion of individual rights and a virtual collapse of states' rights. The militant form of socialism, such as Communism, Nazism and Fascism, has caused more wars and shed the blood of more human beings than any system of government in the history of the world. Even the so called peaceful forms of socialism and the democratic socialism have proven counterproductive and have continuously crept along the razor's edge of perpetual bankruptcy. Americans have sent hundreds of billions of dollars in foreign aid trying to help the socialist nations survive. Now the country is bordering on bankruptcy. The Founding Fathers set up the American system so socialism would be unconstitutional by setting up a limited form of government with carefully enumerating powers. President Jefferson called this limitation on governmental the chains of the Constitution. Unfortunately the US has not been following the Constitution, neither the US Constitution or the Utah Constitution. She asked the Council, as they review the budget and conduct City business, to look at all these things and think more of what can be done. For example, going to businesses and ask them if they want to run the swimming pool.

Lee Johnson, Brigham – When Mr. Johnson said there is a city in Georgia that is a remarkable growing City, Sandy Springs. They decided to take a step back toward a free system and privatized a lot of their services. He said there is more control with a proper contract than there are with employees. Regarding

the rise of Communism, May Day was a particularly interesting day. The Communist, the Marxist and Anarchists showed themselves and they were much more organized this year. They are organizing to overthrow the government. Utah is not immune. There were protestors in Salt Lake and in 2011 there was a group that did an occupy in Ogden. In Salt Lake City the movement tried to chase down the President of Wells Fargo Bank and give him a citizen's arrest for the way they handled his mortgage. The faster we move toward a free system the easier it will be to convince people that we are not a charity. The City is currently subsidizing the airport, swimming pool and golf course. People are going to make a big deal about the City owning all these things. He recommended the City privatize these things for someone else to manage on a day-to-day basis.

Linda Fletcher, Brigham City – Ms. Fletcher commented on the previous work session regarding the West Forest railroad crossing. She lives west of the Forest Street crossing and understands the issue with the trains. The least expensive alternative is the overpass on 50 South. With the City's budget as tight as it is, she felt this would be the best choice. If the City chooses to construct an overpass on Forest Street, she would have to move. She does not want to move. It would also affect Pioneer Park, the swimming pool, Big J Mill and Tool Engineering. It would impact a lot of people.

DeLoy Mecham, County – Mr. Mecham thanked the Mayor and Council. Johnny Lyle has been to Brigham City a few times looking for a place to construct his pig farm. He told him the people have been kind to him, unlike those in Tremonton. The Tremonton Planning Commission is meeting on May 14 to try and make a permanent situation to not allow any kind of slaughter house in the City limits. He said it is really not a slaughter house, it is a processing plant. Tremonton needs those 250 jobs, which will be \$15 and up. The old La-Z-Boy building has been empty for five years and something needs to be done with it. The next move will be to either sue or tear the building down.

Becky Maddox – Ms. Maddox expressed appreciation to the Council for making some decisions to make things better by not using government money in areas that are inappropriate to do so. There seems to be two constitutions, the one that the Founding Fathers drafted and the Constitution that the Supreme Court has created as they make their so-called constitutional decisions. They have a tendency to interpret the Constitution in the light of their conceit. But tonight, the Council seems to be coming back to what the Constitution should be.

Mike Allen – Mr. Allen said the swimming pool should be making their own money. The City should not be subsidizing it every year. He did not feel that anyone would come in and buy it because it is not making money, so the City is stuck with it. The City should work out a plan so it can at least come close to paying for itself. Regarding the Emergency Fund, he said communication is important. He recommended being very careful. If the Emergency Fund is going to pay to fix the pool, he recommended making it enough to do it. The idea of putting money aside for the future has been around for a very long time. He said the funds should be for that purpose only and no one in the future should be allowed to use it.

Mr. Allen stated that he came to the Council last year about this time and asked the Council what was being done to ensure the citizens would not be paying for UTOPIA. At that time the Council told him that UTOPIA was going to take care of it and assured the City that they were offering some things to solve the problems. However, not one thing has been done. In fact, there are fewer subscribers than there was then. He suggested a task force be formed to look how this can be resolved.

Mayor Fife explained that the City has made many recommendations regarding UTOPIA. The biggest issue is that Brigham City only has a 3.3% vote. The City is still working on some concepts. It is a difficult problem and will go on for many more years. Brigham City has lost some subscribers due to the quality of the services, but other member cities are now being built out and are getting more subscribers. However, it is still not supporting itself.

**OTHER BUSINESS**

The Council scheduled a budget work session for May 16 at 5:30.

The meeting adjourned at 8:43 PM.