

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
August 15, 2013**

PRESENT:	Dennis Fife	Mayor
	Scott Ericson	Councilmember (<i>arrived at 7:25</i>)
	Ruth Jensen	Councilmember
	Brian Rex	Councilmember
	Mark Thompson	Councilmember
	Tyler Vincent	Councilmember
ALSO PRESENT:	Rick Bosworth	Human Resource Manager
	Jim Buchanan	Emergency Services Director
	Mary Kate Christensen	City Recorder
	Jared Johnson	Community Development Director
	Paul Larsen	Economic Development Director
	Bruce Leonard	City Administrator
	Tyler Pugsley	Public Works Director
	Jason Roberts	Finance Director/Deputy City Recorder
	Paul Tittensor	Police Chief

Mayor Fife called the meeting to order. The Reverence Period was given by Bishop Flint Hollingsworth of the LDS 12th Ward. The Pledge of Allegiance was recited.

Approval of Minutes: A motion to approve the minutes of the August 1, 2013 Work Session was made by Councilmember Vincent, seconded by Councilmember Jensen and unanimously approved as distributed.

RECOGNITION OF EMPLOYEES

New Hire, Community Development

CONSENT

Request to Write-off Accounts Due to Bankruptcy or Being Sent to Collections
Appointment to the Advisory Council on Aging
Reappointment to the Library Board
Appointment to the Airport Advisory Board
Appointment and Reappointment to the Public Utilities Advisory Board
Cancellation of September 5th Council Meeting and Scheduling of Special Meeting for August 22

PUBLIC HEARING

Adjustment to the 2013-14 Brigham City Budget to Allow for Architectural Design of the Academy Building

SCHEDULED DELEGATION

Presentation from Chamber of Commerce
Arbor Day Proclamation

NEW BUSINESS

Interlocal Cooperation Agreement with the Redevelopment Agency for RDA #1 Tax Increment Revenues

UNFINISHED BUSINESS

Recommendation to Continue Participation in the Wasatch Regional Council Metropolitan Planning Organization

PUBLIC COMMENT

RECOGNITION OF EMPLOYEES

New Hire, Community Development

Mr. Jared Johnson introduced John Chase as the new Chief Building Official effective August 26, 2013.

CONSENT

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

A list of accounts totaling \$3,618.35 was presented to be removed from the City's billing system due to customer taking out bankruptcy or being sent to collections.

Appointment to the Advisory Council on Aging

Jolee Thompson was recommended to be appointed to the Advisory Council on Aging.

Reappointment to the Library Board

It was recommended Mary Clark be reappointed to the Library Board.

Appointment to the Airport Advisory Board

Jeff Baugh was recommended for appointment to the Airport Advisory Board.

Appointment and Reappointment to the Public Utilities Advisory Board

It was also recommended Brett Reeder be appointed to the Public Utilities Advisory Board and Bill Munson be reappointed to the same board.

Cancellation of September 5th Council Meeting and Scheduling of Special Meeting for August 22

In order to support Peach Days, it was recommended the September 5th Council meeting be cancelled. A special meeting is needed on August 22 to canvass the primary election results.

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

PUBLIC HEARING

Adjustment to the 2013-14 Brigham City Budget to Allow for Architectural Design of the Academy Building

Mr. Roberts stated that the City has been approved for a Community Improvement loan for improvements to the Academy Building. In order to get the loan, the architectural design has to be completed. There is nothing in the current budget for this. The public hearing allows the budget to be adjusted to appropriate the funds for the architectural design.

The funds could come from RDA assets or from fund balance. Mr. Roberts recommended the design be paid from fund balance, then replenish it if the City goes with the Academy Building.

There were no comments from the public. A motion to close the public hearing was made by Councilmember Thompson, seconded by Councilmember Rex and unanimously carried.

Mr. Roberts explained that if the Council chooses this option, the public hearing in the RDA meeting will not be necessary.

MOTION: Councilmember Jensen made a motion that the Council stick with what is on the agenda. Councilmember Rex asked if the Council discusses using RDA assets in the RDA meeting, if the Council can still use fund balance. Mr. Roberts replied that they can. Councilmember Rex seconded the motion; unanimously carried.

MOTION: Councilmember Thompson made a motion to adjust the 2013-14 budget to allow for architectural design of the Academy Building. The motion died for lack of a second.

SCHEDULED DELEGATION

Presentation from Chamber of Commerce

Mr. Flint Hollingsworth, Chamber of Commerce President, came forward and presented the Council with gift baskets in acknowledgement of everything the City Staff and Council does for the Chamber. Peach Days will be held September 5-7.

Arbor Day Proclamation

Mr. Pugsley came forward and announced that the Arbor Day Celebration will be held September 12 at 10:30 a.m. instead of April in order to plant trees in the new Discovery Grove Park. He read the Arbor Day proclamation.

NEW BUSINESS

Interlocal Cooperation Agreement with the Redevelopment Agency for RDA #1 Tax Increment Revenues

Mr. Larsen explained that this agreement pledges property tax increment from the property on Block 2, which is from 100 North to Forest Street and from Main Street to 100 East. The tax increment in this area would be pledged to the Redevelopment Agency to complete the Academy Building.

MOTION: Councilmember Thompson moved to approve the interlocal cooperation agreement with the RDA and Brigham City for the tax increment of RDA #1, seconded by Councilmember Rex. Councilmember Rex, Councilmember Thompson and Councilmember Vincent voted aye; Councilmember Jensen voted nay.

UNFINISHED BUSINESS

Recommendation to Continue Participation in the Wasatch Regional Council Metropolitan Planning Organization

Mayor Fife recommended that the City go forward with the Wasatch Regional Council and requested approval to sign agreements with them.

MOTION: Councilmember Jensen made a motion to continue with the Wasatch Regional Council Metropolitan Planning Organization and authorize the Mayor to sign agreements with them. The motion was seconded by Councilmember Rex and unanimously carried.

Councilmember Ericson arrived at 7:25 p.m.

PUBLIC COMMENT

Bonnie Germer, Brigham – Ms. Germer said in the work session Kirk Morgan, City Attorney, agreed with changing the public comment period. She disagreed with him. This is the citizens' only way of getting their comments to the Council. It seemed like he was saying that if she made a comment and DeAnna Hardy did not make the meeting, she cannot make a comment on something DeAnna did not know she was going to say. This stifles her comments because the Council is worried about what DeAnna is going to think if she didn't know what she was going to say. This is totally confusing. She said she does not care if DeAnna likes what she says, and she doesn't care what Deanna says when she's not at Council meetings. If people want to make a comment on what she says tonight they can come to another meeting. People deal with what people say. She comes to the meetings to talk to the Council; she does not care what other people say during public comment and she does not come to see them. They have their own thoughts. When she wants to say something to the Council she thinks she should. It should not be just what is on the agenda because what she wants to say is not on the agenda. She is only allowed three minutes so she should be able to say what she wants. The Council does not have to make a comment, but they have the obligation to let her say what is on her mind. If the Council does not let the citizens have their say, they will not support the Council on anything. The Council needs the citizens. Without their funding Mary Kate doesn't need to be here; she shouldn't get paid. The Council should not be funded if the citizens do not support them. The Council needs to support the citizens so the citizens

will support the Council. The Council cannot take away our privileges. The public funds everything. For example, the pizza and water, the citizens bought that for the Council. They buy their health insurance and their dental insurance. They pay for their traveling. Without the citizens the Council does not get that. Then to have someone come in and tell Bonnie she cannot say what is on her mind because it might offend someone.

Ninny Christensen – Ms. Christensen said she has cancelled the Constitution Celebration because she had a very nasty call from a man identifying himself as a Utah Force Militia. He was very rude on the phone because he wanted to be part of the celebration and she wanted to know what contribution he was going to make. He told her she did not need her permission. He told her that Mayor Fife had given him permission to be at the park that night and when she checked with the Mayor he had not. He frightened her so she decided to cancel everything, but it has been resurrected. It is going to be mostly focused on education. She is concerned about what is going on with the Constitution. It has been torn to pieces and it is up to each one of us to get to know what is in the Constitution. Every positive change has come from the grass roots. We need to restore the honor of the Constitution. The Chamber of Commerce has agreed to put the celebration on their marquee and have agreed to contact each merchant. She will submit articles to the paper on how each citizen can become Constitution savvy.

Lee Johnson, Brigham – Mr. Johnson said two weeks ago his nephew spoke during public comment. The council probably enjoyed his economic policies which are a stark contrast to his position. He explained his nephew's background. His father ran away from home several times. He eventually joined the military and was medically discharged for psychological reasons. He later got into some criminal activity and nearly killed himself in an automobile accident. He married a girl and she dropped out of high school. She now has a progressive disorder that includes schizophrenia and dementia. His nephew is a very bright kid but he has troubles in his life. He is also a product of public education. His favorite things to do are play games such as Civilization and Sim City. He is an Atheist and is a very vocal anti-Christian. He works part-time at McDonald's and for the most part lives at home. He is only 17 years old. If the City's economic policies match that of a 17-year-old, where are we? He added that he has two children in high school and he would be disappointed if they were to write a report without proper reference to their source material. He said the City Code is a legal document and it needs to be properly referenced. Otherwise it is a laughing stock.

DeLoy Mecham, County – Mr. Mecham said he has been studying a lot about China and how the mayor works there. The mayor in China has a similar Council like we do here, but the Mayor makes all the rules. The Council has no say. Representative Mike Lee had a town hall meeting last week and he was the only one that attended. We need to pay attention to what is going on. He announced that Friday at 4:30 Congressman Bishop is having a town meeting in Ogden. He added that it is alright to have public opinion but it is never fair to attack a single individual person. It is not the place to attack a person.

DeAnna Hardy, County – Ms. Hardy was thinking about the Pledge of Allegiance. It says, "and to the Republic." We have not been a republic for a long time; we are a democracy. A democracy is mob rule. The people come in and vote to take away our money. The conspiracy minds are who want to change our country from within knew that we needed to have democracy. There has to be a democracy before it can be taken into communism. We have a choice. We can either go into communism or we are going to restore it back to a republic. We have to change our ways. She added that she really thinks the hotel is a good idea; it's beautiful. But it should not go through our government. She is thinking of not going to Hampton Inns anymore. If those two homes don't sell for the price the City wants, it will go back on the people. She felt that everyone voting for this should be put their homes on the list in case it falls through. She heard from some of the Council that they make the budget every year. The problem is that they make their budget because they can take away from the citizens. They are not thinking about what the citizens have to deal with. They have budget crises too but they do not have anyone to help them. The City can just go in and take more of what they need. She asked the Council to think of things differently and help restore the government back to a republic.

Becky Maddox, Brigham – Ms. Maddox said whatever road we go down, sometimes we cannot go back and take another road. That can make a big difference. People come to Council meetings to speak because they want the Council to consider what they say before they take a vote. Oftentimes the vote

may be taken that night. Sometimes they would like to have a little more time than that to ponder what they want to say. If the Council changes the rules they will not have that opportunity. People can come to the councilmember's homes and talk to them – if they let them. Think ahead of what the percussions might be. The right of free speech was not given to us in the Constitution. The Constitution and the Declaration of Independence declare that this is one of the rights given to people by the Creator and it is unalienable – it cannot be assigned to someone else. It is a right, not a privilege. If the people go to the Council in private, no one else knows what they said and maybe they want other people to see their viewpoint. When they speak at Council meetings they can hear other people's viewpoints and be enriched by their ideas. She added that the Utah Codes should be referenced in the City Code because not everyone has the intelligence and the training to understand legalese and know how to get from point A to point B.

Lee Crouse – Mr. Crouse noticed by 100 North by Kent's Market a lot of people jaywalk across the street. He asked if it would be possible to make a crosswalk there. He has parked his pop-up trailer on the parking strip for seven years and someone recently told him he had to move it because it was in the public right-of-way. However, as he travels throughout Brigham City he has noticed a lot of trailers parked in the same area. He asked why he was singled out. He asked if the intersection at 100 South and 100 West could be a 4-way stop.

There were no further comments from the public.

The meeting adjourned at 7:50 p.m.