

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
December 16, 2021
7:00 P.M.**

PRESENT:	Tyler Vincent	Mayor
	D.J. Bott	Councilmember
	Alden Farr	Councilmember
	Joe Olson	Councilmember
	Tom Peterson	Councilmember
	Robin Troxell	Councilmember
ALSO PRESENT:	Mark Bradley	City Planner
	Dave Burnett	Power Director
	Mike Christiansen	City Attorney
	Mike Nelsen	Police Chief
	Derek Oyler	Finance Director
	Tyler Pugsley	Public Works Director
	Kristina Rasmussen	Deputy City Recorder

Mayor Vincent called the meeting to order at 7:00 p.m. The Reverence Period was given by Councilmember Bott and the Pledge of Allegiance was recited.

AGENDA

RECOGNITION OF EMPLOYEES

New Hires in the Police Department, Public Works, and Fire Department

CONSENT

Request for Approval of December 2, 2021 City Council Meeting Minutes
Request to Write-off Accounts Due to Bankruptcy or Being Sent to Collections
Request for Approval of Annual Meeting Notice
Request for Approval of Special Meeting for Oaths of Office
Request for Approval of 2022 Holiday Schedule
Appointments to Planning Commission

**PUBLIC COMMENTS FROM BRIGHAM CITY RESIDENTS AND THOSE PAYING
PROPERTY TAXES IN BRIGHAM CITY**

COUNCILMEMBER COMMENTS

ACTION ITEMS

Consideration of Resolution Renewing Emergency Proclamation
Consideration of Ordinance Amending Title 29, Zoning, Chapter 29.12 to Allow, Include and Establish R-1-6 Standards and Regulations
Consideration of Ordinance Amending Zoning Map from A-5 (Agricultural District) to R-1-6 (Residential District) on Approximately 36 Acres Located South of 400 South and East of 1200 West
Consideration of Ordinance Updating Voter Participation Areas
Consideration of Reclassification of Power Department Position
Consideration of Approval for Grant Application to Box Elder County for American Rescue Plan Act Funding

DISCUSSION ITEMS

FY 2020-21 Audit Presentation

**ADJOURN TO CLOSED SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE
OF REAL PROPERTY**

RECOGNITION OF EMPLOYEES

Chief Nelsen presented Officer Preston Clawson with his badge. Mayor Vincent recognized Mike Waite, newly hired Water Supervisor and Braxton Davis, newly hired part-time Firefighter AEMT.

CONSENT

Approval of December 2, 2021 City Council Meeting Minutes

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

A list of accounts totaling \$399.00 was presented to be removed from the City's system due to customers taking out bankruptcy or being sent to collections.

Request for Approval of Annual Meeting Notice

Utah Code requires cities to publish a yearly schedule of Boards and Commissions. This will be sent to the newspaper and posted as required.

Request for Approval of Special Meeting for Oaths of Office

A meeting is required to administer Oaths of Office to the newly elected Mayor and City Councilmembers. It will be held at noon on January 3, 2022.

Request for Approval of 2022 Holiday Schedule

A proposed schedule of holidays was presented for approval.

Appointments to Planning Commission

It was recommended that Jason Coppieters be appointed as Planning Commissioner and Mandi Richens be appointed as First Alternate.

MOTION: A motion to approve the Consent agenda was made by Councilmember Bott, seconded by Councilmember Peterson, and carried unanimously.

PUBLIC COMMENTS

Barbara Bell – Ms. Bell proposed a change to the conditional use permit for her business, Bell-X 101. Mayor Vincent stated City Staff would contact Ms. Bell.

Chief Michael Nelsen – Chief Nelsen expressed his appreciation for the Council, the community, and his family and appreciated the support he received during his employment with Brigham City.

COUNCILMEMBER COMMENTS

Councilmember Farr – stated the Advisory Council on Aging meeting was cancelled. He thanked Nelson Phillips at the News Journal for his article on the Meals on Wheels program. Councilmember Farr thanked citizens for their service to others in the community and thanked Chief Nelsen for his service to the City.

Councilmember Bott – spoke about Councilmember Peterson's service on the City Council. He acknowledged and appreciated their differing viewpoints over the years. Councilmember Bott thanked Mayor Vincent for his leadership, and thanked Chief Nelsen and Mrs. Nelsen for the sacrifices made during Chief Nelsen's employment and service to the community.

Councilmember Olson – thanked Chief Nelsen, Mayor Vincent, and Councilmember Peterson for their service to Brigham City and urged them to attend future Council meetings.

Councilmember Troxell – attended a CERT Christmas dinner and thanked CERT and all of the various City committee members for their service. She encouraged committee volunteerism in 2022. She recognized Chief Nelsen for his integrity, love, and caring during his time as Police Chief.

She thanked Councilmember Peterson for his example and recognized Mayor Vincent for his support and encouragement during her term as a Councilmember.

Mayor Vincent presented a gift to Councilmember Peterson for his eight years of service on the City Council and recognized his dedication. He also thanked Councilmember Peterson's family for supporting him during his term on the Council.

Councilmember Peterson – thanked the citizens for allowing him to serve on the Council. He also thanked the staff for their work and encouraged the Council to question items presented to them. He thanked Chief Nelsen for his service and Mayor Vincent for his sacrifices while serving the community. Councilmember Peterson voiced his appreciation for the support received from his wife and family.

Mayor Vincent – passed the gavel to Councilmember Bott in advance of the January 3rd swearing in ceremony. Mayor Vincent reminisced about his journey of service to Brigham City. He thanked the citizens for their support and service to the community. He encouraged the new Mayor and Council to work hard and mentioned the future completion of the railroad overpass. He thanked the Council and staff for their hard work and support and recognized Chief Nelsen's years of service. Mayor Vincent also thanked his wife and family for their love and support.

ACTION ITEMS

Consideration of Resolution Renewing Emergency Proclamation

Mr. Oyler explained this resolution would extend the Council's ability to hold an electronic meeting for another thirty (30) days if needed due to Covid related absences.

MOTION: Councilmember Bott made a motion to approve the Resolution renewing the Emergency Proclamation. The motion was seconded by Councilmember Peterson.

Roll Call:	Councilmember Farr	Aye
	Councilmember Bott	Aye
	Councilmember Peterson	Aye
	Councilmember Olson	Aye
	Councilmember Troxell	Aye

Consideration of Ordinance Amending Title 29, Zoning, Chapter 29.12 to Allow, Include and Establish R-1-6 Standards and Regulations

Mr. Bradley came to the table and thanked Mayor Vincent and Councilmember Peterson for their service.

Mr. Bradley explained this zoning district was referenced in the General Plan to allow for another medium density residential district. The Planning Commission held a public hearing and made a recommendation to the City Council for approval. The uses are similar to the R-1-8 zone and include: 6,000 square foot minimum lot size; 60-foot minimum lot width; 70-foot corner lot minimum width; 16-foot total minimum side yard setbacks; and 40% maximum lot coverage for all structures.

MOTION: Councilmember Bott made a motion to approve the Ordinance amending Title 29, Zoning, Chapter 29.12 to allow, include, and establish R-1-6 standards and regulations. The motion was seconded by Councilmember Troxell. Councilmember Peterson commented that the State legislature was pushing cities to make accommodations for higher density housing and thanked staff for their work to make this happen.

Roll Call:	Councilmember Troxell	Aye
	Councilmember Olson	Aye
	Councilmember Peterson	Aye
	Councilmember Bott	Aye
	Councilmember Farr	Aye

Consideration of Ordinance Amending Zoning Map from A-5 (Agricultural District) to R-1-6 (Residential District) on Approximately 36 Acres Located South of 400 South and East of 1200 West

Mr. Bradley displayed the zoning map showing the area that would be rezoned from A-5 to R-1-6. He mentioned only the Whitaker property would be developed at this time. The Beeton property would be part of the zone change but would retain the right to the grandfathered uses of the A-5 zone until such time as development occurs. The Glauser property was not part of the rezone. The Planning Commission held a public hearing and made a recommendation to the City Council for approval.

MOTION: Councilmember Bott made a motion to approve the Ordinance amending zoning map from A-5 (Agricultural District) to R-1-6 (Residential District) on approximately 36 acres located south of 400 South and east of 1200 West. The motion was seconded by Councilmember Farr.

Roll Call:	Councilmember Farr	Aye
	Councilmember Bott	Aye
	Councilmember Peterson	Aye
	Councilmember Olson	Aye
	Councilmember Troxell	Aye

Consideration of Ordinance Updating Voter Participation Areas

Mr. Oyler came to the podium and explained State Code requires a review of the voter participation areas by January 1, 2022. The only change was the number of voters in each quadrant of the map. The boundaries did not change. State Code requires the boundary areas be reviewed every 10 years going forward.

MOTION: Councilmember Farr made a motion to approve the Ordinance updating Voter Participation Areas. The motion was seconded by Councilmember Olson.

Roll Call:	Councilmember Troxell	Aye
	Councilmember Olson	Aye
	Councilmember Peterson	Aye
	Councilmember Bott	Aye
	Councilmember Farr	Aye

Consideration of Reclassification of Power Department Position

Mr. Burnett came to the table and expressed his appreciation for the opportunity to work with Councilmember Peterson and Mayor Vincent.

Mr. Burnett explained the request was for a change in the Power Department administrative assistant position from part time to full time. He explained this position would be responsible for the added duties of tracking inventory and inventory costs, and upcoming solar responsibilities. Mr. Oyler clarified the current year budget could cover the change. Increased operational costs would be presented for approval in a future budget.

MOTION: Councilmember Peterson made a motion to approve the reclassification of the Power Department position. The motion was seconded by Councilmember Olson.

Roll Call:	Councilmember Farr	Aye
	Councilmember Bott	Aye
	Councilmember Peterson	Aye
	Councilmember Olson	Aye
	Councilmember Troxell	Aye

Consideration of Approval for Grant Application to Box Elder County for American Rescue Plan Act Funding

Mr. Pugsley came to the podium and conveyed his sentiments to Mayor Vincent and Councilmember Peterson on their years of service.

Mr. Pugsley explained the Mantua intake structure project would benefit from the American Rescue Plan Act grant opportunity through Box Elder County. There have been significant problems with the structure including clogging and blocking. The project cost is \$600,000. Mr. Pugsley asked for approval to submit an application to the County for this 50/50 cost share grant.

A second project, which has been on the capital improvement plan for years but has been put off due to the costs, is a water storage reservoir facility on the north end of town. The area identified for the reservoir location was the property above Kotter Canyon. The proposed reservoir would provide ample storage for the community if there was a problem with the 5-million-gallon storage reservoir, as well as provide water to the Bear River Water Conservancy District (BRWCD) in accordance with the water supply agreement. West Corrine and Corrine City have connections off the Harper Ward line which is maintained by the BRWCD. The 2-million-gallon water storage facility project cost is estimated at \$2.9 million. Mr. Pugsley asked for approval to submit an application to the County for a 50/50 cost share grant. If the two projects were selected for grant funding, the intake structure project would have to be completed before spring runoff and the water storage reservoir would have to be completed by 2024. There was discussion and explanation about how the reservoir would be fed, and discussion on approaching the BRWCD for assistance with the costs of the storage reservoir project.

MOTION: Councilmember Olson made a motion to approve the grant application to Box Elder County for American Rescue Plan Act funding. The motion was seconded by Councilmember Bott.

Roll Call:	Councilmember Peterson	Aye
	Councilmember Olson	Aye
	Councilmember Troxell	Aye
	Councilmember Bott	Aye
	Councilmember Farr	Aye

DISCUSSION ITEMS

FY 2020-21 Audit Presentation

Mr. Oyler came forward and made the following comments referring to the audit presentation on the screen.

- Days Cash
 - City wide days cash increased by 1 day from the previous year
 - Governmental days cash increased by 65 days due to Cares Act monies and sales tax revenue
 - Business-type days cash decreased by 62 days due to 46 kV loop line funded from fund balance, and increased wholesale power costs
- Changes in liabilities to net position in governmental and business type funds decreased due to the principal payments on debts
- Revenues higher than budget included sales taxes, ambulance fees, building and impact fees, and intragovernmental due to receiving State funds for Covid related expenditures
- Expenditures lower than budget included fire and ambulance, police, and streets
- General fund revenues and transfers in showed total revenues increased from approximately \$18 million to almost \$21 million
- General fund expenditures and transfers out showed public safety made up 44% of the total expenditures, with the Police Department accounting for 51%
- The net costs of Public Safety decreased by 37%, approximately \$2 million from the prior year

- Unassigned and assigned fund balance in the general fund increased by approximately \$2.9 million; the Library Fund increased by approximately \$38,000 due to property tax revenue increases; the Golf Fund fund balance increased from approximately \$16,000 to \$132,000 due to a very profitable year
- The combined RDAs had a negative fund balance due to an intercompany loan for infrastructure related to NUCOR Building Systems, the Academy kitchen buildout, and a property purchase on Forest Street
- The 2009 SAA balance grew by approximately \$83,000 due to property owners not making payments on their assessments
- Business type funds net profits after transfers showed water profits decreased; electrical profits decreased mainly due to an increase in wholesale power rates; Mr. Oyler noted that the City's ability to fund capital projects to replace aging infrastructure was a great measurement of financial health
- The Electrical Rate Stabilization Fund balance decreased to \$815,352 for reasons mentioned above
- State compliance
 - Over expended budgets
 - Economic Development due to work on multiple projects
 - Swimming Pool due to wages, supplies and repairs
 - City Council due to booking of UTA sales tax
 - Golf Fund due to a profit-sharing agreement with the Golf Course Director

Mr. Oyler stated that Brigham City is in very good financial condition. He added that the City should continue to increase cash reserves in preparation for possible future economic downturns. The City was awarded the Government Finance Officer Association's financial reporting certificate for the 35th consecutive year.

Mr. Oyler took time out from the presentation to thank Chief Nelsen and wish him the best in future endeavors. He thanked Councilmember Peterson for his service on the Council. Mr. Oyler thanked Mayor Vincent and recognized his work and support on many financial projects.

Mr. Oyler turned the time over to Steve Rowley with Keddington and Christensen, CPAs for their report.

- Internal controls – no deficiencies were identified
- Compliance – no instances of non-compliance were found
- Federal programs – single audit of the COVID-19 – Coronavirus Relief Fund found in compliance
- State compliance
 - Golf Special Revenue Fund spent \$146,704 more than budgeted expenditures

The meeting adjourned at 9:04 p.m. There was no closed session.

The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the December 16, 2021 City Council Meeting.

Dated this 6th day of January, 2022.

Christina Boss

Christina Boss, Recorder