

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL**
March 16, 2023
6:00 p.m.

PRESENT:	Alden Farr Dave Hipp Matthew Jensen Ryan Smith Robin Troxell	Mayor Pro Tem Councilmember Councilmember Councilmember Councilmember
ALSO PRESENT:	Christina Boss Mark Bradley Dave Burnett Mike Christiansen Tom Kotter Paul Larsen Chris Marx Derek Oyler Tyler Pugsley Chad Reyes Brandon Thueson	City Recorder City Planner Power Director <i>arrived at 6:34 p.m.</i> City Attorney Finance Director Community & Economic Development Director Golf Professional City Administrator Public Works Director Police Chief Fire Chief
EXCUSED:	D. J. Bott	Mayor

1 Mayor Pro Tem Farr called the meeting to order at 6:00 p.m. and excused Mayor Bott. Deacon Myersick
2 gave the reverence period, and the Pledge of Allegiance was recited.

EMPLOYEE RECOGNITION

5 Mayor Pro Tem Farr recognized Kyle Brown, recently hired as a Wastewater Treatment Operator I, as well
6 as recent hires in the Fire Department including Seth Farmer, Firefighter Paramedic, and Kirby Grow and
7 Jace Stromberg, part-time Firefighters AEMTs.

CONSENT

**Approval of Meeting Minutes for February 15, 2023 Work Session and February 16, 2023 City
Council Meeting**

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

A list of accounts totaling \$3,236.46 was presented to be removed from the City's system due to customers taking out bankruptcy or being sent to collections.

Appointments to Planning Commission

It was recommended that Solomon Carter Smith be appointed as 1st Alternate and Kristen Bogue be appointed as 2nd Alternate to the Planning Commission.

MOTION: A motion to approve the Consent agenda was made by Councilmember Troxell and seconded by Councilmember Jensen. Councilmember Farr, aye; Councilmember Jensen, aye; Councilmember Smith, aye; Councilmember Troxell, aye; Councilmember Hipp, aye.

SCHEDULED DELEGATION

Bonnie Harding spoke on behalf of the Northern Wasatch Association of Realtors who assigned realtors to go to local communities and speak about first time home buyers and housing affordability. She stated the

29 average home value in Brigham City is \$444,250. With a 5% down payment, a home buyer would need
30 \$140,000 annual income to afford a home. The current average household income in Brigham is \$67,000.
31 The State Legislature worked on SB 240 to make first time home buyers eligible for a maximum of \$20,000
32 in program funds for new residential construction.

33
34
35 **PUBLIC COMMENTS**

36 Mike Shay – Mr. Shay hoped solar owners would reach a resolution with the City. Referring to Ms.
37 Harding's presentation he stated he could not afford today's housing prices in Brigham City.

38
39 **COUNCILMEMBER COMMENTS**

40 Councilmember Troxell – attended the BRAG Human Services Board meeting where they discussed the
41 expiration of COVID money for housing and concerns about increased homelessness. She invited a YCC
42 member to come forward and speak about the leadership conference.

43
44 **ACTION ITEMS**

45 **Consideration of Ordinance Amending Wayneco Subdivision Phase 1 to Combine Lots 2 and 3,**
46 **Located at 1265 West 300 North**

47 Mr. Bradley came forward and displayed the proposed amended plat on the screen stating the developer
48 desires to accommodate a property purchase by Love's Truck Solutions for a tire retread warehouse. Mr.
49 Bradley noted there are no easements between the two lots, and the Planning Commission recommended
50 approval to the City Council.

51
52 **MOTION:** Councilmember Troxell made a motion to approve the Ordinance amending
53 Wayneco Subdivision Phase 1 to combine Lots 2 and 3 located at 1265 West 300 North.
54 The motion was seconded by Councilmember Jensen.

55 **Roll Call:** Councilmember Jensen Aye
56 Councilmember Hipp Aye
57 Councilmember Farr Aye
58 Councilmember Troxell Aye
59 Councilmember Smith Aye

60
61 **Consideration of Ordinance Amending City Code Chapter 14.04, Alcoholic Establishments and Off**
Premises Beer Retailers

62 Mr. Larsen came to the podium and explained the City gives local consent on applications for businesses
63 serving alcohol or selling beer after verifying compliance with City ordinances. The proposed amendment
64 makes the City Code language consistent with the State Code language.

65
66 **MOTION:** Councilmember Jensen made a motion to approve the Ordinance amending
67 City Code Chapter 14.04, Alcoholic Establishments and Off Premises Beer Retailers. The
68 motion was seconded by Councilmember Hipp.

69
70 **Roll Call:** Councilmember Hipp Aye
71 Councilmember Farr Aye
72 Councilmember Troxell Aye
73 Councilmember Smith Aye
74 Councilmember Jensen Aye

75
76 **Consideration of Resolution Amending Utility Billing and Collections Policy & Procedures**

77 Mr. Kotter came forward and stated the proposal was to discontinue the \$10 delinquent notice fee on utility
78 accounts. Staff found the objective to encourage on time payments was not met and customers were paying
79 delinquent fees month after month. He stated the City collects \$40,000 to \$50,000 annually in delinquent

80 notice fees which goes to the annual transfer from the Utility Fund to the Emergency CIP Fund. That
81 transfer will end this budget year.

82
83 **MOTION:** Councilmember Troxell made a motion to approve the Resolution amending
84 the Utility Billing and Collections Policy & Procedures. The motion was seconded by
85 Councilmember Jensen.

86 **Roll Call:** Councilmember Troxell Aye
87 Councilmember Smith Aye
88 Councilmember Jensen Aye
89 Councilmember Hipp Aye
90 Councilmember Farr Aye

91 **Consideration of Resolution Approving Impact and Building Fee Waiver for Habitat for Humanity**

92 Mr. Larsen stated the item was linked to the upcoming RDA agenda item. The request was for a waiver of
93 building permit fees and impact fees for a property on Medical Drive south of the hospital. The impact fee
94 ordinance enables the Council to waive impact fees for projects that provide low-income housing. In the
95 RDA Northwest Economic Development Project Area, 10% of the tax increment collected is dedicated to
96 affordable housing projects. That fund would reimburse the enterprise and general fund account lines for
97 impact and building permit fees.

98
99 **MOTION:** Councilmember Smith made a motion to approve the Resolution approving
100 impact and building fee waiver for Habitat for Humanity. The motion was seconded by
101 Councilmember Troxell.

102 **Roll Call:** Councilmember Smith Aye
103 Councilmember Jensen Aye
104 Councilmember Hipp Aye
105 Councilmember Farr Aye
106 Councilmember Troxell Aye

107 **Consideration of Resolution Approving Opinion Question on City Ballot to Repeal Brigham City's
108 One-Quarter of One Percent Mass Transit Sales and Use Tax for Real Property Purchases for Utah
109 Transit Authority's Frontrunner Project**

110 Mr. Christiansen stated Mayor Bott asked that this item be presented to City Council for consideration to
111 be put on the municipal general election ballot. He cautioned State law prohibits the City from being a
112 persuasive arm on ballot issues, meaning the City cannot use State funded media for one side of the
113 argument for or against the ballot issue. The City is allowed to collect information and list arguments to
114 third party websites. The request was to decide if the issue is right and appropriate to be placed on the ballot.
115 The tax has been in place since 2008 and was put in place to bring the Frontrunner to Brigham City which
116 has not occurred.

117
118 **MOTION:** Councilmember Smith made a motion to approve the Resolution approving
119 opinion question on city ballot to repeal Brigham City's one-quarter of one percent mass
120 transit sales and use tax for real property purchases for Utah Transit Authority's
121 Frontrunner project. The motion was seconded by Councilmember Jensen.

122 **Roll Call:** Councilmember Jensen Aye
123 Councilmember Hipp Aye
124 Councilmember Farr Aye
125 Councilmember Troxell Aye
126 Councilmember Smith Aye

131 **Consideration of Resolution to Approve Opinion Question on City Ballot to Remove Fluoride from**
132 **City's Public Water Supply**

133 Mr. Christiansen explained State law requires a ballot question when proposing the removal of fluoride
134 from the City's public water supply.

135
136 **MOTION:** Councilmember Troxell made a motion to approve the Resolution approving
137 opinion question on city ballot to remove fluoride from City's public water supply. The
138 motion was seconded by Councilmember Jensen.

139 **Roll Call:** Councilmember Hipp Nay
140 Councilmember Troxell Nay
141 Councilmember Smith Aye
142 Councilmember Jensen Aye
143 Councilmember Farr Aye

144
145 **DISCUSSION ITEMS**

146 Mayor Pro Tem Farr asked that the PPAC discussion be held before the Golf update to accommodate Mr.
147 Marx.

148
149 **Purchase Power Adjustment Clause (PPAC) Update**

150 Mr. Kotter stated the January UAMPS bill was \$1.3 million and the price per kilowatt hour was \$.084.
151 During the month of January, the City fell behind another \$274,000, and for the July through January period,
152 the City is \$2.8 million behind. He explained City is working with UAMPS to procure future contracts and
153 has locked in pricing for April-September. Mr. Oyler added Brigham City has historically covered
154 approximately 75% of the total load with forward contracts. The City is considering covering 100% of the
155 load with forward contracts which would eliminate the volatility; however, the City is paying more than
156 ever.

157
158 **Annual Golf Course Report and Marketing Plan**

159 Mr. Marx thanked City Council, City employees and the Golf Course staff for their support. He displayed
160 his presentation on the screen.

161 • Statistics for 2022:

<u>Revenue</u>	<u>Rounds Played</u>	<u>Dollar per Round</u>
\$1,085,009.75	59166	\$18.34
<u>Days Open</u>	<u>Avg Revenue / day</u>	<u>Average Rounds / day</u>
250	\$4,340.04	237

162 • 2023 will be latest opening in 25 years
163 • Continued work on cart paths; older trees decaying and dying
164 • Working on Junior golf programs and with Veterans Golf Association
165 • Mr. Marx named Utah Section PGA Golf Ambassador
166 • 75 new golf carts – fees going up \$1

167 At 7:17 p.m. the Council adjourned to a Redevelopment Agency meeting.

168
169 **MOTION:** Councilmember Troxell made a motion to adjourn to a Redevelopment Agency
170 meeting. The motion was seconded by Councilmember Smith and carried unanimously.
171 Councilmember Farr, aye; Councilmember Jensen, aye; Councilmember Troxell, aye;
172 Councilmember Smith, aye; Councilmember Hipp, aye.

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174 At 7:20 p.m. the Council adjourned to a closed session.

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181 **MOTION:** Councilmember Troxell made a motion to adjourn to a closed session to
182 discuss the purchase, exchange, or lease or real property, and pending or reasonably
183 imminent litigation. The motion was seconded by Councilmember Hipp.

184

185 **Roll Call:** Councilmember Hipp Aye
186 Councilmember Troxell Aye
187 Councilmember Smith Aye
188 Councilmember Jensen Aye
189 Councilmember Farr Aye

190

191 At 8:22 p.m. the Council returned to an open meeting and adjourned.

192

193 **MOTION:** A motion to return to an open meeting was made by Councilmember Jensen
194 and seconded by Councilmember Smith. Councilmember Farr, aye; Councilmember
195 Jensen, aye; Councilmember Smith, aye; Councilmember Troxell, aye; Councilmember
196 Hipp, aye.

197

198 **MOTION:** A motion to adjourn was made by Councilmember Troxell and seconded by
199 Councilmember Jensen. Councilmember Farr, aye; Councilmember Jensen, aye;
200 Councilmember Smith, aye; Councilmember Troxell, aye; Councilmember Hipp, aye.

201

202

203 *The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing
204 is a true, accurate and complete record of the March 16, 2023 City Council Meeting.*

205

206 Dated this _____ day of April 2023.

207

208

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211

Christina Boss, Recorder