

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
May 4, 2023
6:00 p.m.**

PRESENT:	D. J. Bott	Mayor
	Alden Farr	Councilmember
	Dave Hipp	Councilmember
	Ryan Smith	Councilmember
	Robin Troxell	Councilmember
ALSO PRESENT:	Christina Boss	City Recorder
	Mark Bradley	City Planner
	Mike Christiansen	City Attorney
	Angie Johnsen	Human Resource Manager
	Tom Kotter	Finance Director
	Paul Larsen	Community & Economic Development Director
	Derek Oyler	City Administrator
	Tyler Pugsley	Public Works Director <i>arrived at 7:15 p.m.</i>
	Chad Reyes	Police Chief
	Brandon Thueson	Fire Chief
	Mike Young	Assistant Fire Chief/Fire Marshal
EXCUSED:	Matthew Jensen	Councilmember

Mayor Bott called the meeting to order at 6:00 p.m. Councilmember Hipp gave the reverence period, and the Pledge of Allegiance was recited.

Mayor Bott excused Councilmember Jensen, and asked that Action Items 4 and 5 be moved to the beginning of the meeting and the budget presentation be heard after Action Item 3.

MOTION: A motion to move the agenda items as requested by the Mayor was made by Councilmember Smith, seconded by Councilmember Farr, and carried unanimously. Councilmember Farr, aye; Councilmember Hipp, aye; Councilmember Smith, aye; Councilmember Troxell, aye.

ACTION ITEMS

Consideration of Ordinance Amending Title 2 to Update Language Pertaining to Appointed Positions, Deputy City Recorder, and Board of Appeals

Mr. Oyler stated several years ago there were internal changes made to appointed positions in the Employee Policy & Procedure Manual. The proposed amendment would update the City Code with those same changes. The amendment included police commander(s) as a new appointed position.

Mr. Oyler explained that historically Brigham City has had a deputy city recorder. The proposed amendment would provide for the city recorder to appoint a deputy city recorder. The position would not be FLSA exempt.

Mr. Christiansen presented proposed updates to the Board of Appeals process including clarification on the chief appointing authority, the fire marshal status as an ex-officio member, the application process, and meeting order.

MOTION: Councilmember Farr made a motion to approve the Ordinance amending Title 2 to update language pertaining to appointed positions, deputy city recorder, and Board of Appeals. The motion was seconded by Councilmember Hipp.

Roll Call:

Councilmember Smith	Aye
Councilmember Troxell	Aye
Councilmember Farr	Aye
Councilmember Hipp	Aye

Appointment of Police Commanders

Mayor Bott invited Chief Reyes to come forward to present the item. Chief Reyes explained the restructuring of the police department eliminated ranks of the assistant chief and lieutenant positions, and replaced those ranks with commanders. The individuals selected to serve as commanders were Jared Glover and Christopher Howard. Chief Reyes spoke about their years of service and qualifications, and Mayor Bott asked the Council to approve the appointments. Judge Christensen administered the Oath of Office and Chief Reyes presented their badges. Commanders Howard and Glover each expressed thanks to Chief Reyes, Mayor Bott, and the Council for their appointments.

MOTION: Councilmember Farr made a motion to approve the appointment of the police commanders. The motion was seconded by Councilmember Troxell and carried unanimously. Councilmember Farr, aye; Councilmember Smith, aye; Councilmember Troxell, aye; Councilmember Hipp, aye.

CONSENT

Approval of April 6, 2023 City Council Meeting Minutes

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

A list of accounts totaling \$2,071.33 was presented to be removed from the City's system due to customers taking out bankruptcy or being sent to collections.

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

Mayor Bott took time to introduce the new Human Resource Manager, Angie Johnsen, to the Council and the public.

SCHEDULED DELEGATION

Ms. Holmgren came forward and passed out a flyer containing information on USU Extension's classes, workshops, activities, and staff. She stated Box Elder County Commissioner Bingham, who oversees USU Extension, requested that staff reconnect with area cities and speak about services and resources offered.

PUBLIC COMMENTS

Juliana Larsen – Regarding the inland port authority agenda item, Ms. Larsen expressed her concern about loss of local control and capture of newly generated taxes being guaranteed to the port authority citing an article she read about Salt Lake City.

COUNCILMEMBER COMMENTS

Councilmember Smith – The Chamber of Commerce held a career day at two local high schools where 46 businesses were represented, and 1,300 students attended. \$7,000 in scholarships was awarded.

Councilmember Smith provided an update on Peach Days stating retail vendor booths were full. He attended an active shooter drill and watched how law enforcement agencies worked together.

Mayor Bott – announced Tuesday, May 9th the State of the City would be live on the City’s YouTube channel. He stated Box Elder County is offering Councilmembers an opportunity to watch the ballot counting process for the upcoming election. Mayor Bott spoke about the beneficial workshops attended by Councilmembers at the recent Utah League of Cities and Towns local officials conference in St. George.

ACTION ITEMS

Request for Approval of North Point Subdivision Phase 1 Final Plat, Located at 950 North and Main Street

Mr. Bradley displayed the plat on the screen and stated the first phase consisted of 32 units with a mix of townhomes and single-family homes. Staff recommended approval subject to the Mayor and City Attorney’s signatures on the plat. The escrow agreement was in place and would be finalized prior to recording.

MOTION: Councilmember Hipp made a motion to approve North Point Subdivision Phase 1 Final Plat located at 950 North and Main Street. The motion was seconded by Councilmember Troxell and carried unanimously. Councilmember Farr, aye; Councilmember Smith, aye; Councilmember Troxell, aye; Councilmember Hipp, aye.

Consideration of Resolution Indicating Intent for Boundary Adjustment with Perry City at Approximately 450 West Street and the East Side of Highway 89

Mr. Bradley displayed an aerial view of the boundary adjustment area. He explained property ownership for several properties was split between Perry and Brigham cities, and the Catholic diocese property on the east side of Highway 89 would be best served by Perry City for better access. Both Brigham and Perry City Councils would approve resolutions at which time public hearings in each city would be scheduled. Mr. Oyler added that the action initiating the item was a developer who approached both Brigham and Perry regarding the property at 1364 South Highway 89. The building on that property is split between the two city boundaries. Staff was supportive of cleaning up the boundary line for future development in the area.

MOTION: Councilmember Troxell made a motion to approve the Resolution indicating intent for boundary adjustment with Perry City at approximately 450 West Street and the east side of Highway 89. The motion was seconded by Councilmember Smith.

Roll Call:

Councilmember Hipp	Aye
Councilmember Farr	Aye
Councilmember Troxell	Aye
Councilmember Smith	Aye

Consideration of Resolution Supporting Creation of Utah Inland Port Authority Project Area in Brigham City

Mr. Larsen explained the proposed action would not establish the project area, but instead was a statement of intent. He introduced Ben Hart and Scott Wolford with the Utah Inland Port Authority (UIPA). Mr. Hart spoke about coordinating resources from the State, UIPA, and local government to ensure economic growth was optimized. He clarified the UIPA has no authority over land use or permitting; those items would remain under the City’s jurisdiction. 25% of tax increment in the project area would flow through the taxing entities and 75% would be reinvested with collaboration and direction from the City.

Mr. Hart displayed an inland port facility in Dillon, South Carolina. Its purpose is to provide a better resource for local shippers. He stated the concept of UIPA project areas is basically the same as an RDA

project area, reinvesting tax increment back into the project area and into projects that service that area, with the direction of the City Council. He explained creation of a UIPA project area would allow the City access to the State infrastructure bank and public infrastructure districts, which could be set up by UIPA on the City's behalf.

Mr. Hart addressed Ms. Larsen's comments stating there was a perception that Salt Lake City's 2016 master plan was set aside with the adoption of the inland port, which was not true. All of the UIPA project area plan and budget for the northwest quadrant was based on their master plan.

The project area creation process would include meeting with local officials, working with the City to draft a project area plan and budget, and taking the plan and budget to the UIPA board for two meetings, the second of which the Board would adopt the project area plan and budget. UIPA would work closely with the County. The next phase would look at the build out with the possibility of State funding, a master plan, or with an interlocal agreement binding the port. Phase 3 would include optimization with the City's logistics vision.

Mr. Wolford addressed Councilmember Farr's question about more than one local area having an inland port. The project area may be a port facility, or a rail served industrial park, or rail spurs, or a rail expansion. Local facilities would support each other, not compete with each other. Mr. Larsen explained the only transload facility Brigham businesses have access to is in Salt Lake City. The designation as an inland port and the benefits it brings to companies that locate in the area would be of value. He added that our airport would be a great component in the inland port approach. Councilmember Troxell was concerned about the lack of infrastructure to deal with increased rail activity. Mr. Larsen explained the inland port designation creates a financing mechanism for infrastructure needs. Mr. Hart said the hope and goal was to decrease trucking traffic with the port designation, as well as job creation. Councilmember Smith questioned the size of the facility. Mr. Hart stated the approach would be to start small and build up as needed.

MOTION: Councilmember Farr made a motion to approve the Resolution supporting creation of a Utah Inland Port Authority project area in Brigham City. The motion was seconded by Councilmember Hipp. There was a brief discussion on the wording of the resolution title.

Roll Call:	Councilmember Troxell	Aye
	Councilmember Smith	Aye
	Councilmember Farr	Aye
	Councilmember Hipp	Aye

MAYOR'S 2023-24 BUDGET PRESENTATION

Mayor Bott reviewed the budget process which begins in January and ends with the truth in taxation meeting in August. He expressed his appreciation for City staff in the preparation of the budget. He listed his priorities, noting recommendations in the Fire Department master plan presented last year, and the need to remain competitive with police and employee salaries in order to retain qualified individuals.

Priorities:

- Public Safety
 - Full time Fire Department staffing – \$220,000
 - Battalion chief position – \$167,000
 - Battalion chief vehicle – \$70,000
 - 8% increase in police officer pay – \$182,000
 - Body cameras and radios – \$90,000
 - Ambulance cot – \$24,000

- Utility Infrastructure
 - Kotter Canyon water tank – \$2 million
 - Spring development – \$1 million
 - Storm drain improvements – \$432,000 for John Adams culvert and West Forest regional detention basin property purchase
 - Power department capacitor banks and SCADA updates – \$175,000
- 6% increase in employee pay

Mayor Bott noted public safety was a major reason for the utility fund transfer. He also spoke about the effects of inflation on the budget, and stated the City would follow the electric rate consultant’s 2022 plan to increase electrical rates for residential, commercial, and industrial customers.

Residential				
	Old Rate	New Rate	Change	% Change
Customer Service Charge	6.50	7.50	1.00	15.4%
May - September				
first 400 kWh	0.1069	0.1114	0.0045	4.2%
400-1000 kWh	0.1221	0.1304	0.0083	6.8%
1000+ kWh	0.1390	0.1464	0.0074	5.3%
October - April				
All kWh	0.1069	0.1114	0.0045	4.2%

The Mayor’s budget proposed a decrease in the utility fund transfer from 15% to 12% due to an increase in sales tax revenue. When the City sees a decrease in sales tax revenue, the transfer will be revisited to ensure emergency services and other City departments are covered. The total budget amount shown below includes \$26 million for the Forest Street overpass.

Executive Overview – All Funds

Fund	%	2023-24 Expense
General Fund	52.7%	48,589,161
Utility Funds	43.6%	40,201,265
Library Fund	1.3%	1,226,997
Golf Fund	1.2%	1,122,203
Capital Project Funds	0.8%	722,500
Airport Fund	0.4%	327,216
Debt Service Funds	0.0%	7,500
Total Budget	100.00%	92,196,842

General Fund Expenditures

Department	% of Budget
Streets	57.5%
Police	10.7%
City Council	6.4%
Fire	5.0%
Ambulance	4.8%
Administration	2.7%
Cemetery	1.9%
Senior Citizens	1.9%
Parks	1.6%
Recreation	1.4%
Swimming Pool	1.1%
Transfers	1.1%
Community Development	1.0%
Museum-Gallery	0.6%
Information Technology	0.6%
Mayor's Office	0.6%
Inspection	0.3%
Risk Management	0.3%
Emergency Management	0.2%
Economic Dev.	0.2%

Projects: (funded from Utility Fund)

- Library elevator – \$275,000
- Pioneer Park ballfield lights – \$400,000
- General Plan update (State required compliance) – \$100,000
- Eagle Mountain cart path project – \$100,000 (from Golf Fund fund balance)

The Community Center, Museum, Swimming Pool, Recreation Department, Parks, and Cemetery total subsidy was \$2 million and is another main reason for the utility fund transfer.

Mayor Bott stated his budget has a property tax increase of 5% or \$100,000 which would be used to install additional sidewalks at Golden Spike Elementary to ensure safe routes for students. \$125,000 from the General Fund was also budgeted for these sidewalks. He noted there were 88 capital project requests which were not included in the budget.

Mayor Bott stated after speaking with the State, a tax shift from residential to commercial property owners was anticipated which should alleviate some of the burden on residents.

Mayor Pro Tem Farr scheduled budget work sessions on May 11th to discuss public safety, May 23rd to discuss the utility transfer, electric rate increase, and capital projects, and June 6th to discuss the proposed property tax increase. *At the May 11th work session, the June 6th work session was re-scheduled to June 14th.*

At 8:08 p.m. the Council adjourned to a closed session.

MOTION: Councilmember Smith made a motion to adjourn to a closed session to discuss the purchase, exchange, or lease of real property, and pending or reasonably imminent litigation. The motion was seconded by Councilmember Farr.

Roll Call:	Councilmember Farr	Aye
	Councilmember Troxell	Aye
	Councilmember Smith	Aye
	Councilmember Hipp	Aye

At 8:26 p.m. the Council returned to an open meeting and adjourned to an RDA meeting.

MOTION: A motion to return to an open meeting was made by Councilmember Farr. The motion was seconded by Councilmember Hipp and carried unanimously. Councilmember Farr, aye; Councilmember Smith, aye; Councilmember Troxell, aye; Councilmember Hipp, aye.

MOTION: Councilmember Smith made a motion to adjourn to a Redevelopment Agency meeting. The motion was seconded by Councilmember Farr and carried unanimously. Councilmember Farr, aye; Councilmember Troxell, aye; Councilmember Smith, aye; Councilmember Hipp, aye.

The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the May 4, 2023 City Council Meeting.

Dated this 22nd day of May 2023.

Christina Boss

Christina Boss, Recorder