

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
September 1, 2016**

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|---------------|-----------------------|--------------------------------|
| PRESENT: | Tyler Vincent | Mayor |
| | DJ Bott | Councilmember |
| | Alden Farr | Councilmember |
| | Ruth Jensen | Councilmember |
| | Tom Peterson | Councilmember |
| ALSO PRESENT: | Joseph Bach | Fire Chief |
| | Mary Kate Christensen | City Recorder |
| | Chris Howard | Police Lieutenant |
| | Paul Larsen | Community Development Director |
| | Mike Nelsen | Police Chief |
| | Derek Oyler | Finance Manager |
| | Tyler Pugsley | Public Works Director |
| | Jason Roberts | City Administrator |
| EXCUSED: | Mark Thompson | Councilmember |

Mayor Vincent called the meeting to order and excused Councilmember Thompson who was out of town on business. The Reverence Period was given by Councilmember Bott. The Pledge of Allegiance was recited.

Approval of Minutes: A motion to approve the minutes of the August 18, 2016 Council meeting was made by Councilmember Farr, seconded by Councilmember Bott. Councilmember Peterson noted that on the last motion he made the motion instead of Councilmember Thompson. The minutes were unanimously approved as amended.

Mayor Vincent added an item under Scheduled Delegation, Business Resource Center Annual Update. The Council unanimously voted in favor of adding this to the agenda.

AGENDA

RECOGNITION OF EMPLOYEES

New Hires - Public Works and Senior Center

CONSENT

Appointment to CERT Council

PUBLIC COMMENT

COUNCILMEMBER COMMENTS

SCHEDULED DELEGATION

Request for Variance to Noise Ordinance to Hold a Concert at Box Elder Eagles
Business Resource Center Annual Update (*added*)

NEW BUSINESS

Discussion on Argument in Favor of General Obligation Bond
Consideration of Ordinance Amending Title 4, Animals and Fowls
Consideration of Resolution Approving an Enterprise Zone Designation

PLANNING COMMISSION

Consideration of Ordinance to Amend the Hulse Commercial PUD Subdivision at 810 North Main

RECOGNITION OF EMPLOYEES

New Hires - Public Works and Senior Center

Chase Hadley was introduced as the new Water Systems Operator.

Becky Sparks was recently hired as a part-time Senior Center Kitchen Lead.

CONSENT

Appointment to CERT Council

It was recommended Paul Jensen serve on the CERT Council.

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

PUBLIC COMMENT

Richard Wedgewood, Brigham City – Mr. Wedgewood expressed concern regarding the proposed splash pad. South Jordan officials, State of Utah officials and others have warned about the need to conserve water. He read from an article in the Standard Examiner regarding shortage of water in California. He felt that it pertained to the entire west. Utah State experts and newscasts are constantly urging the conservation of water. Weather forecasters lament the lack of water. He asked the Council to consider this and act responsibly and not support the use of one of the City's most precious resources, life sustaining water, for a splash pad.

Becky Maddox, Brigham City – Ms. Maddox said government is backwards, and when it is backwards they cannot be as affective in doing the things they are supposed to do. She said the splash pad is an example of that. Another one is walking paths around the edge of the city. There are already plenty of walking pads – they are called sidewalks. Government has no incentive to do things affordably. They always want to branch out. The City needs to consider what the proper role of government is, such as maintaining the roads, which is something that one individual cannot do. Another is to provide clean and safe water. If people in Brigham City want these things, they should get together and do it themselves. She added that she appreciates the things the City does do that are right.

DeAnna Hardy, County – Ms. Hardy said her son has moved to Brigham City. She told him it was not a good idea, but he didn't listen. It's not that she doesn't like Brigham City; she loves Brigham City. She was born in Brigham City and has spent the majority of her life here. But she doesn't like what she is seeing in her local state and federal government, forcing people to pay for things they should not be paying for. Recently her son had what they believe was a mini stroke while he was at work. The ambulance was called. When she heard this her heart sank. She knew how much it would cost him. He received a bill for \$1,700, which he cannot afford. She wished his bosses would have put him in one of their vehicles and transported him to the hospital. Her son told her that the fire truck also showed up. She does not understand the logic of

this. If a third person is needed, put them in the ambulance instead of the ambulance being forced upon all the people to pay for it and charging an exorbitant amount. It should be turned over to the hospital, a private sector where it belongs. When the federal government is dictating how the Fire Department is to be run, all logic has been removed. The federal government has no jurisdictions in the states. The states created the federal government and only delegated a few and defined powers, not granted or given, but delegated. The federal government can only usurp power if there are local and state leaders willing to participate. She asked all local and state leaders to stop participating in the usurpation of power of the federal government.

SCHEDULED DELEGATION

Request for Variance to Noise Ordinance to Hold a Concert at Box Elder Eagles

Keith Perry from the Box Elder Eagles approached the Council. They are having a Harvest Festival on September 10 at 6:30–11:30. He requested a variance to the noise ordinance until midnight. There will be three bands and it is open to the public.

MOTION: A motion to approve the variance to the noise ordinance for September 10 until midnight was made by Councilmember Jensen, seconded by Councilmember Peterson and unanimously carried.

Box Elder Business Resource Center Annual Update

Wendy English and Jason Yerke came to the table. Mr. Yerke said as of April 1, 2016, Utah State University took over the statewide contract for the Small Business Development Centers, which is the consulting piece of the Box Elder Business Resource Center. Wendy English has been the Interim Director of the Resource Center since January 2016.

Ms. English said since January they have had over \$400,000 of capital infusion. This is halfway to their goal. They have already exceeded their goal for their visits for the year. They have completed 121 business expansion and retention visits and 336 individual visits with businesses in Box Elder County. There are 57 new businesses in the County since January; most of these have been in Brigham City. The capital infusion is 100% in Brigham City. She said one of the businesses that will be opening in Brigham City in six weeks is a bakery.

Governor Herbert will be the keynote speaker at their Box Elder Business Summit this year. Others that will speak are Derek Miller from the World Trade Center and Bill Chrisman from Storm Products. In addition, the YouTube sensation, Bored Shorts, will also be there.

NEW BUSINESS

Discussion on Argument in Favor of General Obligation Bond

Mr. Roberts came forward and read the following proposed argument in favor of the GO Bond prepared by Councilmember Thompson and staff. This will be published in the newsletter, the City's website and the Statewide Electronic Voter Information website.

“After recommendations from a community task force, the Brigham City Council unanimously approved a resolution asking voters to authorize issuance of a General Obligation Bond to finance the construction of a new Community Center, a Regional Sports Complex and Museum upgrades.”

“Brigham City’s current ‘Community Center’ houses the senior center on the main floor and the museum in the basement. The center was built in 1970 and is undersized and inadequate for current needs. The outdated kitchen impedes the ability to efficiently prepare more than 250 meals per day. Our senior population is experiencing a ‘silver tsunami’ as the baby boomers are transitioning into this area of desired service.

“The proposed Community Center would house space to include three multisport gyms, a walking mezzanine, cafeteria, classrooms, craft rooms, a billiards area and other amenities to promote a healthy quality of life for our community. Currently the Recreation Department’s indoor activities are fully dependent on the availability of gym space leased from local schools and working around other functions, making expansion of community recreational needs impossible. The proposed center would eliminate the need for enrollment caps and would enhance current programs such as basketball, volleyball, pickleball, line dancing and many other programs. A YES vote for the GO Bond would provide the opportunity for the seniors to combine resources with recreation and allow us to promote more recreational and fitness opportunities. Additional space would enable more educational programming and increased health promotion services. These services assist older individuals in remaining independent and active in the community.

“Shortly after the Community Center was built in 1970, the Museum has had too little space for exhibitions and for storage of the more than 11,000 items in the Museum’s permanent collection. Now, with two museums, the need for a larger, joint space is more important than ever, and this bond will provide some of that space. Bringing together the City’s two museums will enable staff to work more efficiently and provide better care of the collections.

“The continued development of the 65 acre Regional Sports Complex will allow for the needed expansion of playing and practice fields that are sorely lacking in the community. Brigham City has been identified by national tournament sanctioning bodies as an ideal hub for attracting youth and adult teams from surrounding states.

“The proposed new Community Center along with the Regional Sports Complex and the Museum renovation will impact economic development as a result of quality of life improvements and visitor spending. The Community Center will provide for the recreational and other needs of Brigham City residents, improving the quality of life in the community and making Brigham City a more desirable place to live. The regional sports park will provide for increased regional sports events which will generate visitor spending for lodging, dining, shopping, and other services, all of which will bring new revenue to area businesses and increase sales tax revenues to the City and County.”

MOTION: Councilmember Peterson made a motion to approve the argument for the GO Bond as read, seconded by Councilmember Bott. Councilmember Jensen said there are not any amounts mentioned. Mr. Roberts said this was discussed with Councilmember Thompson. The statistics and numbers will be in the voter information pamphlet and other sources, so they felt that the argument in favor should be more general. Voting was unanimously in favor.

Consideration of Ordinance Amending Title 4, Animals and Fowls

Lt. Chris Howard explained that there has been some confusion in the interpretation of the current ordinance. This ordinance clarifies the original intent.

There was some confusion on what a service dog is. The definition for service animal was changed to be the same as the Americans with Disability Act. Exemptions for licensing were removed, requiring all dogs, even service dogs, to be licensed and the fee paid. The number of dogs allowed at each residence was clarified. Each residence is allowed two dogs only, whether it is a service dog or other.

Mr. Morgan clarified that a service animal is an animal that performs a specific task to help a person with an ADA disability. It is not an animal that gives a person comfort.

MOTION: Councilmember Bott made a motion to approve the ordinance amending Title 4 to reflect the changes as presented by Lt. Howard, seconded by Councilmember Farr.

Councilmember Bott – aye
Councilmember Farr – aye
Councilmember Jensen – aye
Councilmember Peterson - aye

Consideration of Resolution Approving an Enterprise Zone Designation

Mr. Larsen came forward and stated that recent legislation changed the guidelines for the state's enterprise zone program so now Brigham City is eligible to participate. The legislation changed the threshold up to a population of 30,000. The benefit of this program is that businesses that qualify will receive tax credits for adding new employees or renovating buildings that have been vacant for longer than two years.

MOTION: A motion to approve the resolution approving an Enterprise Zone designation for Brigham City was made by Councilmember Farr and seconded by Councilmember Jensen.

Councilmember Bott – aye
Councilmember Farr – aye
Councilmember Jensen – aye
Councilmember Peterson - aye

PLANNING COMMISSION

Consideration of Ordinance to Amend the Hulse Commercial PUD Subdivision at 810 North Main

Mr. Larsen explained that this is an amendment to an existing subdivision located at 810 North Main. The existing PUD allows for three additional units. The applicant would like to reduce this to two units with overhead bay doors to accommodate different types of businesses. A house will be demolished to allow room for this.

MOTION: A motion to approve the ordinance to amend the Hulse Commercial PUD Subdivision as outlined was made by Councilmember Farr and seconded by Councilmember Bott.

Councilmember Bott – aye
Councilmember Farr – aye
Councilmember Jensen – aye
Councilmember Peterson – aye

The Council adjourned to an RDA at 7:47 PM. The Council returned to a regular City Council meeting at 8:02 PM.

ADJOURN TO CLOSED SESSION

A motion to adjourn to a closed session to discuss the purchase, exchange or lease of property was made by, Councilmember Jensen and seconded by Councilmember Bott. A roll call vote was taken with all councilmembers voting aye. The meeting adjourned to a closed session at 8:02 PM.

The Council returned to an open meeting at 9:10 PM and adjourned.

The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the September 1, 2016 City Council Meeting.

Dated this 15th day of September 2016.

Mary Kate Christensen
Mary Kate Christensen, Recorder