

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
October 6, 2016**

PRESENT:	Tyler Vincent	Mayor
	D.J. Bott	Councilmember
	Alden Farr	Councilmember
	Ruth Jensen	Councilmember
	Tom Peterson	Councilmember
	Mark Thompson	Councilmember

ALSO PRESENT:	Mark Bradley	City Planner
	Dave Burnett	Public Power Director
	Mary Kate Christensen	City Recorder
	Paul Larsen	Economic Development Director
	Mike Nelsen	Police Chief
	Derek Oyler	Finance Manager
	Jason Roberts	City Administrator
	Jeff Thorne	City Attorney

Mayor Vincent called the meeting to order. The Reverence Period was given by Bishop Brown of the Willow LDS Ward. The Pledge of Allegiance was recited.

Approval of Minutes: A motion to approve the minutes of the September 15, 2016 Council meeting was made by Councilmember Farr, seconded by Councilmember Jensen and unanimously approved as distributed.

AGENDA

RECOGNITION OF EMPLOYEES

New Hires, Fire and Public Power Departments

CONSENT

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

Appointment to Planning Commission

PUBLIC COMMENT

COUNCILMEMBER COMMENTS

PUBLIC HEARING

Ordinance Amending Lots 11-13 and a Portion of 17-19 of the BID Plat B Located at 850 South 200 East to Combine into One Lot

SCHEDULED DELEGATION

Proclamation Declaring October Domestic Violence Awareness Month

NEW BUSINESS

Consideration of a Development Agreement for an Economic Development Project Known as Project Straw

PLANNING COMMISSION

Consideration of an Amendment to Love's/Holiday Inn Express Project Signage Plan to Modify the Holiday Inn Express Street Sign Located at 1550 West

ADJOURN TO REDEVELOPMENT AGENCY MEETING AND CLOSED SESSION

RECOGNITION OF EMPLOYEES

New Hires, Fire and Public Power Departments

Jason Gibbons and Neal Gibbons were recently hired as Firefighter Paramedics (part-time) in the Fire Department.

Justin Fish was recently hired as a Tree Trimmer, and Paul Cochran was recently hired as a Tree Trimmer Supervisor.

CONSENT

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

A list of accounts totaling \$7,567.75 was presented to be removed from the City's system due to customer taking out bankruptcy or being sent to collections.

Appointment to Planning Commission

It was recommended Steve Barsuhn be appointed as a regular member of the Planning Commission.

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

PUBLIC COMMENT

Bonnie Germer, Brigham City – Ms. Germer expressed concern with the GO Bond that will be on the November ballot. She warned against raising any kind of taxes. There are a lot of hard times coming. There are a lot of senior citizens that are having a hard time. She did not feel it was necessary to entertain everyone from childhood to seniors. It is important that people do with what they have. At the very least the City should wait a few years until the economy comes back. Everyone should feel the pinch, unless they work for the county or local government in any capacity, then they have an income, but seniors do not have an income. They have not had a cost of living increase in over three years. Government workers get it; they don't. Government receives; citizens have to pay. The City does not need new office buildings or a community center. The community center recently had a seismic upgrade, now the City wants to throw that away and build a new building. The yards of homes with young families are dead; they cannot afford to water their yard or keep their kids in school. The seniors can't afford their medication.

DeAnna Hardy, County – Ms. Hardy said she had a few citizens thank her for standing against the \$26M bond. One citizen said she was 90 years old and was on a social security payment of \$1,200 per month. When these bonds are passed more money is taken, leaving less to live on. Box Elder County is number one for receiving social security. The number will increase as Baby Boomers come of age. A person's livelihood is more important than another person's recreational entertainment pursuits. Utah State Constitution Article XII, Section 20, it states, "It is the policy of the state of Utah that a free market system shall govern trade and commerce

in this state.” She said representatives are ignoring the Utah Constitution when they create laws that give preferential treatment to one business over another. Project Straw is an example of businesses receiving preferential treatment.

COUNCILMEMBER COMMENTS

Councilmember Thompson said he attended a Mosquito Abatement Conference where they discussed new techniques that will hopefully be implemented in the next few years.

Councilmember Peterson stated that he attended a UTOPIA meeting. Their financial status improves every quarter. It is exciting to see the advancements that are happening. They are moving their headquarters to a more business-friendly area.

PUBLIC HEARING

Ordinance Amending Lots 11-13 and a Portion of 17-19 of the BID Plat B Located at 850 South 200 East to Combine into One Lot

Mr. Bradley explained that this request is on property for the east building site for Phase II of Brigham Apartments. A public hearing was held by the Planning Commission. Notices were sent to the adjacent property owners as well as the utility providers. This is before the City Council because they are vacating an easement as part of the amended plat.

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

MOTION: Councilmember Thompson made a motion to approve the ordinance amending Lots 11-13 and a portion of 17-19 of the BID Plat B, seconded by Councilmember Farr.

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

The motion unanimously carried.

SCHEDULED DELEGATION

Proclamation Declaring October Domestic Violence Awareness Month

Penny Evans from New Hope Crisis came forward and thanked the generous people in the community who are willing to donate items they need. She also thanked the Police Department, who are professional, respectful, kind and empathetic with the victims. They put their life on the line. Domestic violence calls are one of the most dangerous in the nation.

In the past year the New Hope Crisis Center served 732 women, 437 children and 115 men who were impacted by domestic violence, child abuse, dating violence, stalking and other types of abuse throughout Box Elder County. They housed 58 women and 51 children, for a total of 2,374 bed nights. Between 2010 and 2013 there were 86 domestic violence related homicides in Utah.

The Crisis Center collaborates with Brigham City Police Department and other area law enforcement officers to bring in a legality assessment prodigal. This is a series of 11 questions the officers ask the victims. This has shown a decrease in the number of times officers return to the same home.

Mayor Vincent signed the proclamation declaring October Domestic Violence Awareness Month.

NEW BUSINESS

Consideration of a Development Agreement for an Economic Development Project Known as Project Straw

Adam Long from Smith Hartvigsen law firm, Paul Larsen and Jason Roberts came to the table. Mr. Larsen stated that Project Straw is a bottle watering company that will make bottles onsite and then fill them for sale on the market. The building will be approximately 250,000 square feet. They will do two phases. Total employment when Phase II is running will be approximately 75 employees. The average salary will be approximately \$45,000-\$47,000 per year plus benefits. The annual salary in Box Elder County is \$35,001.

Mr. Larsen explained that this agreement governs responsibility for infrastructure improvements associated with the project. Some of these projects are offsite, which will be paid for by the City. There is some proportional sharing of Industrial Way development. For example, responsibility on the part of the City for underground utilities on Industrial Way that are not servicing Project Straw, but will be a benefit to the utility systems in the future. There are some blanks in the agreement and attachments that will be included once details are tied down. He requested the Council approve the project subject to completion of these items, and empower the Mayor to execute minor corrections and adjustments.

Mr. Roberts added that any expenses that go toward projects that would benefit Project Straw will be paid by them.

MOTION: Councilmember Farr made a motion to approve the execution of the development agreement, subject to completion of exhibits and execution of a water purchase agreement, and granting the Mayor the authority to make minor amendments as may be necessary. The motion was seconded by Councilmember Bott and unanimously carried.

PLANNING COMMISSION

Consideration of an Amendment to Love's/Holiday Inn Express Project Signage Plan to Modify the Holiday Inn Express Street Sign Located at 1550 West

Mr. Bradley explained that when Holiday Inn initially brought their sign plans into the City, it was for a single pole. The Love's/Carl's Jr. sign was a dual pole with a rock foundation. The Planning Commission felt it would be better if the signs were similar, and the developer agreed to do that. They presented a sign with a wide white pole. The Planning Commission recommended approval, with the suggestion that the white panel be changed to a color that will be in harmony with the color of the building.

The Council was concerned with dictating the color of the sign. Mr. Bradley stated that businesses are accustomed to conforming to strict design oriented communities.

MOTION: Councilmember Thompson made a motion to approve the amendment to the Love's/Holiday Inn Express sign plan as presented by Holiday Inn Express, seconded by Councilmember Jensen. For clarification, the motion does not include changing the color of the sign. Voting was unanimously in favor.

The Council adjourned to an RDA meeting at 7:49 p.m. Following the RDA meeting the Council returned to a City Council meeting at 8:00 p.m.

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 Peterson. A roll call vote was taken with all councilmembers voting aye. The meeting adjourned to a closed session at 8:08 p.m.

The Council returned to an open meeting at 8:40 p.m. 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 October 6, 2016 City Council Meeting.

Dated this 20th day of October 2016.

Mary Kate Christensen
Mary Kate Christensen, Recorder