

**REGULAR SESSION OF THE  
BRIGHAM CITY Council  
Wednesday, June 1, 2011, 5:00 PM**

PRESENT:	Dennis Fife	Mayor
	Bob Marabella	Mayor Pro Tem
	Bruce Christensen	Councilmember
	Scott Ericson	Councilmember
	Ruth Jensen	Councilmember
	Tyler Vincent	Councilmember
ALSO PRESENT:	Rick Bosworth	Human Resource Coordinator
	Mark Bradley	City Planner
	Dave Burnett	Public Power Director
	Jim Buchanan	Emergency Services Director
	Mary Kate Christensen	City Recorder
	Blake Fannesbeck	Public Works Director
	Nancy Jo Green	Senior Center Director
	Bruce Leonard	City Administrator
	Kirk Morgan	City Attorney
	Jason Roberts	Finance Director
	Paul Tittensor	Chief of Police
	Dennis Vincent	Police Lieutenant

Mayor Fife called the meeting to order. The Reverence Period was given by Bishop Mike Jeppesen of the LDS Brigham City 11<sup>th</sup> Ward.

**Approval of Minutes:** The minutes of the April 21, 2011 Business License Appeal Board, May 4 and 18 Budget Work Sessions were unanimously approved as distributed.

**PRESENTATION**

2011-12 Council Budget

**NEW BUSINESS**

Ordinance Amending Chapter 11.02, Emergency Services, to Create a New Structure  
Ordinance Amending Chapter 2.04.080, Government Records Access and Management Act, to  
Allow an Appeal by the Utah State Records Committee

**CONSENT**

New Hire, Police Department  
Wage Adjustment in Administration Department  
Contract Approving Employment Services  
Assignment of Deputy Chief  
Resolution to Approve an Interlocal Agreement for Sharing of Justice Court Revenues between  
Brigham City and Box Elder County  
Resolution Approving an Interlocal Agreement for Inspection and Planning Services between  
Brigham City and Box Elder County

**PLANNING COMMISSION BUSINESS**

Amendment to Chapter 29.13, Commercial Districts, Section 29.13.020 Sales and Related  
Services Use Category "Monument Sales"

**PRESENTATION**

**2011-12 Council Budget**

Mayor Pro Tem Marabella reported that major components of the 2011-12 budget are:

- One part-time IT position will be added at the cost of \$18,000 to assist with ongoing web presence and to assist the full-time IT person.
- One full time contracted position for Youth Empowerment Team and Youth Volunteer Council. This will be an additional \$2,875.

- 1.6% merit increase for employees. This is tied to the Consumer Price Index. The cost to the City is \$76,000. There is no salary increase for the Mayor and Council, which saves close to \$1,000.
- For the 13<sup>th</sup> consecutive year, there will be no property tax increase.
- No increase for water, sewer, garbage or storm drain.
- Box Elder County increased the tipping fee at the County waste site by \$2.75 per ton. The cost to the City is approximately \$26,000 or \$5.00 per resident or 50 cents per month.
- Rocky Mountain Power has increased the cost of power purchased by the City by 10%. This has been implemented in the budget with no increase for the customer, unless there are increases beyond 10%.
- In the 2007-08 budget year, the City received over \$3.1M in sales tax revenue. In the past three years it has stayed pretty constant at \$2.5M. This is a significant impact to the City of \$600,000. As the economy slowly begins to improve, it will put the City in better financial condition.
- Property taxes are staying pretty constant with very little change.
- The Council has been working diligently to lower the amount of the transfer from the Utility Fund to the General Fund.
- Last year General Fund expenditures were \$11,277,000. The 2011-12 budget is almost the same amount at \$11,256,000.
- Total expenditure is \$41.3M.
- Projects budgeted in the 2011-12 budget:
  - New bowery with bathrooms at John Adams Park
  - Upgrades to Discovery Grove Park which includes a bowery with bathrooms and two youth soccer fields
  - Start improvements for the sports park with three full size soccer fields
- UTOPIA continues to be a challenge to the City. This will continue until it is running at a higher rate. There is \$34,500 per month in the budget for the UTOPIA payment.

## NEW BUSINESS

### **Ordinance Amending Chapter 11.02, Emergency Services to Create a New Structure**

Mr. Leonard came forward and explained that this amendment allows the Mayor to appoint a Fire Chief and Deputy Fire Chief with the advice and consent of the Council. It eliminates the other officers in the Fire Division which will be set by operational procedures at some future time. It also eliminates the support status and the honorary status.

This was the result of a committee of firefighters from the Fire Division who volunteered to look at restructuring for the betterment of the Division, the City and the citizens. In February, the Mayor asked the Fire Division to select members of the Fire Division to look at the Division's operations and come back to the City Council with recommendations. Five recommendations were presented to the Personnel Committee and this ordinance is a result of one of the recommendations. Councilmember Jensen added that this was done internally because it was found that there were some policies and procedures that could be liable to the City.

Councilmember Christensen added that this will bring the City into full compliance with the State Code.

Mr. Morgan explained that the liability issue is with the safety of the firemen when they are on duty wearing their masks. They need to be able to pass the test to use the masks. The liability is not only for the fireman but also the City if the masks are not used. This is an OSHA requirement, and once it is brought to the attention of the Council it goes from being negligent to gross negligent, which would result in very serious consequences for the City. Mayor Fife added that it is also for the protection of the firemen as well as liability and efficiency of operation.

**MOTION:** Councilmember Christensen made a motion to adopt the ordinance amending Chapter 11.02 related to Emergency Services. Seconded by Councilmember Jensen and unanimously carried.

**Ordinance Amending Chapter 2.04.080, Government Records Access and Management Act, to Allow an Appeal by the Utah State Records Committee**

Mr. Morgan explained that this amendment to the code allows appeals to go to the District Court or the State Records Committee after going to the City Council. This conforms to the Utah Code. He added that it is not more restrictive for citizens obtaining records. It gives them more options and helps citizens cut their costs associated with a court proceeding by going directly to the State Records Committee and would be much faster.

**MOTION:** Councilmember Marabella made a motion to approve the ordinance amending Chapter 2.04.080, Government Records Access and Management Act as presented. The motion was seconded by Councilmember Vincent and unanimously carried.

**CONSENT**

**New Hire, Police Department**

It was recommended Kimberly Smith be hired as a Police Officer I, Grade 42, effective June 6, 2011.

**Wage Adjustment in Administration Department**

It was also recommended the Council approve a wage adjustment for Royce Wilkerson, effective June 1, 2011.

**Contract Approving Employment Services**

A contract was presented to approve the appointment of Mark Meaker as Fire Chief. This contract begins June 1, 2011 and ends May 31, 2012, unless extended by mutual agreement between both parties.

**Assignment of Deputy Chief**

It was recommended Brian Nawyn be appointed as Deputy Fire Chief.

**Resolution to Approve an Interlocal Agreement for Sharing of Justice Court Revenues between Brigham City and Box Elder County**

This resolution changes the portion of Justice Court revenues to 45% to the County and 55% to the City. It was previously a 50/50 split.

**Resolution Approving an Interlocal Agreement for Inspection and Planning Services between Brigham City and Box Elder County**

This agreement states that the City will provide inspection and planning services for the County as needed.

**MOTION:** Councilmember Ericson made a motion to approve the Consent Agenda as presented. The motion was seconded and carried unanimously.

**PLANNING COMMISSION BUSINESS**

**Amendment to Chapter 29.13, Commercial Districts, Section 29.13.020 Sales and Related Services Use Category "Monument Sales"**

Mr. Bradley came forward and explained that this amendment would allow incidental engraving and foundation preparations of monuments in General Commercial (GC) zones.

**MOTION:** Councilmember Marabella made a motion to amend Chapter 29.13, Commercial Districts, Section 29.13.020 Sales and Related Services Use Category "Monument Sales" as presented by Mr. Bradley. The motion was seconded by Councilmember Vincent and unanimously carried.

A motion to adjourn was made by Councilmember Christensen. The motion was seconded and carried unanimously. The meeting adjourned at 5:48 PM.