

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
July 21, 2011**

PRESENT:	Dennis Fife Bruce Christensen Ruth Jensen Tyler Vincent	Mayor Councilmember Councilmember Councilmember
ALSO PRESENT:	Rick Bosworth Dave Burnett Mary Kate Christensen Blake Fannesbeck Paul Larsen Bruce Leonard Kirk Morgan Mike Nelsen Jason Roberts Paul Tittensor Dennis Vincent	Human Resource Coordinator Public Power Director City Recorder Public Works Director Economic Development Director City Administrator City Attorney Police Lieutenant Finance Director Chief of Police Police Lieutenant
EXCUSED:	Scott Ericson Bob Marabella	Councilmember Councilmember

Mayor Fife called the meeting to order. The Reverence Period was given by Bishop Mike Ripplinger of the Brigham 22nd Ward.

Approval of Minutes: The minutes of the June 30, 2011 Council meeting were unanimously approved as distributed.

**PUBLIC COMMENT
CONSENT**

Request to Write-off Accounts Due to Resident Taking Out Bankruptcy or Being Sent to Collections
Appointment to Golf Course Commission
Appointment to the Advisory Council on Aging

SCHEDULED DELEGATION

NEW BUSINESS

Request to Use "Click It or Ticket" Funds to Purchase Furniture for Police Interview Rooms
Discussion on Animal Shelter Fees, Spay and Neuter Fees, and Rabies Vaccinations
Proposed Revision to City Policy to Discontinue Offering Health Insurance Benefits to City Councilmembers
Proposal to Buyout and Eliminate Banked Sick Leave
Temporary Zoning Regulation for Towing Services, Impound Lots, Junkyards and Self-Storage Facilities

MAKING LIFE BETTER – DEPARTMENT REPORTS

OTHER BUSINESS

PUBLIC COMMENT

Mike Nelsen – Mr. Nelsen discussed the New Business item regarding banked sick leave. He felt that those employees that have banked sick leave were and are dedicated employees of Brigham City. Those that used sick leave because they were sick, or any other reason, received it at 100%. There are only three options for the Council to vote on and the highest is 50%. He asked the Council to consider 50%. Currently, employees can get 25% if cashed out at retirement, 50% to use in conjunction with short-term disability, and 50% toward insurance after retirement if the employee has over 30 years with the City. It can be used for emergencies at 100%. If an employee is terminated because they are physically unable to do their job, the employee can get 100% from their banked sick leave. He felt that anything less than 50% would be an injustice to the employees that have banked sick leave who have been dedicated

employees. He added that personal leave replaced sick leave and employees are able to cash out personal leave at 50% at the end of the year. He asked for the Council's vote at 50%, if not higher.

Joe Siggard – Mr. Siggard expressed concern with the item regarding allowing more than the allowed two dogs per household. He was not concerned with those that have 1-2 dogs for a pet, but did not think they should be allowed to have so many dogs that they do not take care of them. Within 600' of his home there are twelve dogs. They will bark anywhere from 6:00 a.m. to 10:00-11:00 p.m. He has called Animal Control several times. He has never seen any of these neighbors put their dogs on a leash and walk them or train them. They are all penned up or on a leash in the backyard. There is a citizen that parks at the nursing home while he visits someone and leaves his dog in the car. The dog barks for two solid hours while he is in the building. At another property he owns he can't get within 50 feet of the backyard next to his because it stinks so badly. He asked the Council not to vote to allow four dogs; two are enough. He felt it would benefit Brigham overall to keep the ordinance as it is.

Dave Olsen – Mr. Olsen spoke regarding the banked sick leave issue. He felt 50% is the least the City should do. Years ago when the City eliminated sick leave and went to personal leave, employees were told to hold onto banked sick leave because the City would let them use it for insurance upon retirement. This is what the employees have been promised for over ten years.

CONSENT

New Hires, Public Power Department

It was recommended Brandon Child and Jordan Thompson be hired as electric line workers (journey level), Grade 65, effective July 22, 2011.

New Hire, Administration

It was also recommended the Council approve the hire of Kamron Nelson as part-time Information Systems Technician I, Grade 33, and effective July 26, 2011

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

A list of accounts totaling \$4,735.86 was recommended for removal from the City's computer system due to non-payment or customer taking out bankruptcy. These accounts will be sent to the City's collection agency.

Appointment to Golf Course Commission

Blake Broadhead was recommended to serve as Chair of the Golf Course Commission.

Appointment to the Advisory Council on Aging

It was recommended Lane Montgomery be appointed to the Advisory Council on Aging.

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

SCHEDULED DELEGATION

Request for Variance of Animal Ordinance to Allow Four Dogs

Ms. Cassandra Roorda came forward and stated that she has five dogs. She asked the Council to please not take them away. She is a very good pet owner. She locks them up when she goes to bed. They never go out of her yard, and she has a large yard. Four of them are very small dogs and the other is a service animal. Some of the dogs belong to her kids, who live in her home. She lives at the end of town and owns the lot next to her.

Mr. Morgan stated that there is currently a violation for too many dogs in the Justice Court. Ms. Roorda said Judge Christensen told her to take a jury trial because everyone loves their animals. Mr. Morgan said at the time Ms. Roorda was given the citation she did not have a variance. She has not been in compliance with the City Code for some time.

Mr. Morgan said added that there is currently no exception in the City Ordinance for service animals.

MOTION: Councilmember Vincent made a motion to refer this to the City Attorney and Animal Control to look at the City ordinance to determine how service animals affect the ordinance, and determine if Ms. Roorda should go before the Appeals Board or return to the Council. The motion was seconded by Councilmember Christensen and unanimously carried.

NEW BUSINESS

Request to Use “Click It or Ticket” Funds to Purchase Furniture for Police Interview Rooms

Chief Tittensor approached the Council and explained that in June the Highway Safety Commission sponsored a Click It or Ticket campaign. During this timeframe, law enforcement agencies are asked to do special law enforcement to enforce the seatbelt law. If the agency exceeds the number of citation enforcement from prior years, they give awards. This year Brigham City doubled their numbers and was awarded \$500. He requested authorization to use this money to furnish the new police interview rooms.

MOTION: Councilmember Christensen motioned to approve the request to use Click It or Ticket funds to furnish the new police interview rooms. Councilmember Vincent seconded the motion and carried unanimously.

Discussion on Animal Shelter Fees, Spay and Neuter Fees, and Rabies Vaccinations

Chief Tittensor stated that the veterinarian services in the area are charging different amounts for the various services the Animal Shelter uses. They vary from \$78 to \$119 for neutering. Rabies vaccinations are all about \$25, except one veterinarian that likes to do a well animal care and charges an additional \$30. He would like to send out Request for Proposals and have one service provider of the City. This would allow them to base adoption fees on what it will actually cost.

MOTION: Councilmember Christensen made a motion to approve the request to send out RFPs for animal shots and neutering. The motion was seconded by Councilmember Vincent and unanimously carried.

Proposed Revision to City Policy to Discontinue Offering Health Insurance Benefits to City Councilmembers

Mayor Fife proposed that this be postponed until there is a full quorum.

Councilmember Jensen said the proposed change includes a stipulation that current councilmembers be grandfathered. She felt this should not be an option. Councilmember Christensen expressed concern with this because changing insurances can take some time.

MOTION: Councilmember Christensen made a motion to table this item until there is a full Council, seconded by Councilmember Jensen and unanimously carried.

Proposal to Buyout and Eliminate Banked Sick Leave

Mr. Roberts explained that the current banked sick leave policy allows the following options:

- Cash out at 25% upon retirement.
- 50% can be used toward insurance premiums upon retirement if the employee has worked for the City for 30 or more years, or 35% if under 30 years to be used for insurance premiums. The City's current insurance company has told City staff that when the City's contract is up they will look at this option.
- 100% pay out for emergencies.

Mayor Fife expressed concern that the City carries these hours on the books and they are considered a liability. The money has to be held available for what is projected as a payout.

Mr. Roberts said he has accrued 35% of the cost from Fund Balance and it is shown in the budget as a liability. If the Council approved a payout of 37.5% and everyone took it, the budget would be short \$9,928. If the Council approves 50% payout, the budget would be short \$59,569.

Mayor Fife suggested offering a buyout at 37.5%. Those that want to stay in the current program as written could do that. He added that these hours were accumulated several years ago when the employees made less money than they are now.

MOTION: A motion to table this proposal until there is a full quorum was made by Councilmember Jensen, seconded by Councilmember Christensen and unanimously carried.

Temporary Zoning Regulation for Towing Services, Impound Lots, Junk Yards and Self-Storage Facilities

Mr. Larsen came forward and stated that the City has had a lot of activity in these four areas. This six-month temporary zoning regulation would allow City Staff time to more thoroughly work with the Planning Commission and the businesses.

MOTION: Councilmember Christensen made a motion to approve the temporary zoning regulation for towing services, impound lots, junk yards and self-storage facilities be imposed for a six-month period based on the findings of fact that there is compelling public interest and the area is unregulated. The motion was seconded by Councilmember Jensen and unanimously carried.

MAKING LIFE BETTER – DEPARTMENT REPORTS

Mr. Roberts explained the Purchase Card (P Card) program the Administration Department is starting to implement. This is run through the state and will improve the efficiency and lower the cost of purchasing items from vendors. A small number of cards have been issued as a trial. Employees are issued a Visa card and they must sign an agreement stating they are responsible for purchases made on the card, up to and including termination. The Administration Staff has the ability to set limits on the card and the stores they can purchase from. The City would receive a rebate of .75% from all purchases made on the card. Employees will still be required to provide paperwork and backup for the charges.

OTHER BUSINESS

Mayor Fife scheduled a Work Session for August 18 at 6:00 PM to discuss security systems.

A motion to adjourn was made by Councilmember Vincent. The motion was seconded and carried unanimously. The meeting adjourned at 8:01.