

**REGULAR SESSION OF THE  
BRIGHAM CITY COUNCIL  
October 6, 2011**

|          |                   |               |
|----------|-------------------|---------------|
| PRESENT: | Dennis Fife       | Mayor         |
|          | Bruce Christensen | Councilmember |
|          | Scott Ericson     | Councilmember |
|          | Ruth Jensen       | Councilmember |
|          | Bob Marabella     | Councilmember |
|          | Tyler Vincent     | Councilmember |

|               |                       |                               |
|---------------|-----------------------|-------------------------------|
| ALSO PRESENT: | Rick Bosworth         | Human Resource Coordinator    |
|               | Jim Buchanan          | Emergency Services Director   |
|               | Dave Burnett          | Public Power Director         |
|               | Mary Kate Christensen | City Recorder                 |
|               | Blake Fannesbeck      | Public Works Director         |
|               | Jared Johnson         | Community Development Manager |
|               | Paul Larsen           | Economic Development Director |
|               | Jason Roberts         | Finance Director              |
|               | Paul Tittensor        | Chief of Police               |

Mayor Fife called the meeting to order. The Reverence Period was given by President Jeff Packer of the LDS South Stake.

**Approval of Minutes:** The minutes of the September 15, 2011 Council meeting, September 19 Special Meeting and August 18 Work Session were unanimously approved as distributed.

**PUBLIC COMMENT  
CONSENT**

Appointment to the Planning Commission  
Appointment to the Volunteers in Police Service Council

**SCHEDULED DELEGATION**

Domestic Violence Awareness Month

**NEW BUSINESS**

Resolution to Update Chapter 12, Compensation and Work Hours, of the Employee Police Manual

Resolution to Update Chapter 8, Employee Development, of the Employee Policy Manual  
Proclamation Declaring November 1, 2011 Extra Mile Day

**PLANNING COMMISSION**

Consideration of the Davis & Bott Professional Plaza Condominium Plat Located at 50 W. Forest  
Ordinance Amending Section 29.13.020(3) Dwellings and Other Living Quarters Use Category  
“Dwelling”

Consideration of Amendment to the Planning Commission Bylaws

**MAKING LIFE BETTER – DEPARTMENT REPORTS**

Heritage Arts Festival Update

**CLOSED SESSION**

**PUBLIC COMMENT**

There were no comments from the public.

**CONSENT**

**Appointment to the Planning Commission**

It was recommended Lawrence (Larry) Jensen be reappointed to the Planning Commission.

**Appointment to the Volunteers in Police Service Council**

David Keller was recommended for appointment to the Volunteer in Police Service Council (VIPS).

**MOTION:** Councilmember Jensen made a motion to approve the Consent Agenda as listed, seconded by Councilmember Ericson and carried unanimously.

### **SCHEDULED DELEGATION**

#### **Domestic Violence Awareness Month**

Annette McFarland came forward and read the proclamation declaring October Domestic Violence Awareness Month.

**MOTION:** Councilmember Marabella made a motion to authorize the Mayor to sign the proclamation, seconded and carried.

Ms. McFarland thanked Chief Tittensor for all his support and all the Police Department's support and assistance.

### **NEW BUSINESS**

#### **Resolution to Update Chapter 12, Compensation and Work Hours, of the Employee Policy Manual**

Mr. Bosworth explained the changes which will allow a supervisor to assign a designee to sign timecards in their absence. It also allows supervisors to sign their employee's timecard in their absence. Any modifications to a timecard can be changed by the supervisor or their designee. In addition, the policy sets 30 days for employees to dispute any discrepancies on their timecard.

**MOTION:** Councilmember Christensen made a motion to approve the resolution to update Chapter 12 of the Employee Policy Manual, seconded by Councilmember Ericson and carried.

#### **Resolution to Update Chapter 8, Employee Development, of the Employee Policy Manual**

Mr. Bosworth reviewed the proposed amendments to Chapter 8 of the Employee Policy Manual regarding employee travel. Currently the City uses a combination of both the state per diem and IRS per diem. The updated Chapter would use the General Services Administration (GSA) rates for both meals and lodging for state and out of state travel. It also changes the radius for hotel stays from 50 miles to 60 miles. It would not allow a hotel stay in Salt Lake City unless it is approved by the City Administrator.

**MOTION:** Councilmember Ericson made a motion to approve the resolution to update Chapter 8 of the Employee Policy Manual, seconded and carried.

#### **Proclamation Declaring November 1, 2011 Extra Mile Day**

Mayor Fife explained that this proclamation urges City employees and residents to take time on November 1, 2011, to not only go an extra mile in his or her own life, but also to acknowledge all those around for inspiration in their efforts and commitment to make their organization, families, communities and country a better place. A letter will be sent to various organizations encouraging their participation. Brigham City will join over 200 cities across the nation in this proclamation.

**MOTION:** Councilmember Marabella made a motion to approve the proclamation declaring November 1 Extra Mile Day, seconded by Councilmember Christensen and unanimously carried.

### **PLANNING COMMISSION**

#### **Consideration of the Davis & Bott Professional Plaza Condominium Plat Located at 50 W. Forest**

Mr. Bradley said the Davis & Bott Professional Plaza was recently completed. They would like to have a condominium plat so they can lease out space in their new building. The Planning Commission recommended approval.

**MOTION:** Councilmember Christensen made a motion to approve the David & Bott Professional Plaza Condominium Plat, seconded by Councilmember Jensen and unanimously approved.

**Ordinance Amending Section 29.13.020(3) Dwellings and Other Living Quarters Use Category "Dwelling"**

Mr. Bradley explained that when this was previously brought before the Council, it was returned to the Planning Commission for clarification on new residential dwellings replacing a commercial building. The old Trailside Convenience Store was used as an example. Although this lot is not in the area because it only includes those lots fronting 100 East or 100 West, the ordinance would allow it.

**MOTION:** Councilmember Vincent made a motion to approve the ordinance, seconded by Councilmember Christensen and unanimously carried.

**Consideration of Amendment to the Planning Commission Bylaws**

Mr. Bradley explained that the main change in the bylaws eliminates the half hour work session. It was felt the work session was redundant and there was concern that things were being discussed in a work session that should be discussed during the regular meeting. It was recommended the regular meeting begin at 6:00, with training being held after the meeting when there is a short agenda.

Councilmember Christensen expressed concern with changing the appointment of a councilmember to the Planning Commission as optional. He felt the Planning Commission is the most important board in the City, second only to the City Council. Councilmember Jensen said David Church, attorney for the ULCT, not only told the Council during a training session that it was not necessary for a councilmember to serve on the Planning Commission, but that he did not recommend it because it was a conflict. Mayor Fife added that the Planning Commission meets so often, it is a difficult assignment for councilmembers.

Councilmember Ericson suggested changing the training requirements to optional.

**MOTION:** Councilmember Ericson moved to approve the amendment to the Planning Commission Bylaws, with the change from "shall" to "may" regarding training. The motion was seconded by Councilmember Marabella. Mr. Bradley expressed concern with this change. Although it can sometimes be difficult for members to attend training, he felt it was important they be trained. Mr. Larsen added that the Planning Commission is in a position that the decisions they make can expose the City to a lot of liability. He felt there should be at least some basic understanding of what their role is.

**AMENDED MOTION:** Councilmember Ericson rescinded his motion and made an amended motion to approve the amendment to the Planning Commission Bylaws as presented. The amended motion was seconded by Councilmember Marabella. All voting was in favor.

**MAKING LIFE BETTER – DEPARTMENT REPORTS**

**Heritage Arts Festival Update**

Ms. Donna Pett came forward and reported on the 2011 Heritage Arts Festival. This year's theme was Picturing the Past, Capturing the Future. There were a few new artisans that participated this year. One was a blacksmith that was very popular. Several artisans have returned year after year.

This year there were vendors for the first time. All the vendors were conducive to the heritage theme.

Other activities included the entertainment, which was excellent this year, and the car show.

The gross cost of the Festival was \$6,181. After contributions, the cost to the City was \$4,500. This does not include a \$2,000 grant from Wal-Mart, which was received in July. This will go toward 2012 Festival.

**OTHER BUSINESS**

Mayor Fife scheduled a work session for October 20 at 5:30 PM to discuss the West Forest Overlay with affected citizens. Mr. Larsen will invite the citizens to the work session.

Councilmember Christensen expressed concern with all the apartments in the City, particularly on the south end of Brigham City. Current landlords are experiencing a significant amount of vacancies. Mayor

Fife said he met with the Utah Housing Authority, and they have placed a moratorium on subsidized housing in Box Elder County for three years. This will be reviewed every year. Councilmember Christensen said it affects the area south of Forest Street more than north. It is significant. Mayor Fife added that a study has been conducted and indicates that there is still a market. There is an application pending for another large complex on the south end. This particular complex is not subsidized housing. Mayor Fife asked the Community Development staff to do an analysis on this.

Councilmember Jensen said the City is having problems with vandalism at the Mantua Reservoir. This used to occur at Constitution Park, but since the mural was painted on the restrooms the vandalism has stopped. She suggested getting Mantua and Brigham City youth together to paint a mural on the bathrooms at the reservoir. Mayor Fife asked Public Works staff to evaluate this.

A motion to adjourn to a closed session to discuss the sale, purchase, exchange or lease of real property and pending or reasonably imminent litigation was made by Councilmember Ericson, seconded and carried. The Council adjourned at 8:01 PM. The Council returned to an open meeting at 10:35 and adjourned.