

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
October 20, 2011**

| | | |
|---------------|---|---|
| PRESENT: | Dennis Fife Bruce Christensen Ruth Jensen Bob Marabella | Mayor Councilmember Councilmember Councilmember |
| ALSO PRESENT: | Mark Bradley Jim Buchanan Dave Burnett Mary Kate Christensen Blake Fonnesebeck Jared Johnson Paul Larsen Jason Roberts Paul Tittensor | City Planner Emergency Services Director Public Power Director City Recorder Public Works Director Community Development Manager Economic Development Director Finance Director Chief of Police |
| EXCUSED: | Scott Ericson Tyler Vincent | Councilmember Councilmember |

Mayor Fife called the meeting to order. The Reverence Period was given by President Michael Iverson of the Brigham LDS West Stake.

Approval of Minutes: Councilmember Christensen noted that during the Other Business discussion when Mayor Fife discussed the moratorium, it states “they have placed a moratorium on Box Elder County for three years.” It should read that “they have placed a *subsidized housing* moratorium on Box Elder County for three years.” The minutes of the October 6, 2011 Council meeting were unanimously approved as amended.

**PUBLIC COMMENT
CONSENT**

Request to Write-off Accounts Due to Resident Taking Out Bankruptcy or Being Sent to Collections
Appointments to the Planning Commission

PUBLIC HEARINGS

Ordinance to Vacate Lot 12 and Portions of Lots 10, 11 and 13 of Hyland Terrace Plat I and the Associated Public Utility Easements
Ordinance to Amend and Extend Lot 1, Block 5, Hyland Terrace Plat II and Vacate the Public Utility Easement Along the Northerly Property Line of Lot 1

NEW BUSINESS

City Council to Approve and Adopt the Idle Free Awareness Declaration
Discuss Proposal and Development of a Service Contract for Animal Shelter Services

PUBLIC COMMENT

Peggy Szostek – Ms. Szostek asked if she could be on the agenda for a future meeting to discuss the possibility of making the Brigham City Animal Shelter a no-kill shelter or trap meter release program. She felt it would save the City money. Mayor Fife asked her to contact the City Recorder to get on the agenda.

CONSENT

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

A list of accounts was presented for removal from the City's billing system.

Appointments to the Planning Commission

It was recommended Lynne Duce be appointed as a member of the Planning Commission. It was also recommended that Reed Hancy serve as first alternate member and Michael Bott as second alternate member.

MOTION: Councilmember Christensen made a motion to approve the Consent Agenda as presented, seconded and carried.

PUBLIC HEARINGS

Ordinance to Vacate Lot 12 and Portions of Lots 10, 11 and 13 of Hyland Terrace Plat I and the Associated Public Utility Easements

Mr. Bradley came forward and explained that this public hearing is to vacate parcels. The next public hearing will combine the parcels into one lot.

Councilmember Marabella moved to open the public hearing to vacate Lot 12 and portions of Lots 10, 11 and 13 of Hyland Terrace Plat I and the associated public utility easements. The motion was seconded by Councilmember Jensen and carried. There were no comments from the public. A motion to close the public hearing was made by Councilmember Christensen, seconded and carried.

MOTION: Councilmember Marabella moved to approve the ordinance to vacate Lot 12 and portions of Lots 10, 11 and 13 as presented. The motion was seconded and unanimously carried.

Ordinance to Amend and Extend Lot 1, Block 5, Hyland Terrace Plat II and Vacate the Public Utility Easement Along the Northerly Property Line of Lot 1

A motion to open the public hearing to amend and extend Lot 1, Block 5 was made by Councilmember Marabella, seconded and carried. No comments were received. A motion to close the public hearing was made by Councilmember Christensen, seconded by Councilmember Jensen and unanimously carried.

MOTION: Councilmember Marabella made a motion to approve the ordinance to amend and extend Lot 1, Block 5 as presented, seconded by Councilmember Jensen and unanimously carried.

NEW BUSINESS

City Council to Approve and Adopt the Idle Free Awareness Declaration

Mayor Fife presented the declaration by Governor Herbert. State school buses travel over 4 billion miles each year for the state's 26 million children. The Idle Free Program encourages bus drivers as well as state residents to idle no more than ten seconds. If the City adopts a similar program, it would save fuel costs as well as improve air quality.

Councilmember Jensen expressed concern with government, or special interest groups pushing government, to install declarations because then they become resolutions, which become ordinances, then mandates. She called the person who sent the declaration to the Mayors and asked her what her intent was. The person said her intention was to just make people aware. However, Councilmember Jensen said it's an awareness first, then an ordinance. She would rather citizens do it on their own, without a piece of paper telling them to do so. She used California as an example. There are certain industries that cannot function because of their stringent laws. There are areas in California where truckers are not allowed to idle. If a person is a truck driver or a police officer, their vehicle is their office and sometimes their home. Does that mean the City can go into someone's home and tell them to shut off their air conditioning?

Mayor Fife explained that this is not anything close to something like this. Councilmember Marabella added that if this same topic came to the Council as an ordinance, the Council would have the option of approving or disapproving it. This is only to make people aware.

Councilmember Christensen said the Bear River Health Department restricted idling in 2003 when Cache Valley's air was really bad. They restricted, by law, burning in fireplaces and idling their vehicles. Banks and drive-in restaurants were told to tell their customers to turn off their cars.

Councilmember Jensen added that this proclamation does not have any cited facts. It is a non-profit government group, such as the Environmental Protection Agency - another entity of the government.

Mayor Fife added that Brigham City is currently in a non-attainment area for 3.5 pm particles. Auto emissions is the main source of this. Whether it's a reality or not, it is a good practice not to idle for long periods of time. This declaration just makes people aware that we all should do what we can to have better air quality.

MOTION: Councilmember Marabella made a motion to approve and adopt the Idle Free Awareness declaration. The motion was seconded by Councilmember Christensen. Councilmember Marabella and Councilmember Christensen voted aye; Councilmember Jensen voted nay. The motion failed to pass with a vote of 2-1. Mayor Fife stated that as Mayor, he can make a policy decision to restrict the City employee's idling time as needed.

Discuss Proposal and Development of a Service Contract for Animal Shelter Services

Chief Tittensor came forward and stated that the Police Department recently sent out requests for proposals for a single service provider to provide spayng and neutering and rabies shots at the animal shelter. RFPs were sent to the three veterinary services in the county. The Canyon View Animal Health Center's proposal was the lowest bid.

MOTION: Councilmember Jensen made a motion to accept the contract as written to develop a service contract for animal shelter services, subject to attorney approval. Seconded by Councilmember Marabella and unanimously carried.

The meeting adjourned at 7:36 pm.