

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
February 2, 2012
HERVIN BUNDERSON CENTER
641 EAST 200 NORTH**

PRESENT:	Dennis Fife	Mayor
	Scott Ericson	Councilmember
	Ruth Jensen	Councilmember
	Brian Rex	Councilmember
	Mark Thompson	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
	Tyler Pugsley	Public Works Acting Director
	Nancy Jo Green	Senior Center Director
	Sue Hill	City Librarian
	Jared Johnson	Community Development Manager
	Paul Larsen	Economic Development Director
	Kristy Law	Recreation Manager
	Bruce Leonard	City Administrator
	Mike Nelsen	Police Lieutenant
	Tyler Pugsley	Public Works Acting Director
	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 Dan Fox of the Brigham City LDS Central Ward. The Brigham City Police Honor Guard presented the flag. The Madrigals from Box Elder High School sang the National Anthem.

STATE OF THE CITY

PUBLIC COMMENT

CONSENT

New Hire, Fire Division

Appointment of Chair and Vice-Chair to the Heritage Cultural Arts Board

Purchase of Property at 337 W Forest Street

NEW BUSINESS

Request for Approval of a Facade Grant at 528 S Main Street, Bott & Sons Monuments

STATE OF THE CITY

Mayor Fife presented the State of the City. See <http://brighamcity.utah.gov/page.php?n=mayor>, then click on 2012 State of the City for the Mayor's complete address.

Approval of Minutes – Councilmember Thompson made a motion to approve the minutes from the January 19, 2012 Council meeting as written, seconded by Councilmember Jensen and unanimously carried.

PUBLIC COMMENT

Kris Powers – Ms. Powers spoke regarding the consent agenda item on the purchase of property. She understood that this home is to be purchased and then torn down for additional parking at the Senior Center. This will provide only 25 spaces. She agreed the Center needs more parking, but she had concerns about this. She did not understand why any funds should be spent to purchase this property

when the City already owns all the property surrounding the Senior Center building. This would be an ideal place to add parking. The City plans to pay for the cost of the home that Mr. Cochran lives and then exchange with the property he wants, less the difference he is going to pay back to the City. On top of that, the City has to pay to demolish the home and then put in the parking infrastructure. The cost of the home is \$130,000. With the demolition and infrastructure it will be approximately \$150,000-\$160,000. She questioned whether 25 parking spaces are worth that much. Is it fiscally responsible? The City needs to worry about taking care of the seniors. The economy is not improving. Social Security and retirement improvements are not keeping up with inflation. How many seniors are already asking for help with utilities, food, medicine, transportation and relief on their taxes? Should the City be charging a small amount for transportation, classes or services at the Center when they already need help with other things? She said Nancy Green is one of the most conscientious employees the City has. She can take a dollar and get five out of it. The seniors are very important to her and she'll do anything she can to protect them. The Senior Center is a very good looking building and is very aesthetically pleasing as people drive by, but she did not think that good looking is worth the money that will be spent to make the parking lot happen somewhere else. Another issue is transparency. The purchase agreement was signed by the Mayor on December 19, 2011. A majority of the councilmembers did not know this occurred. She asked how this is possible. This was listed on the January 5, 2012 agenda as a closed session. She also asked how the two new councilmembers are supposed to be informed on this matter when they have only been in office for four weeks and they are asked to make a decision regarding a very large amount of money.

Ron Germer – Mr. Germer commented on the economic development slide as part of the Mayor's State of the City. There were 7-8 projects with code names. He said he takes offense to that because the public does not know what is going on unless the City gives them what the code names are. It's the responsibility of the City to give the citizens more information on how they are spending taxpayers' money.

DJ Bott – Mr. Bott expressed concern with the Cottonwood II Subdivision. He has become acquainted with some of the individuals living there and what the developer told the City regarding subsidized rent and living has not been the case. He knows of one family with four children and two adults. The father makes \$1,200 a month and the wife is not employed. Their rent is about \$700. This last week tenants were told their rent is going up. This is the second rent increase since they moved in. He said he did not know whether the City could do anything about this, but maybe as the developers approach the City about building the second phase, this could be addressed. If the rent is supposed to be income based, he did not understand how a family of six making \$1200 a month could be charged \$700 if they are supposed to be receiving a subsidy.

Bob Marabella – Mr. Marabella said he was at City Hall this week on the day that shut-offs for non-pay were being done. He said the amount of abuse that City employees are taking on shut-off days is unbelievable. He recommended either a City staff member or a police officer sit in the lobby and observe. The ladies at the window are taking incredible abuse. Citizens are screaming and yelling at them.

He pointed out the blue lines on the floor at the Bunderson Center. He said this is for a great new recreation program called pickle ball. He expressed appreciation to the Council and the Recreation Department for having this available.

Mr. Marabella said he sent an email to each of the councilmembers on Monday asking them some questions and hoping to get a response. He was disappointed that not one of the five councilmembers responded back. He talked to two of the councilmembers by calling them or going to their place of business. He reminded the Council that it is very important, even if they don't agree with what he is saying, to respond back and acknowledge that they received his e-mail. Each citizen has the right to voice their concerns in different ways.

There were no further comments from the public.

Mayor Fife said that the Cottonwood Subdivision is all federally mandated and controlled. However, it sounds incorrect from the situation Mr. Bott discussed. He said the City will look into this and ask what the situation is.

Mr. Larsen responded to Mr. Germer's comments. He explained that code names are a common practice in economic development because when dealing with clients they request confidentiality. If the City is not willing to provide this confidentiality, the client moves on to another community. They want this confidentiality until they are ready to go public for a number of reasons; such as investor relations, employer relations, land acquisition issues, etc. He said he can report that Project Romance and RX are both retail projects, 3 to 5 is a small industrial business, and Czech is a small aviation related industrial business. The City does not hide these from people for any nefarious purpose. There has been no expenditure of public funds on any of these projects yet. In order to expend public funds the Council has to vote on it. He added that in every instance that he has dealt with a project that is now built in Box Elder County, if they had breached the confidentiality early in the process, they would not have built here. Councilmember Ericson added that any citizen can talk to Mr. Larsen about projects and he can give quite a bit of information on them, just not the name. Mayor Fife added that the only reason he included this in his State of the City is to indicate that the City is working very hard to bring new businesses and manufacturing to Brigham City.

Councilmember Rex responded to the property concerns brought up by Ms. Powers. He stated that the funds are not General Tax revenue. They are from a trust fund for the Senior Center, which Nancy has determined would be the best use of those funds to get more parking. The Council held a closed session because the price of property was discussed and, according to Utah Open and Public Meetings Act, a closed session can be held when the price of real estate is discussed.

Mayor Fife added that this has been going on for a long time. There was a missed opportunity in 2008 on this same property because Mr. Cochran got upset with the Council and some things that happened.

Mayor Fife stated that as far as him signing the property agreement, there is no validity to it because the contract states that it is based on the consent of the Council. It was discussed with the Senior Center to see if that is what they wanted to do. Mr. Cochran brought the option of a trade to Mayor Fife. He told him to contact the City's real estate agent, which he did. They negotiated a trade and brought it to the City. The trade was further negotiated to the final price as presented.

The Mayor further explained that the money to purchase this property comes from the Senior Center Trust Fund. This money was raised through the sale of jam and other fundraisers and also donations. This is where they felt they wanted to use it.

Councilmember Ericson stated that one of the challenges with purchasing property is that property does not become available when expected. There is not a way to plan for the purchase of property in the budget. When the opportunity becomes available, the Council has to determine whether the purchase is worth moving money around in other parts of the budget to make it work. If the Council doesn't take the opportunity when it is available, it may not be available again for ten years or more. Purchasing property by a public entity is never an ideal scenario. The Senior Center is going to have to expand because the use keeps going up.

Mr. Leonard came forward and stated that the space on the southeast corner of the Senior Center is a City park - Brigham Young Park. The last time the Council tried to close a park, Playground Park between 200 East and 300 East on Forest Street, there was an uprising from the citizens. There is a lot of sentiment with City parks and they are hard to close. That is one of the reasons this remains as an open space. Mr. Larsen added that this was the last location where Brigham Young gave a public address, so it has historic value as well.

Councilmember Vincent agreed that the Senior Center needs to grow. His concern with the property across the street, in addition to the danger of the seniors crossing the street, is that it would take a lot of money to get it so it is a good parking area.

Councilmember Jensen said this was in process over four years ago. She has been at the Senior Center several times over the last two weeks and has seen all the activities going on there and the building is full. In order to grow, the building will have to expand on the property.

Councilmember Jensen apologized to Mr. Marabella for not answering him. When she answers a person, she tries to get all the facts. In the past week she has been participating with Box Elder Middle School doing a validation program, so she was not able to get back with him. However, when he called and said he needed to see her, she went to his office.

Councilmember Thompson said that the new councilmembers' thoughts and questions were similar to those Ms. Powers had. He felt that these concerns were answered.

CONSENT

New Hire, Fire Division

It was recommended Luke Seber, Blake Lingmann, Brooke Rogers and Rickey Loveland be hired as firefighters, effective February 3, 2012.

Appointment of Chair and Vice-Chair to the Heritage Cultural Arts Board

It was also recommended Susan Niedert be appointed as Chair of the Heritage Cultural Arts Board and Beth Gurrister be appointed as vice-chair of the same Board.

Purchase of Property at 337 W Forest Street

As discussed above, this property will be purchased for \$180,000 which will be exchanged for property at 46 North 300 West, for a total of \$135,000.

MOTION: Councilmember Jensen made a motion to approve the Consent Agenda, seconded by Councilmember Rex and unanimously carried.

NEW BUSINESS

Request for Approval of a Facade Grant at 528 S Main Street, Bott & Sons Monuments

Mr. Larsen explained that this is a request for a facade grant to improve the building at 528 S. Main. The grant is a 50% match or \$30,000 maximum. There was \$30,000 in this year's budget. Another business received a grant for \$15,000. This request is also for \$15,000.

MOTION: A motion to approve the facade grant request for 528 South Main Street was made by Councilmember Ericson, seconded by Councilmember Jensen and unanimously carried.

The meeting adjourned at 9:00 PM.