

**REGULAR SESSION OF THE  
BRIGHAM CITY COUNCIL  
February 16, 2012**

PRESENT:	Dennis Fife Ruth Jensen Brian Rex Mark Thompson Tyler Vincent	Mayor Councilmember Councilmember Councilmember Councilmember
ALSO PRESENT:	Mark Bradley Jim Buchanan Dave Burnett Mary Kate Christensen Tyler Pugsley Jared Johnson Paul Larsen Kristy Law Bruce Leonard Chris Marx Jason Roberts Paul Tittensor Dennis Vincent	City Planner Emergency Services Director Public Power Director City Recorder Public Works Director Community Development Manager Economic Development Director Recreation Manager City Administrator Golf Professional Finance Director Chief of Police Police Lieutenant
EXCUSED:	Scott Ericson	Councilmember

Mayor Fife called the meeting to order and excused Councilmember Ericson. The Reverence Period was given by Br. Adams, 1<sup>st</sup> Counselor in the Brigham City LDS 17<sup>th</sup> Ward bishopric.

**Approval of Minutes:** The minutes of the February 2, 2012 Council meeting were unanimously approved as distributed.

**PUBLIC COMMENT**

**CONSENT**

Request to Write-off Accounts Due to Bankruptcy or Being Sent to Collections  
~~Appointment to Shade Tree Commission - Tabled~~  
Appointment to Recreation & Parks Commission  
Appointment to the Heritage Cultural Arts Board

**PUBLIC HEARING**

To Consider Approval to Amend Brigham Intermountain Development Plat B, Lot 31 and Lot 32,  
to Amend the Lot Line Between the Two Lots, Vacate Public Utility Easements, and Establish  
New Public Utility Easements

**SCHEDULED DELEGATION**

A Proclamation Declaring Dating Violence Awareness Month  
Engineering Annual Report and Request for Cost-of-Living  
Golf Course Annual Report and Proposed Rate Increase

**NEW BUSINESS**

Demonstration of Brigham City's New Website  
Proposed Application Form for Facade Grant Program  
Union Pacific Agreement

**MAKING LIFE BETTER – DEPARTMENT REPORTS**

Highland Waterline Loop

**OTHER BUSINESS**

**PUBLIC COMMENT**

There were no comments from the public.

## CONSENT

### **Request to Write-off Accounts Due to Bankruptcy or Being Sent to Collections**

A list of accounts totaling \$3,692.94 was presented to be removed from the City's billing system due to customer taking out bankruptcy or being sent to collections.

### **Appointment to Recreation & Parks Commission**

Brian Nelson was recommended for appointment to the Recreation and Parks Commission.

### **Appointment to the Heritage Cultural Arts Board**

It was recommended June Bywater be appointed to the Heritage Cultural Arts Board.

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

## PUBLIC HEARING

### **To Consider Approval to Amend Brigham Intermountain Development (BID) Plat B, Lot 31 and Lot 32, to Amend the Lot Line Between the Two Lots, Vacate Public Utility Easements, and Establish New Public Utility Easements**

Mr. Bradley came forward and indicated on a map the area being requested for amendment. The building on Lot 31 is in the process of being demolished. The developer, Orvieto Investments, would like to amend the lot line five feet north of the building on Lot 32. Lot 31 would eventually be improved as a parking lot. Part of the request is also to vacate public utility easements and establish new public utility easements.

A motion to open the public hearing was made by Councilmember Vincent, seconded and carried. There were no comments from the public. A motion to close the public hearing was made by Councilmember Thompson, seconded by Councilmember Jensen and unanimously approved.

**MOTION:** Councilmember Vincent made a motion to approve the amendment to BID Plat B, Lot 31 and Lot 32 and amend the lot line between the two lots, and also vacate public utility easements and establish new public utility easements. The motion was seconded by Councilmember Thompson and unanimously carried.

## SCHEDULED DELEGATION

### **A Proclamation Declaring Dating Violence Awareness Month**

Annette McFarland from New Hope Crisis Center came to the table and thanked Chief Tittensor for all the help they give the Center, and Councilmember Jensen who is in on their board. She also expressed appreciation to Annette Dickamore, President of their Board.

Shauna Barfuss, Education Director, stated that she teaches prevention education for dating violence at Box Elder schools. They are focusing this year on the importance of males respecting females and females respecting themselves. They talk about trust, respect and communication. They focus on empowerment and that they have the right to be safe and the right to tell. The Center's numbers are going up and she felt this is because more people are aware and know where they can go.

Ms. Barfuss read the proclamation declaring February Dating Violence Awareness Month.

### **Engineering Annual Report and Request for Cost-of-Living**

Mr. Brett Jones from Jones & Associates reviewed the projects Jones & Associates assisted Brigham City with in 2011.

Mr. Jones reviewed the Engineering Cost Efficiency report for civil engineers. They rated the projects over \$100,000 Jones & Associates did for Brigham City. They were well below the average on all these projects. They have not received an increase since January 2010. They are asking for a cost of living increase of 3.2% and a 1.3% increase for operational costs and promotions. Their operational costs, such

as software costs and insurance, have increased. He indicated on a chart the comparison of the Northern Utah civil engineering rates and Jones & Associates. They are very competitive.

Councilmember Jensen suggested doing a Request for Proposal for engineering services. Jones & Associates has been the City's engineer firm since 1985. Mayor Fife stated that having this firm with the City for as long as they have gives the City a lot of advantages. They know the City's facilities and infrastructure. Mr. Jones stated that since the economy has slowed down, four of the cities they contract with have gone out for RFP and all of them have retained them.

Mayor said most companies have not been giving the CPI. The City gave 1.6% last year and nothing the year before that. He felt the operational costs should be part of the CPI increase. A 4.5% increase is difficult during these economic times. Mr. Jones said they are just trying to look at their cost to operate and keep viable as a company.

**MOTION:** Councilmember Vincent made a motion to table the request for the engineering cost-of-living increase, seconded by Councilmember Jensen and unanimously carried.

Mr. Leonard came forward and explained that the City has had the same contract with Jones & Associates since 1985. It requires them to come to Council if they are asking for an increase. If there is an RFP sent out and Jones & Associates is the winning proposal, a new contract will be prepared and it will probably not state that they have to get Council's approval before a rate increase.

**MOTION:** Councilmember Jensen made a motion to go out for an RFP, seconded by Councilmember Rex. Mr. Jones asked what the Council would like them to do during the RFP process. Councilmember Jensen replied to continue as is at the new price. Mayor Fife said it costs money to put out an RFP; it costs staff time and the cost to put it in the paper. Mr. Leonard said they generally advertise it in the paper for two weeks, accepted 5-10 days after that and review them. The entire process takes 2-3 months. Councilmember Thompson recommended discussing it further as a Council and then bring it back to the Council in two weeks. The Mayor called for a vote on the motion. Councilmember Jensen and Councilmember Rex voted aye. Councilmember Thompson and Councilmember Vincent voted nay. Due to a tie vote, Mayor Fife was allowed to vote and voted nay. The motion failed 3-2.

Councilmember Vincent stated that if their increases are effective January 1, they should bring it to the Council earlier. Mr. Jones said the February billing has the new rates on it.

*This was discussed further during Other Business and a new motion was made. See below.*

### **Golf Course Annual Report and Proposed Rate Increase**

Mayor Fife asked Mr. Roberts to come forward and explain what happened with the Golf Course budget. Mr. Roberts explained that last year was the first year the Golf Pro was under the new contract. In the contract the budgeting structure was different than it has been in the past. The intent was to make it so the Golf Pro could budget to meet all the operational expenditures through the revenues received into the golf course. When the budget was prepared last year, they budgeted for operational expenditures to equal the revenues, then made a transfer of \$35,000 from the General Fund to fund a capital project for sprinklers. There is a calculation he does when he looks at operational items. He included transfer revenue, along with sales revenue, for the golf course when he did his original calculation. The transfer revenue should not have been included. The Pro gets a commission if he can beat the numbers for operations. Mr. Roberts told him he had, which was not the case. Mr. Marx noticed this error when he was preparing his presentation and brought it to Mr. Roberts' attention. The result of this error is that instead of having a \$7,000 gain, there is a \$6,000 loss.

Another issue was that there was some sales tax charged to the golf course that should have gone to the swimming pool. Mr. Roberts explained that his department was severely understaffed during July 2010. There was a small amount of sales tax from two months in 2009 that went into 2010.

Mr. Marx reported that due to a very wet spring, they were \$29,000 behind their goal. It put the course about 1,000 rounds behind their normal numbers. They have an average of 51,000 rounds played each year. Last year, even with the wet spring, they have a little over 51,000 rounds. He contributed this to aggressive marketing throughout the summer.

During the past year they had 174 tournaments; 127 of them were directed by his staff. For the last three out of the seven years Eagle Mountain has been recognized as the best junior program in the State of Utah.

There is \$35,000 in this year's budget to upgrade the sprinkler system. He illustrated on a map the work that has been done with that funding. They are requesting another \$35,000 to continue working on this system. This will mainly be used for sprinkler clocks.

Mr. Marx proposed a rate increase of \$1.00 per 9-holes. This will still put the golf course at or just below their competitors. With the increase the cost for 18 holes and a cart at Eagle Mountain will go from \$36.00 to \$38.00. The average price for 18 holes and a cart at other golf courses is in the \$40 range.

The following is a list of the promotions Mr. Marx would like to run during the upcoming golf season:

- 3<sup>rd</sup> Thursday for \$30
- Bring your daughter/granddaughter to the golf course week
- Kids play free with paying adult day
- \$5 off – business card coupon
- Buy 9 get 9 free coupon
- Season pass reciprocal program with Gladstan Golf Course (Payson) and Oquirrh Hill Golf Course (Tooele)
- Family season pass – would allow one member of a family to purchase a season pass and then add a spouse and/or child for the price of a punch pass
- One month season pass – season pass for a month for \$200; in the fall passes would be valid September through December.

**MOTION:** Councilmember Rex made a motion to approve the increase in golf course fees as presented, seconded by Councilmember Vincent and unanimously carried.

## **NEW BUSINESS**

### **Demonstration of Brigham City's New Website**

Mr. Royce Wilkerson, IT Coordinator, gave a demonstration of the City's new website. The new site minimizes scrolling on the home page and makes it easier to navigate the site.

### **Proposed Application Form for Facade Grant Program**

Mr. Larsen reported that he created an application form and instructions for the facade grant program. He plans to do some advertising that this is available. The forms will be available in the Community and Economic Development Office.

**MOTION:** Councilmember Jensen made a motion to approve the application for the Facade Grant Program, seconded by Councilmember Vincent and unanimously carried.

### **Union Pacific Agreement**

Mr. Larsen explained that this agreement is with Box Elder County and the Union Pacific Railroad for funding of a railroad crossing study. It establishes a budget of up to \$80,000 to study various alternatives for the West Forest crossing issues. It also requests that the study do a cost benefit analysis for each of the alternatives.

Councilmember Vincent expressed concern with funding a study and then the railroad not being willing to move the yard or do an overpass. Their previous indications have been that they are not willing to do either.

Councilmember Jensen was concerned that there is nothing binding in the contract. Mayor Fife said neither the railroad nor the county would sign an agreement like that. Neither would Brigham City. Councilmember Jensen felt that everyone is stalling and trying to feel good.

**MOTION:** Councilmember Thompson made a motion to approve the funds to do the railroad crossing study, seconded by Councilmember Vincent. Councilmember Thompson, Councilmember Vincent and Councilmember Rex voted aye. Councilmember Jensen voted nay. The motion passed 3-1.

### **MAKING LIFE BETTER – DEPARTMENT REPORTS**

#### **Highland Waterline Loop**

Mr. Tyler Pugsley came forward and explained that the City filed a water change application to pursue more water sources. As a result, numerous water right holders in the surrounding area protested the application. After review of these protests, they decided to reevaluate their change application and withdraw the Kotter Canyon and Bowden Canyon well sites and concentrate on the Highland loop waterline.

This project is being funded through a water bond, paid back to Brigham City through tax increment funding. Other projects funded through water and sewer bonds include the Wastewater Treatment Plant upgrades and several new sewer lines and collection system upgrades.

### **OTHER BUSINESS**

Mayor Fife stated that staff is in the process of re-codifying the City Code. These will be brought to the Council for approval. It is a large book, so the City Recorder will send them to the council via e-mail in sections as they are completed.

The Council continued their discussion on the fee increases for Jones & Associates. Councilmember Thompson suggested accepting their rates, then go out for an RFP during the budget process.

**MOTION:** Councilmember Vincent made a motion to pay the increased rates until June, then do an analysis and make a decision in June. The motion was seconded by Councilmember Thompson and unanimously carried.

The meeting adjourned at 9:27 PM.