

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
January 4, 2018**

PRESENT:	Tyler Vincent	Mayor
	DJ Bott	Councilmember
	Alden Farr	Councilmember
	Ruth Jensen	Councilmember
	Tom Peterson	Councilmember
	Mark Thompson	Councilmember

ALSO PRESENT:	Dave Burnett	Public Power Director
	Mary Kate Christensen	City Recorder
	Paul Larsen	Community Development Director
	Mike Nelsen	Police Chief
	Derek Oyler	Finance Manager
	Tyler Pugsley	Public Works Director
	Jason Roberts	City Administrator

Mayor Vincent called the meeting to order. The Reverence Period was given by Councilmember Farr. The Pledge of Allegiance was recited.

Approval of Minutes: A motion to approve the minutes of the November 2, 2017 Work Session and City Council; November 16, 2017 Council Meeting and November 30, 2017 Work Session was made by Councilmember Bott, seconded by Councilmember Jensen and unanimously approved as distributed.

AGENDA

CONSENT

- Appointment to the Appeal Authority Board
- Appointments to the Planning Commission
- Appointment of Alternate Members to the Planning Commission
- Appointment to the Joint Advisory Board
- Appointment to the Urban Beautification Commission

PUBLIC HEARING

- Consideration of Resolution Adjusting the FY2017-18 Budget to Increase Expenditures in the Public Utility Fund
- Community Development Block Grant (CDBG) First Public Hearing to Receive Input on Potential CDBG Applications

PUBLIC COMMENT

COUNCILMEMBER COMMENTS

NEW BUSINESS

- Consideration of Water Purchase Agreement with Niagara Bottling
- Presentation of 2016-17 Financial Audit
- Consideration of Ordinance Combining Facilities Regulations and Fees

UNFINISHED BUSINESS

- Discussion on Splash Pad Location and Design

CONSENT

Appointment to the Appeal Authority Board

It was recommended Lynda Berry move from an alternate member to a regular member of the Appeal Authority Board.

Appointments to the Planning Commission

It was recommended Cindy McConkie move from an alternate to a member of the Planning Commission.

Appointment of Alternate Members to the Planning Commission

It was also recommended Bonnie Mortensen serve as First Alternate to the Planning Commission and Zac Roberts serve as Second Alternate to the same Board.

Appointment to the Joint Advisory Board

Steve Barsuhn was recommended for appointment to the Joint Advisory Board.

Appointment to the Urban Beautification Commission

Kris Nelson was recommended for appointment to the Urban Beautification Commission

PUBLIC HEARING

Consideration of Resolution Adjusting the FY2017-18 Budget to Increase Expenditures in the Public Utility Fund

Mr. Oyler came to the table and explained that this is to increase expenditures to construct a spring water filling station in Mantua. The revenues would come from a development agreement on that project. There is also an increase for the purchase of property for \$195,000. This will come from the public utility fund balance.

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

MOTION: Councilmember Peterson made a motion to approve the resolution adjusting the FY2017-18 budget to increase expenditures in the public utility and the purchase of real property, seconded by Councilmember Farr.

Roll call:

- Councilmember Bott – aye
- Councilmember Farr – aye
- Councilmember Jensen – aye
- Councilmember Peterson – aye
- Councilmember Thompson – aye

Community Development Block Grant (CDBG) First Public Hearing to Receive Input on Potential CDBG Applications

Mr. Larsen came forward and stated that the purpose of this first public hearing is to receive input from citizens on projects they want considered for application for funding through the CDBG. In 2018 approximately \$650,000 is expected to be available in the Bear River Region for CDBG projects; \$476,000 of which will be available for projects to be rated and ranked. All funds allocated must meet a HUD national objective and benefit low to moderate income individuals. Projects displacing low to moderate income persons are not likely to receive funding. The range of projects that are eligible include affordable housing, community infrastructure projects, durable equipment purchases and other projects, such as public service

projects for seniors, youth and battered spouses and housing rehabilitation projects. Some past projects funded in Brigham City through CDBG were a senior center parking lot overlay, and electrical system upgrade, ADA curb ramps throughout the City, housing rehabilitation, and building improvements at the Box Elder County Family Support Center. This first public hearing is a requirement for the City to apply for, to sponsor, non-profit organizations' applications for the grant. This grant does not require a grantee match. The Council must respond to comments during the hearing, or provide responses in writing after the hearing.

A motion to open the public hearing was made by Councilmember Farr, seconded by Councilmember Jensen and carried unanimously.

Becky Lowe, Box Elder Community Health Center – Ms. Lowe said they are proposing to partner with the City for the grant to repave their parking lot to prevent hazardous conditions and add a handicapped door to better serve their patients. They would also like to expand their services to include dental care. Part of the grant would be used to remodel a portion of the building to include two dental exam rooms and purchase dental equipment.

Susie Witt, Habitat for Humanity – Ms. Witt said they will be asking for funding to help purchase property for clients to build a house.

DeAnna Hardy, County – Ms. Hardy objected to these grants because they are taking money from citizens in order to fund these projects and they compete with the private sector.

There were no further comments from the public.

A motion to close the public hearing was made by Councilmember Bott, seconded by Councilmember Jensen and unanimously carried.

PUBLIC COMMENT

Julianna Larsen – Ms. Larsen commented on the agreement with Niagara. The City is signing an agreement with the amount of water and how much it will cost, but the building is already built and the company is here. She asked why the City is just now talking about how to supply the company.

DeAnna Hardy, County – Ms. Hardy expressed concern again that she is against the splash pad.

COUNCILMEMBER COMMENTS

Councilmember Peterson announced that Officer Nate Rackham was awarded the Beyond the Badge Award for going above and beyond what he is asked to do as a police officer. He provided shelter for a mother that was having problems when she came through Brigham City. Councilmember Peterson appreciated what he did and for being singled out for this act of kindness. He felt that any Brigham City staff would act the same way in a similar situation.

Mayor Vincent agreed with Councilmember Peterson. Brigham City staff are very concerned about the citizens and make sure good services are provided to them.

NEW BUSINESS

Consideration of Water Purchase Agreement with Niagara Bottling

Mr. Larsen replied to Ms. Larsen's concerns. This agreement has been anticipated since the City started working with Niagara. There were early discussions about developing a water purchase agreement.

The agreement sets the amount of water that will be available for that location and the water rates. It also addresses the supply of spring water in Mantua.

Councilmember Peterson recommended the names in the agreement be changed to positions.

MOTION: Councilmember Bott made a motion to approve the agreement with the recommendation to change names to positions, seconded by Councilmember Farr, voting was unanimously in favor.

Presentation of 2016-17 Financial Audit

Mr. Oyler gave a presentation on the City's financial condition as of June 30, 2017 (see attached).

David Rogers from Davis & Bott came forward and stated that as part of the audit, they look at internal controls. They did not notice any significant deficiencies or material weaknesses.

They also reviewed the City's compliance with state requirements and they looked good.

There were no new findings in internal control. However, some findings from prior years continue to be issues that are being worked on. One is budgetary compliance. This was a finding in 2015. There were five funds over budget: the golf course fund, refunding series 2012 Bonds, airport fund, facilities fund and public utility fund. In 2017 only the emergency disaster fund was over budget.

Another non-compliance was the state's requirement that unrestricted general fund balances not exceed 25% of the total revenue of the general fund. For the year ending June 30, 2017, the percentage was 27%. The auditors recommended the City transfer from the fund balance to a capital project fund.

Mr. Rogers added that the City is in a great financial position.

Consideration of Ordinance Combining Facilities Regulations and Fees

Mr. Oyler came to the table and stated that the intent of this ordinance is to remove names and dates and other restraints on how staff operates. It also includes the fee schedule. There are no changes to the fees.

Councilmember Peterson noted that under several facilities, language was added for e-cigarettes, but not in others, such as the library, swimming pool and City Hall. Mr. Oyler will have it added to these locations.

MOTION: Councilmember Peterson made a motion to approve the ordinance combining facilities regulations and fees with the amendment that e-cigarettes be added to areas that dictate that there is no smoking or have alcoholic beverages. The motion was seconded by Councilmember Bott.

Roll Call:

Councilmember Bott – aye
Councilmember Farr – aye
Councilmember Jensen – aye
Councilmember Peterson – aye

Councilmember Thompson – aye

UNFINISHED BUSINESS

Discussion on Splash Pad Location and Design

Mr. Pugsley was previously asked to return to the Council with parking options for a splash pad at John Adams Park and Pioneer Park.

There are three options at John Adams Park:

- 1) Recessed parking to the south which would provide eighteen stalls - \$62,980.
- 2) Twelve stalls recessed to the north on 600 East - \$42,775.
- 3) Incorporate 25 additional stalls into the existing 14 stalls on 500 East - \$78,290.

If the splash pad is located at Pioneer Park it would be close to the pickle ball parking area on the northeast portion of the park. Parking for the splash pad and pickleball could be incorporated into one area. This would cost \$114,400 and is in the current budget.

An additional option Mr. Pugsley presented was three pavilions for approximately \$15,000 each.

Mr. Pugsley continued that there is \$157,000 in the budget for the splash pad. This includes \$70,000 in donations. Mr. Roberts added that there is potential for more donations that are not included in this number. Councilmember Peterson thought there might be more potential for donations for the pavilions. There could be donations from metal manufacturing business to help with the pavilions by donating materials. Mayor Vincent added that he has had businesses contact him that are interested in being involved.

Councilmember Bott said he has received more comments from citizens on this issue than he has for any other issue since he started on the Council. They all supported the splash pad at John Adams. Councilmember Thompson said he has also heard overwhelming support for John Adams. He also talked to some residents around John Adams Park and they did not have any issues with the splash being there. Mr. Roberts said they have tried to reach out to the main neighbor that had issues with this. They have made multiple calls very consistently. They left first message saying exactly what they City was planning and have not received any calls back since then.

MOTION: Councilmember Peterson made a motion to move forward with the splash pad with Options 1 and 2 at John Adams Park, but wait on construction of the pavilions and reach out to the community for support for these, with the caveat that this project does not move forward until donations have been received, or something is in writing from the Rotary Club. Mr. David Rogers, Treasurer of the Rotary Club, came forward and said the Club has just under \$40,000 ready to donate. The rest are pledges from community members that they have to collect. The motion was seconded by Councilmember Thompson.

Councilmember Jensen felt that another \$50,000, with the hope that other people will come around, and hoping people will donate to the pavilion, she did not think this was in the best interests of the citizens.

Councilmember Farr asked if it was possible to get some numbers from the proposed donations. Mayor Vincent said they want to see it move forward before committing anything.

The Mayor called for a vote on the motion.

Councilmember Bott – aye
Councilmember Farr – aye
Councilmember Jensen – nay
Councilmember Peterson – aye
Councilmember Thompson – aye
The motion carried 4-1.

The meeting adjourned at 8:32 p.m.

The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the January 4, 2018 City Council Meeting.

Dated this 1st day of February 2018.

Mary Kate Christensen

Mary Kate Christensen, Recorder