

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
March 1, 2018 7:00 PM**

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

ALSO PRESENT:	Joseph Bach	Fire Chief
	Mark Bradley	City Planner
	Dave Burnett	Public Power Director
	Mary Kate Christensen	City Recorder
	Mike Christiansen	City Attorney
	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 Thompson and the Pledge of Allegiance was recited.

Approval of Minutes: A motion to approve the minutes of the February 15, 2018 Council meeting was made by Councilmember Bott, seconded by Councilmember Jensen and unanimously approved as distributed.

AGENDA

RECOGNITION OF EMPLOYEES

New Hire, Administration

CONSENT

Appointments to the Advisory Council on Aging

Reappointments to the Urban Beautification Commission

PUBLIC HEARING

Consideration of Resolution Increasing the General Fund Budget

PUBLIC COMMENT

COUNCILMEMBER COMMENTS

NEW BUSINESS

Consideration of Land Lease Agreement with Verizon Wireless at Horsley Park

Consideration of Carbon Free Power Project Plan of Budget and Finance and Approval of Power Sales Contract

Consideration of Resolution for Fire Billing

Annual Report and Consideration of Resolution Increasing Green Fees

RECOGNITION OF EMPLOYEES

New Hire, Administration

Kristina Rasmussen was introduced as the new Accounts Payable Clerk in the Administration Department.

CONSENT

Appointments to the Advisory Council on Aging

It was recommended Dennis Miller, Sheila Harper and Brenda Larsen be appointed to the Advisory Council on Aging.

Reappointments to the Urban Beautification Commission

It was also recommended Karen Nisonger, Sharon Griggs and Beth Allen be reappointed to the Urban Beautification Commission.

MOTION: A motion to approve the Consent Agenda was made by Councilmember Bott, seconded by Councilmember Jensen and unanimously.

PUBLIC HEARING

Consideration of Resolution Increasing the General Fund Budget

Mr. Oyler came forward and explained that this resolution is to increase the general fund for a grant from the State of Utah the Police Department received. They are going to use it to purchase a speed trailer.

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

MOTION: A motion to approve the resolution increasing the general fund budget was made by Councilmember Peterson and seconded by Councilmember Bott.

Roll Call:

Councilmember Bott – aye

Councilmember Farr – aye

Councilmember Jensen - aye

Councilmember Peterson - aye

Councilmember Thompson – aye

The motion was unanimously carried.

PUBLIC COMMENT

Julianna Larsen, Brigham City – Ms. Larsen commented on the carbon free power project on the agenda. She hoped the Council has looked at how far out the City will need to go and the options to get out and some of the contingencies. She didn't like that the City was putting money into something and they don't even know how much a kilowatt is going to cost until the very end.

Bonnie Germer, Brigham City – Ms. Germer also commented on the carbon free power projects. She would like to know the cost of each session the council is inviting in. She didn't know if the first one is a charge, the second one is that a charge? She did not want the City to get into another UTOPIA.

DeAnna Hardy, County – Ms. Hardy said Brigham City citizens already pay for the Fire Department. She felt it was wrong to double tax them if they have a fire. Everyone has come together to help one another for the benefit of all. She did not think the City should move forward with carbon free project with no solid information.

COUNCILMEMBER COMMENTS

Councilmember Thompson attended a BRAG meeting where economic zones were discussed. This is part of the recent Tax Act. They selected four possible areas: northern section of Brigham City, Tremonton Area, and two potential areas in Logan to be economic opportunity zones. New businesses in these future zones can retain some of their capital gains for eight or ten years. This is to try and spur economic development in specific areas. He continued that BRAG is looking for someone from the Box Elder County area to be on the Aging Services Committee.

Councilmember Bott said he received a few phone calls about a train that blocked all three crossing for forty minutes.

Councilmember Farr attended the Museum Board meeting. They voted to go forward with a building design. Funds are coming from the museum foundation. The Senior Center is having Bingo Night every Thursday.

Councilmember Peterson has been actively following the Utah League on legislation working with Representatives Sandal and Perry and Senator Knudson.

Councilmember Jensen attended the CCC meeting. They are still trying to get this up and going. They can't find people that want to volunteer. This same issue is affecting CERT. She also attended the Library Board meeting. They have decided to move forward with a new catalog system. They have also decided to get a new 3-D printer. She attended the Box Elder Economic Development Agency meeting and an individual was trying to organize a conference and wanted to use the Academy Square Conference Center. They were told the starting price to rent the building is \$1,000 and they have to have a minimum of \$3,500 for food. If they ordered more food, then the starting price for the facility goes down. They decided not use it. She realized the City is in a contract with the Academy, but she hoped the City could negotiate. There are a lot of people that want to use the facility but cannot afford the catering.

Mayor Vincent said he was also concerned about CCC and CERT not getting the volunteers needed. It is not a matter of if, but when there will be a disaster in Brigham City.

NEW BUSINESS

Consideration of Land Lease Agreement with Verizon Wireless at Horsley Park

Pete Simmons from Verizon and Mr. Bradley came to the table. Mr. Simmons explained that this is for a small cell in Horsley Park. They are working on a small cell network along Main Street and 1100 South with seven locations.

Mr. Bradley stated that there are two easements as well as the lease area. One of the easements is for access and utility to bring power to the site. The other easement to Main Street is for the fiber that would service the pole. The lease is for \$300/month for the first five years of the 25-year lease.

MOTION: Councilmember Farr made a motion to approve the land lease agreement with Verizon Wireless at Horsley Park, seconded by Councilmember Bott and unanimously carried.

Consideration of Carbon Free Power Project Plan of Budget and Finance and Approval of Power Sales Contract

Mr. Burnett and Jackie Coombs from Utah Associated of Municipal Power Systems (UAMPS) approached the Council. Mr. Burnett stated that this project was discussed in a previous work session on January 18, 2018 and this is the contract to move forward.

Ms. Coombs reminded the Council that this contract is identical to the Horse Butte power sales contract with the enhancement of the off ramps. This is due to the long development stage of the project. Once the contract is signed, it will not become effective until 150 megawatts are also signed. Once they are effective there is a cap of a \$6M development fee. Half of this will be paid for by the Department of Energy (DOE) and half by NuScale. The maximum amount that will be paid by the municipalities would be \$1.5M. This is 100% refundable if they do not move forward with the project and get additional participation or additional DOE grant money. This is the first phase, the Licensing Phase #1. If the budget is amended, there is an automatic off ramp at that time. The budget would have to be amended to continue with the first licensing phase, so this would be the first off ramp.

At the end of Phase 1 when the development of the site is completed and are ready to put in the combined operating and license application, that will be another off ramp before they submit it to the Nuclear Regulatory Commission. Once the license is received, all City Councilmembers will have re-approval before it moves to construction.

If UAMPS determines that they are not fully subscribed, or additional DOE money is not received, or both, they will not move forward with the project and UAMPS will withdraw. At this point there would be 100% rebated.

If it does move forward and Brigham City decides not to move forward, the City can withdraw and will have twelve months to repay what was spent to date. Logistically, UAMPS cannot move forward without it being subscribed, so they would have to bring in another participant.

Ms. Coombs explained the voting power of municipalities. At the project management level every member has a vote. The vote has to be 50% of the participants and 50% of the entitlement. For example, UAMPS was looking at a dam in Utah. The smaller municipalities overturned the larger municipalities. They have power in numbers. There is also super majority built in the contract. If UAMPS terminated the contract it would have to be done with a super majority vote.

Mr. Burnett said there was a legal committee that reviewed these documents and Brigham City hired Parsons Behle and Latimer, energy specialist attorneys, to review the documents. They made sure the municipalities were not bound to construct a project by having off ramps at every juncture.

There was discussion on the projection of natural gas prices. Mr. Burnett said the projection for the next ten years is that prices will probably stay down. Thermal energy is the best electric generator, but if there is a slight reprieve on the coal it is inevitable unless there is some really hard core carbon capture that comes up, it will be harder and harder to build any kind of coal plant. Natural gas is approximately 50% less on carbon emissions per unit; however, it is a bridge fuel to get to carbon free resources.

A discussion was held on projections on pricing in relationship to the current administration. In four years, after another presidential election, everything could change. Energy prices were very high prior to this administration; after the election it has been better. Ms. Coombs said this is another benefit of the small modular reactors. It can follow the renewables very well. Mr. Burnett stated that this project is very far-looking.

Councilmember Peterson said even in Utah it is only a matter of time before the carbon footprint that even natural gas plants emit is going to be under attack. This is a great source of power and a great resource for Brigham City long-term.

MOTION: Councilmember Peterson made a motion to move forward with the carbon free power plant project financing and approve the power sales contract for the first phase. The motion was seconded by Councilmember Bott.

In a discussion following the motion, Councilmember Jensen stated that this was difficult for her because she brought this to Mr. Burnett nine years ago. She did not know if a City the size of Brigham City should be one of the players. She understood that it is 100% reimbursable, but only if everyone backs out at the same time. She felt that she was more optimistic about the current administration and the future. She thought there would be turnarounds, which is already happening. Mr. Burnett agreed that a project this size can be scary. The Council should look at the cost per megawatt hour. It is a modest cost. Whether it's a City the size of Brigham or a larger City, it is best to secure a diverse power source for 40-50 years in the future.

Roll Call:

Councilmember Bott – aye

Councilmember Farr – aye

Councilmember Peterson – aye

Councilmember Thompson – aye

Councilmember Jensen – nay

The motion carried 4-1.

Consideration of Resolution for Fire Billing

Chief Bach reported that they received three quotes for fire billing. The committee, consisting Mr. Roberts, Mr. Oyler, Councilmember Thompson, and Chief Bach, reviewed the proposals and determined that Fire Recovery was the company that offered the best price and the best benefits to the City.

Councilmember Jensen said she understood that the billings are only going to be billed to insurance carriers. However, this resolution states “*businesses and individuals.*” Chief Bach explained that this would be for those individuals that are self-insured. For example, a milk truck that turns over, and the driver is self-insured. He said the City will bill insurance companies, but there will be times when they will bill directly. Councilmember Jensen suggested the language be changed to reflect this. The Chief said the fire inspections and fire investigations will not be covered by insurance, so that language needs to stay in the resolution.

Chief Bach reiterated that only those with insurance will be billed. If they don't have insurance they can pay if they want, if they don't the City will not pursue it and they will not be sent to collections.

Mr. Christiansen came forward and explained that the resolution references Title 11 of the Brigham City Code which outlines the due process. They would have a notice and an appeal process.

MOTION: Councilmember Peterson made a motion to approve the resolution for fire billing. The motion was seconded by Councilmember Farr.

Councilmember Jensen said she agreed that the City needs to start billing for fire services; however, she was not satisfied with the way it is written. As some citizens have acknowledged, Brigham City citizens pay a percentage of the Fire Department through the general fund and property tax.

Roll Call:

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

The motion carried 4-1.

Annual Report and Consideration of Resolution Increasing Green Fees

Mr. Chris Marx came forward and reported that this is the third spring in a year that there has been a very wet spring. Because of the wet spring, golf revenue is down \$31,000. For the first time, the number of rounds played was under 50,000 (46,756). When they make money, it goes into a golf course fund. This fund is almost gone. Golf nationally has struggled. Local golf courses have also had lower rounds. The course is averaging only one less player per day, but it was open 19 days less than last year.

This is the first year since Mr. Marx has been the golf pro that the golf course lost money (\$82,563). Of that loss, \$31,515 was due to less revenue. Expenses included \$32,193 for repairs on the irrigation system which was not in their budget, \$12,383 for an invoice issue; and \$10,379 more for equipment repair and lease.

There are many volunteers that help at the golf course. They had some volunteers do the flowerbeds and staff did a fundraiser to redo the floor in the snack bar and installed it themselves.

The following promotions will be available in 2018:

- Women/girls play free – July 2 and 3
- Veterans play free – Veterans Day and September 10
- May - free lesson month
- Ladies/couples group golf lessons
- Trampolines on the driving range
- Advanced junior mentoring (age groups 12-16)
- Loyalty, rewards and special invites through the new app
- Foot golf
- Family Range Pass Program – April-August (raise to \$114)
- Rotary/Kiwanis coupons – buy 9 holes get 9 holes free
- Coupon in the Cache Valley Phone Directory
- Utah PGA passbook
- Business to Business punch card
- Field trips coupon giveaway

Mr. Marx reviewed the resolution with proposed increases to green fees, passes and driving range fees.

Councilmember Jensen said there has been questions from some citizens about why Brigham City has to have a golf course and why the City is putting money into it. She read from the deed, *“the property shall not be sold, leased, assigned or otherwise disposed of, except to another eligible governmental agency that the Secretary of the Interior agrees in writing can assure the continued use and maintenance of the property for public park or public recreational purposes subject to the same terms and conditions in the original instrument and conveyance.”* She said this is an investment for the City and it should be kept up.

Councilmember Peterson suggested Mr. Marx look into giving veterans discounted rate.

MOTION: Councilmember Bott made a motion to approve the resolution increasing green fees and driving range fees, seconded by Councilmember Jensen.

Roll Call:

Councilmember Bott – aye

Councilmember Farr – aye

Councilmember Jensen - aye

Councilmember Peterson - aye

Councilmember Thompson – aye

The motion unanimously carried.

The Council adjourned at 8:55 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 March 1, 2018 City Council Meeting.

Dated this 5th day of April 2018.

Mary Kate Christensen

Mary Kate Christensen, Recorder