

**WORK SESSION
ANNUAL OPEN & PUBLIC MEETINGS TRAINING
AND
DISCUSSION ON IMPACT FEE STUDY
MARCH 1, 2018
5:30 PM**

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

ALSO PRESENT:	Rick Bosworth	Human Resource Coordinator
	Mary Kate Christensen	City Recorder
	Paul Larsen	Community Development Director
	Mike Nelsen	Police Chief
	Derek Oyler	Finance Director
	Jason Roberts	City Administrator

ANNUAL OPEN & PUBLIC MEETINGS TRAINING

Mr. David Church from the Utah League of Cities and Towns gave training on the Open & Public Meetings Law. He explained the following:

- What constitutes an official meeting and what does not.
- Requirements for noticing meetings.
- What is required on a meeting agenda.
- The allowed subjects for holding closed meetings.
- What is required in official minutes of meetings and when they must be available to the public.

Closed Sessions

There are only certain subjects that can be discussed in a closed session:

- Strategy on collective bargaining.
- Strategy on pending or reasonably imminent litigation. This means the City has either been sued or has received the notice of claim.
- Strategy of the purchase, exchange or lease of real property.
- Strategy on the sale of property.
- Deployment of security personnel, devices or systems.
- Investigative proceedings regarding allegation of criminal misconduct.

A question was asked if a closed meeting needs to be noticed. Mr. Church said if it is known there is going to be a closed session, it should be on the agenda. There might be times when a closed session is needed without knowing ahead of time. For example, there may be an agenda item to appoint a new City attorney. A councilmember may want to discuss this person's competence, so the councilmember would make the motion to close the meeting to discuss the professional competence of the person. This would not be known ahead of time. Some City Recorders put a statement on the agenda that portions of this meeting might be closed, and then list the reasons it can be closed.

A motion to go into a closed session must be made in an open meeting with someone stating the reason for closing the meeting, with a roll vote of at least a 2/3 vote.

In closed meetings, the Council cannot approve any ordinance, resolution, approve contracts, or appoint anyone to an office. Interviews for Council openings cannot be done in a closed session.

If the Council closes a meeting for one specific purpose, it does not mean other closed session topics can be discussed.

Enforcement of the Open and Public Meetings Act is done by courts, such as the County Attorney. It is a criminal offense to knowingly or intentionally violate the Act. If any action is taken that is not allowed in a closed session, that action is voidable by a court.

DISCUSSION ON IMPACT FEE STUDY

Mr. Roberts came to the table and introduced Fred Philpot from Lewis Young Roberts and Burningham, a financial consultant firm for municipalities.

Mr. Philpot explained that they looked at the following elements as they looked at an Impact Fee Facilities Plan (IFFPA) and an Impact fee Analysis (IFAA).

- Defining the service area and demand
- Levels of service
- Existing facility inventory and excess capacity
- Future capital facilities analysis
- Financing strategy – consideration of all revenue sources

Service Area and Demand

Mr. Philpot stated that the service area is the entire municipal boundaries. They looked at the City’s services, population, fire calls, police calls and storm Equivalent Residential Units (ERUs), water/sewer ERUs, net average daily trip and annual peak kW.

Year	Population	Fire Calls	Police Calls	Storm ERUs	Water/Sewer ERUs	Net Average Daily Trips	Annual Peak kW
2017	19,139	1,827	8,499	12,926	8,540	112,157	37,748
2018	19,303	1,867	8,668	13,249	8,745	115,176	38,654
2019	19,470	1,907	8,841	13,580	8,955	118,276	39,582
2020	19,638	1,948	9,017	13,920	9,170	121,460	40,532
2021	19,807	1,991	9,197	14,268	9,390	124,729	41,504
2022	19,977	2,034	9,380	14,625	9,615	128,086	42,500
2023	20,150	2,078	9,567	14,991	9,846	131,534	43,520
2024	20,323	2,123	9,757	15,366	10,082	135,074	44,565
2025	20,498	2,169	9,952	15,751	10,324	138,710	45,635
2026	20,675	2,216	10,150	16,145	10,572	142,444	46,730
2027	20,853	2,264	10,352	16,549	10,826	146,278	47,851
AAGR		2.2%	2.0%	2.5%	2.4%	2.7%	2.4%

Level of Service

They looked at the level of service for each of the following services:

- Parks & Recreation – value per capita
- Public Safety – calls per land use
- Storm Drain – the 10-year and the 100-year return frequency storm
- Water/Wastewater – peak flow and gallons per day per ERU
- Transportation – traffic design standards
- Power – N-1 redundancy, usage per ERU

Excess Capacity

They also looked into the excess capacity for:

- Parks – the pool and sports complex
- Fire – existing facilities
- Police – existing facility
- Storm – existing facilities
- Wastewater – treatment and collection
- Water – source, storage, distribution
- Transportation – existing facilities
- Power – existing facilities

Future Investment Needs

- Parks - \$1.4M. This is based on the City's level of investment and the assumed population growth.
- Fire – no new facilities needed in the next ten years
- Police – no new facilities needed in the next ten years
- Storm - \$2.3M in detention basin costs and pipeline construction
- Wastewater - \$1.1M for pipeline construction and improvements
- Water - \$2.3M for pipeline construction and improvements
- Transportation - \$800K
- Power - \$4.5M for substations and transmission lines for new development

These numbers do not include any financing costs. Inflation is included at 3%. If costs change, it may require an update to the analysis.

Proposed Fees

The following chart shows the proposed impact fees for a single family residential unit.

	Existing	Max Allowed	Increase
Parks	\$2,163	\$3,101	\$ 938
Fire	-	134	134
Police	-	15	-
Storm Water	1,201	967	-234
Waste Water	841	1,689	848
Water	1,867	2,366	499
Transportation	-	349	349
Power (24 KVA (100A	147	1,015	868
TOTALS	\$6,218	\$9,636	\$3,403

The big increase in the Power Department is if the City funds the full investment of \$4.5M.

	Logan	Mantua	Perry	Willard	No. Logan	Smithfield	No. Ogden	Pleasant View	Kaysville
Parks	\$1,085	-	\$ 2,000	-	\$ 1,384	\$1,000	\$ 2,677	\$1,159	\$1,525
Fire	56	-	166	-	-	-	202	293	-
Police	-	-	48	-	-	-	293	-	-
Storm Water	-	-	1,784	329	-	-	1,474	-	-
Waste Water	884	1,777	5,250	7,200	1,047	540	2,879	2,983	1,700
Water	1,738	3,159	2,292	3,618	3,319	2,100	3,312	3,496	889
Transportation	677	2,502	-	-	629	-	2,297	-	558
Power (24 KVA (100A	159	-	-	-	-	-	-	-	421
	\$4,599	\$6,838	\$11,541	\$11,147	\$6,379	\$3,640	\$13,135	\$7,931	\$5,093

The maximum amount allowed is \$10,000. Although this is a comparison, the level of services differ and the needs of communities vary. An example of this is that Logan has a power utility and their fee is lower than Brigham City's proposed fee. This is because they opted to exclude all buy-in and all transmission costs in their fee calculation. They just wanted to recoup the cost of construction of a recent substation. Kaysville excluded transmission and looked at substation valuation.

Mr. Roberts stated that impact fees were implemented statewide in 1995. When increasing impact fees, the thought is people who build in Brigham City should pay for some of the infrastructure that was purchased by residents. He added that the City has not typically made decisions for projected projects based on impact fee money, rather the infrastructure is built a pace ahead of the impact study and it is paid back with impact fees. The decision is whether the Council wants new growth to pay for what has happened in the past for their benefit and will happen in the future.

Mr. Philpot said they will finalize the IFFP and IFA documents. The next steps are to move forward with the noticing process and hold the public hearing. The Council will then adopt, modify or reject the proposed impact fees. There is a required 90-day waiting period before any increases can be implemented.

Councilmember Jensen asked what the difference in dollar amounts would be if the fees are not increased. Mr. Philpot said he hasn't calculated the dollars. However, the result would be that the City will have to fund future improvements with some other mechanism, or drop the level of service. There is some flexibility because the City gets paid back.

The meeting adjourned at 6:46 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