

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
June 17, 2021
7:00 P.M.**

PRESENT:	Tyler Vincent	Mayor
	D.J. Bott	Councilmember
	Alden Farr	Councilmember
	Joe Olson	Councilmember
	Robin Troxell	Councilmember

ALSO PRESENT:	Christina Boss	City Recorder
	Mark Bradley	City Planner
	Mike Christiansen	City Attorney
	Paul Larsen	Community & Economic Development Director
	Mike Nelsen	Police Chief
	Derek Oyler	Finance Director
	Tyler Pugsley	Public Works Director

EXCUSED:	Tom Peterson	Councilmember
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Mayor Vincent called the meeting to order at 7:01 p.m. and excused Councilmember Peterson who was out of town. The Reverence Period was given by Mike Shoell and the Pledge of Allegiance was recited.

AGENDA

CONSENT

Request for Approval of June 3, 2021 City Council Meeting Minutes
Request to Write-off Accounts Due to Bankruptcy or Being Sent to Collections

PUBLIC HEARING

Consideration of Resolution to Adjust FY 2020-21 Budget
Consideration of Resolution to Transfer Enterprise Funds in FY 2021-22 Budget

**PUBLIC COMMENTS FROM BRIGHAM CITY RESIDENTS AND THOSE PAYING
PROPERTY TAXES IN BRIGHAM CITY**

COUNCILMEMBER COMMENTS

ACTION ITEMS

Consideration of Resolution to Approve FY 2021-22 Tentative Budget
Consideration of Resolution Amending Fees for Water Rate
Consideration of Ordinance Amending Chapter 29.27 Sign Regulations to Allow Medical Cannabis
Pharmacy Sign Standards to be Regulated Like Retail Businesses Within the Same Zoning District
Consideration of Ordinance Amending Chapter 29.17 Tannevista Planned District to Reduce
Required Accessory Building Side and Rear Setback from 20 Feet to 10 Feet

DISCUSSION ITEMS

Fraud Risk Assessment

ADJOURN TO REDEVELOPMENT AGENCY MEETING

ADJOURN TO MUNICIPAL BUILDING AUTHORITY MEETING

**ADJOURN TO CLOSED SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE
OF REAL PROPERTY AND PENDING OR REASONABLY IMMINENT LITIGATION**

CONSENT

Approval of June 3, 2021 Budget Work Session and City Council Meeting Minutes

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

A list of accounts totaling \$2,136.62 was presented to be removed from the City's system due to customers taking out bankruptcy or being sent to collections.

MOTION: A motion to approve the Consent agenda was made by Councilmember Bott, seconded by Councilmember Olson, and carried unanimously.

PUBLIC HEARING

Consideration of Resolution to Adjust FY 2020-21 Budget

Mr. Oyler reviewed the proposed changes to the budget (see attachment). He explained the transfer to the RDA from the General Fund was for Academy Center personnel, utilities, facility maintenance, and general revenue shortfall mainly due to COVID-19. FY 2020-21 was Brigham City's second year of control over operations at the Academy Center and with increased events, personnel costs will increase.

Mr. Oyler adjusted the amount for the wholesale power purchase from \$900,000 to \$1.6M at the table and explained with the recent record-breaking temperatures, current peak demand is \$1,400 per kWh.

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

Mr. Oyler further explained that the Resolution includes language allowing for a year-end adjustment to keep the fund balance in the General Fund below 35%. Recent legislation changed the amount from 25% to 35% of prior year revenues to remain in the General Fund.

MOTION: Councilmember Bott made a motion to approve the Resolution adjusting the FY 2020-21 Budget. The motion was seconded by Councilmember Troxell.

Roll Call:	Councilmember Farr	Aye
	Councilmember Bott	Aye
	Councilmember Olson	Aye
	Councilmember Troxell	Aye

Consideration of Resolution to Transfer Enterprise Funds in FY 2021-22 Budget

Mr. Oyler asked the Council to approve a transfer of 15% of yearly utility revenue to the General Fund. He explained that the majority of the transfer goes to fund Public Safety. Other departments/facilities supported with the funds transfer are Parks, Cemetery, Pool, Senior Center, etc. There was a brief discussion on the transfer. Mr. Oyler said property taxes would be an alternative funding source to the utility transfer.

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

MOTION: Councilmember Olson made a motion to approve the Resolution to transfer enterprise funds in the fiscal year 2021-22 budget. The motion was seconded by Councilmember Bott.

Roll Call:	Councilmember Bott	Aye
	Councilmember Olson	Aye
	Councilmember Troxell	Aye
	Councilmember Farr	Aye

PUBLIC COMMENTS

Kyle Klein – Mr. Klein came to the podium and spoke about the Northern Utah Pickleball Association's fundraisers and donations which helped to fund the pickleball complex, lighting, nets, fence covers, court resurfacing, and monument construction. He thanked the Councilmembers for their support and presented them with tournament shirts.

COUNCILMEMBER COMMENTS

Councilmember Farr – attended an Advisory Council on Aging meeting and said they are in need of meals on wheels volunteer drivers. They are also looking for a CDL licensed individual for the Senior Center reopening.

Councilmember Bott – supported the opening of the Senior Center and commented on the Chamber’s float for the Peach Days parade. He expressed his enthusiasm about his declaration of candidacy. He also said he appreciated Mayor Vincent’s friendship and mentoring.

Councilmember Olson – and his family had fun participating in the Box Elder Runs Strong 5-K. The event was sponsored by 12 non-profit organizations. In reference to comments from the June 3rd discussion on the citizen quality of life survey results regarding City leadership, Councilmember Olson assured the citizens that he and the other Councilmembers do listen and feel that citizen feedback is valuable.

Councilmember Troxell – also supported the re-opening of the Senior Center. She mentioned keeping the election season positive and respectful. She echoed Councilmember Olson’s thoughts on citizen feedback.

Mayor Vincent – spoke about the importance of citizen feedback. He also spoke about the current drought situation and advised that Brigham City has no water restrictions; however, citizens should practice water conservation and avoid watering during the hottest part of the day. He recognized those who have declared candidacy for the upcoming election and expressed appreciation for the support he has received as Mayor.

ACTION ITEMS

Consideration of Resolution to Approve FY 2021-22 Tentative Budget

Mr. Oyler stated the County Auditor has not supplied scheduled dates for the first Truth in Taxation (TNT) notice. Mr. Oyler presented August 12th as the tentative date for the (TNT) public hearing and August 19th as the tentative date for the public hearing on the adoption of the final budget.

The County Auditor’s certified tax rate (CTR) is 0.001659. Mr. Oyler explained that as the value of homes and property in Brigham City increases, the CTR decreases. There was \$41,548 in new growth in Brigham City. If Brigham City adopted the CTR, General Fund revenue would decrease by \$73,452 and Library revenue would increase by \$19,099. Keeping the same tax rate as the current year (0.001802) would bring in \$51,557 to the General Fund and \$80,303 to the Library. Mr. Oyler advised that the additional \$51,557 in the General Fund would cover the proposed employee longevity program. He stated Councilmember Peterson would bring more details on the longevity program to a July budget work session. Mr. Oyler presented a Brigham City home comparison of four properties valued between \$207,166 and \$421,217. Keeping the prior year tax rate would see a monthly property tax increase of between \$1.85 and \$4.38 per month for those same four homes.

The only changes in the Mayor’s budget were the reprioritization of two Public Works projects in order to complete work on Highland Boulevard, a tentative change in property tax revenue, and a potential employee longevity program expense.

Councilmembers discussed and supported keeping the property tax rate the same as the prior year.

MOTION: Councilmember Farr made a motion to approve the Resolution adopting the fiscal year 2021-22 tentative budget as discussed. The motion was seconded by Councilmember Bott.

Roll Call:	Councilmember Farr	Aye
	Councilmember Bott	Aye
	Councilmember Olson	Aye
	Councilmember Troxell	Aye

Consideration of Resolution Amending Fees for Water Rate

Mr. Pugsley came to the podium and stated the reason for the recommended \$.03/1,000 gallons, or 2%, water rate increase was to comply with State requirements for a cross connection control program administrator. Mr. Pugsley confirmed the increase was presented and discussed at a Public Utilities Advisory Board meeting.

MOTION: Councilmember Olson made a motion to approve the Resolution amending fees for water rate. The motion was seconded by Councilmember Bott.

Roll Call:	Councilmember Troxell	Aye
	Councilmember Olson	Aye
	Councilmember Bott	Aye
	Councilmember Farr	Aye

Consideration of Ordinance Amending Chapter 29.27 Sign Regulations to Allow Medical Cannabis Pharmacy Sign Standards to be Regulated Like Retail Businesses Within the Same Zoning District

Mr. Bradley came forward and explained the current City Code for medical cannabis pharmacies allows one sign no larger than 20 square feet for the building. This was consistent with the direction State legislation was headed. Current State Code does not restrict signage to 20 square feet but instead allows for compliance with local ordinances regulating signage. The Planning Commission recommended additional language to the proposed amendment, which is included in the State Code, stating no advertising in any medium that is not consistent with State law.

MOTION: Councilmember Farr made a motion to approve the Ordinance amending Chapter 29.27, Sign Regulations, to allow medical cannabis pharmacy sign standards to be regulated like retail businesses within the same zoning district. The motion was seconded by Councilmember Bott.

Roll Call:	Councilmember Bott	Aye
	Councilmember Farr	Aye
	Councilmember Olson	Aye
	Councilmember Troxell	Aye

Consideration of Ordinance Amending Chapter 29.17 Tannevista Planned District to Reduce Required Accessory Building Side and Rear Setback From 20 Feet to 10 Feet

Mr. Bradley explained there are four lots located in the Tannevista development. The Applicant's lot is 22 acres. The proposed Code change would be for the Tannevista development only and would modify the setback for an accessory building unless a public utility easement dictates otherwise.

MOTION: Councilmember Farr made a motion to approve the Ordinance amending Chapter 29.17, Tannevista Planned District, to reduce required accessory building side and rear setback from 20 feet to 10 feet. The motion was seconded by Councilmember Olson.

Roll Call:	Councilmember Olson	Aye
	Councilmember Troxell	Aye
	Councilmember Farr	Aye
	Councilmember Bott	Aye

DISCUSSION ITEM**Fraud Risk Assessment**

Mr. Oyler presented the 2nd annual fraud risk assessment as required by the State Auditor and discussed three items the City did not receive points for:

1. Statement of ethical behavior from employees and elected officials
2. Formal internal audit function
3. Formal audit committee

Administration staff is working on a training and statement of ethical behavior. No action has been taken on an internal audit function or audit committee due to lack of staff time and qualified available participants. The results of the assessment show the City earned 335/395 points and was placed at the low fraud risk level.

At 8:19 p.m. the Council adjourned to a Redevelopment Agency meeting and a Municipal Building Authority meeting. The Council returned to a regular meeting at 8:28 p.m.

ADJOURN TO CLOSED SESSION

A motion to adjourn to a closed session to discuss the purchase, exchange or lease of real property and pending or reasonably imminent litigation was made by Councilmember Bott and seconded by Councilmember Farr. A roll call vote was taken with all Councilmembers voting aye. The meeting adjourned to a closed session at 8:28 p.m.

The Council returned to an open meeting at 8:49 p.m. and adjourned.

The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the June 17, 2021 City Council Meeting.

Dated this 6th day of July, 2021.

Christina Boss

Christina Boss, Recorder

Brigham City Corporation
Exhibit A
2020-21 Fiscal Year End Budget Revision Summary

June 2021

Proposed Changes:

General Fund

Transfer to RDA#1 for increased expenses and projected revenue shortfall	74,000
Increase sales tax revenues	(74,000)
Mayors Office:	
Increase employee wages & benefits	10,500
Increase professional & technical	15,000
Increase ULCT membership	1,700
Increase sales tax revenues	(27,200)
Human Resources:	
Increase employee wages & benefits	9,500
Increase sales tax revenues	(9,500)
Risk Management:	
Increase URMA fees	3,800
Increase Morton insurance premiums	11,000
Increase sales tax revenues	(14,800)
Police:	
Reserve funding for bullet proof vests for future year from supply savings	(12,934)
Transfer funds to Capital Project Fund	12,934
Fire & Ambulance:	
Reserve funding for dorm room additions from vacant employee positions	(60,000)
Transfer funds to Capital Project Fund	60,000
Streets:	
Decrease Class C project expenses	(70,000)
Decrease Class C supplies expenses	(32,000)
Transfer funds to Capital Project Fund	102,000
Museum:	
Increase expenditures for CLG grant	13,650
Increase grant revenues	(9,100)
Increase donation revenues	(4,550)

Public Utility Fund

Water:	
Reserve capital project savings for Mantua property fencing and spring study	(50,000)
Increase water reserved fund balance for spring study	30,000
Increase water reserved fund balance for property fencing	20,000
Sewer:	
Reserve system improvements monies for public works complex sewer system	(50,000)
Increase sewer reserved fund balance for sewer system	50,000
Electric:	
Increase wholesale power purchase expense	1,600,000

Decrease rate stabilization fund balance	(1,600,000)
Decrease expenditure for needle and seat valves lower hydro	(50,000)
Reserve funding for need & seat valves lower hydro	50,000
Increase for wire expenses line	143,000
Increase for transformers expense line	111,000
Increase misc. electric revenue	(254,000)
Increase for Southwest Substation upgrades	145,000
Increase revenue from electric reserved fund balance	(145,000)
<u>Storm Drain Fund</u>	
Reserve system improvements monies for public works complex storm drain system	(95,000)
Increase Storm Drain reserved fund balance	95,000
<u>Debt Service 2009 SAA Fund</u>	
Increase payment on assessment revenues	(12,000)
Increase in fund balance (to retire deficit)	12,000
<u>General Improvement Capital Projects Fund</u>	
Transfer from the General Fund	(174,934)
Increase in fund balance for Class C projects	102,000
Increase in fund balance for Fire station dorm rooms	60,000
Increase in fund balance for bullet proof vests	12,934
<u>Fleet Fund</u>	
Increase equipment purchases for Golf Course equipment	81,299
Increase revenue from fleet fund balance	(81,299)
<u>Redevelopment Agency Funds</u>	
RDA #1:	
Increase expenditures for personnel costs	17,000
Increase expenditures for utility costs	4,536
Increase expenditures for facility maintenance costs	7,115
Increase in fund balance for projected revenue shortfall	45,349
Transfer from General Fund	(74,000)