

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
July 15, 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
	Dave Burnett	Public Power Director
	Mike Christiansen	City Attorney
	Mike Nelsen	Police Chief
	Derek Oyler	Finance Director
	Tyler Pugsley	Public Works Director
	Jason Roberts	City Administrator
	Elizabeth Schow	Library Director
	Brandon Thueson	Fire Chief

EXCUSED:	Tom Peterson	Councilmember
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Mayor Vincent called the meeting to order at 7:00 p.m. The Reverence Period was given by Pastor Fonseca and the Pledge of Allegiance was recited.

AGENDA

RECOGNITION OF EMPLOYEES

New Hires in Fire Department

CONSENT

Request for Approval of July 1, 2021 City Council Meeting Minutes

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

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

COUNCILMEMBER COMMENTS

ACTION ITEMS

Consideration of Ordinance Amending Title 29, Zoning, to Allow for Internal Accessory Dwelling

Units Within Single Family Dwellings and Establish Standards and Regulations

Consideration of Resolution Approving Opt-Out Fees

Consideration of Request for Donation of Library Material

Consideration of Update to Employee Policy and Procedure Manual Chapter 12-12, Response Time

Concerning Fire Department Living Requirements

Consideration of Resolution Adopting Fees for Public Cardiopulmonary Resuscitation (CPR) Classes

DISCUSSION ITEMS

Proposed Golden Spike Monument

**ADJOURN TO CLOSED SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE
OF REAL PROPERTY**

RECOGNITION OF EMPLOYEES

Mayor Vincent recognized Owen Nuttall, Nathan Tracy, and Mark Steele, part-time Firefighter Paramedics and Shae Cason, part-time Firefighter AEMT.

CONSENT

Approval of July 1, 2021 City Council Meeting Minutes

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

A list of accounts totaling \$884.80 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 COMMENTS

There were no public comments.

COUNCILMEMBER COMMENTS

Councilmember Olson – encouraged citizens to attend Council meetings.

Councilmember Farr – attended the ribbon cutting at the Senior Center. He also met with the USU Advisory Board and anticipated the Board approaching the City Council in the near future.

Councilmember Bott – attended the July 4th teen T-ball tournament. He enjoyed the fireworks display, the music, and seeing the community out and having a good time with their families.

Councilmember Troxell – was excited about the Senior Center opening and commented on the great remodel. She echoed Councilmember Bott's comments about the July 4th celebration.

Mayor Vincent – also enjoyed the Senior Center opening and recognized staff for the work on the remodel and for all of their work with meals on wheels during COVID. He was grateful for the July 4th celebration and seeing the community out enjoying the celebration. He appreciated City staff and their hard work and dedication and appreciated the support of the Councilmembers.

ACTION ITEMS

Consideration of Ordinance Amending Title 29, Zoning, to Allow for Internal Accessory Dwelling Units Within Single Family Dwellings and Establish Standards and Regulations

Mr. Bradley presented slides and explained the proposed Code amendment comes from the State's HB 82 mandating cities to adopt provisions allowing for internal accessory dwelling units (IADUs) in single family dwellings. The proposed language was presented to the Planning Commission in a public hearing, and they made a recommendation to the City Council for adoption. The IADU could be a basement apartment unit, or a mother-in-law unit, or an addition to the home. The State's intent was to increase housing but not to allow for short term rentals (less than 30 days). Any single-family dwelling in any of Brigham City's zoning districts would qualify. IADUs must have separate kitchen and bathroom facilities. The owner of the single-family dwelling must live in one of the units. The State advised the recordation of a document allowing the IADU as a land use validation. The proposed language allows for enforcement by pursuing a lien against a property in the amount of \$100/day for each day of the violation, and an appeals process.

There was a discussion on the parking requirements. The State allows cities to require up to one additional parking stall. The proposed language states the stall shall be located outside of any front yard setback area (area between dwelling and the street). If the IADU is created by converting an existing garage or carport, those spaces shall be replaced at a location on the property outside of the front yard setback area. Councilmembers agreed that keeping the off-street parking was important and that property owners would be limited if they did not have an adequate side yard for parking. They discussed tandem parking possibilities. Councilmember Farr suggested continuing the item and sending it back to the Planning

Commission for exceptions to side yard parking. Mr. Bradley reminded the Council that current parking requirements for non-IADU single family homes is outside of the front setback area.

MOTION: Councilmember Olson made a motion to send the item back to the Planning Commission for continued discussion on alternative parking options. The motion was seconded by Councilmember Farr.

Roll Call:

Councilmember Troxell	Aye
Councilmember Bott	Aye
Councilmember Farr	Aye
Councilmember Olson	Aye

Consideration of Resolution Approving Opt-Out Fees

Mr. Oyler came to the podium and gave a history of the opt out agreements for the advanced metering infrastructure (AMI) installation which is now Brigham City's standard meter. A resolution was passed by Council stating that upon substantial completion of the AMI system an opt out fee was to be established. Mr. Oyler reviewed the proposed monthly fees based on the number of opt-out customers. Certified mail letters would be sent to the current ten opt out customers notifying them of the monthly fee and meter replacement fee upon meter failure. Customers would be given two weeks to respond to the letter and if there is no response, the meter would be changed out to the standard meter.

MOTION: Councilmember Bott made a motion to approve the Resolution approving the standard smart meter opt-out fees and to authorize City staff to send out notices to the current ten (10) opt out customers. The motion was seconded by Councilmember Olson. Mr. Roberts asked for Councilmember confirmation that at the point of only one opt-out customer, the City would send a monthly bill for \$592.72 based on the fee schedule. He suggested that when the number of opt out customers drops below a certain percentage, the opt out option should be dropped. Councilmembers agreed that fewer than six opt-out customers should result in a discontinuation of the opt out option. They suggested a meeting with the Resource Manager and Finance Director be offered to opt-out customers, and a letter response time of two-billing cycles. Councilmember Bott amended his motion to include the instructions for offering a meeting with Staff, an extended timeframe for response, and a minimum opt-out number of six (6) customers. Councilmember Olson seconded the motion.

Roll Call:

Councilmember Olson	Aye
Councilmember Farr	Aye
Councilmember Bott	Aye
Councilmember Troxell	Aye

Consideration of Request for Donation of Library Material

Ms. Schow came forward and explained that the Friends of the Library will hold their annual book sale starting on September 4, 2021. The Library would like to donate all of the materials that have been taken out of the collection for them to sell at their sale.

MOTION: Councilmember Olson made a motion to approve the request for donation of Library material. The motion was seconded by Councilmember Bott.

Roll Call:

Councilmember Farr	Aye
Councilmember Olson	Aye
Councilmember Bott	Aye
Councilmember Troxell	Aye

Consideration of Update to Employee Policy and Procedure Manual Chapter 12-12, Response Time Concerning Fire Department Living Requirements

Chief Thueson approached the Council and explained public safety recruiting has been difficult for some time. Current Fire Department requirements call for a 20-minute response time. He displayed a map on the screen showing areas with a 20-minute response time compared to the proposed 30-minute response time. With the affordable housing situation, Chief Thueson felt the extra 10-minute response time would allow for a larger pool of applicants. He further explained the addition of language allowing up to 18 months for a relocation with the Mayor's permission. This has been permitted in the past and including it in the Policy will provide a set standard.

MOTION: Councilmember Bott made a motion to approve the update to the Employee Policy and Procedure Manual Chapter 12-12, Response Time concerning fire department living requirements. The motion was seconded by Councilmember Farr.

Roll Call:

Councilmember Bott	Aye
Councilmember Troxell	Aye
Councilmember Farr	Aye
Councilmember Olson	Aye

Consideration of Resolution Adopting Fees for Public Cardiopulmonary Resuscitation (CPR) Classes

Chief Thueson expressed the Fire Department's desire to expand public outreach and education. During COVID, they received multiple calls from businesses needing staff CPR recertification. Six employees have taken the CPR instructor course. The Fire Department would like to charge a fee to cover the material costs, course completion cards, and overtime costs for the instructors. Their research showed the average cost for CPR courses is \$40-\$50 per person. They would charge \$50 per person with a minimum of 5 or 6 people in a class.

MOTION: Councilmember Olson made a motion to approve the Resolution adopting fees for public cardiopulmonary resuscitation (CPR) classes. The motion was seconded by Councilmember Bott.

Roll Call:

Councilmember Farr	Aye
Councilmember Bott	Aye
Councilmember Troxell	Aye
Councilmember Olson	Aye

Mayor Vincent took time to excuse Councilmember Peterson from the meeting due to his son joining the Marines.

DISCUSSION ITEMS

Proposed Golden Spike Monument

Mr. Roberts displayed a video on the screen regarding the proposed Golden Spike monument. The sculpture would be 43 feet in height and the funding for the site and the sculpture would come from the Spike 150 group. Mr. Roberts displayed a map showing the site between the airport and I-15 off of 900 North. The parcel has an irregular shape and only a portion of the parcel would be used for the monument. Staff does not believe there would be a business use at that location. Mr. Pugsley estimated the project would need 1 acre for a parking lot, a restroom, and the monument. The City would enter into a contract with the Spike 150 group once approved by the City Council. Mr. Roberts was looking to gauge interest from the Council.

With the Council's support, Mr. Roberts would make the following recommendations to Spike 150:

- include a bathroom
- gravel or asphalt parking area once Staff reviews the Code
- compliance with storm drain standards

Spike 150 started fundraising and already received a sizable donation from the County. Staff has informed the group there will be no donations from the City. The City would commit to the property, future property maintenance, and possibly utilities. Mr. Roberts would negotiate future responsibility for the monument. Councilmembers expressed their support for the monument and the location.

The meeting adjourned at 8:26 p.m. There was no closed session.

The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the July 15, 2021 City Council Meeting.

Dated this 6th day of August, 2021.

Christina Boss

Christina Boss, Recorder