

**REGULAR SESSION OF THE  
BRIGHAM CITY COUNCIL  
June 1, 2017**

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
	Mary Kate Christensen	City Recorder
	Kelly Andrew	Facilities Supervisor
	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 Chief Joseph Bach. The Pledge of Allegiance was recited.

**Approval of Minutes:** A motion to approve the minutes of the May 3, 2017 Council meeting was made by Councilmember Bott, seconded by Councilmember Jensen and unanimously approved as distributed.

**AGENDA**

**SCHEDULED DELEGATION**

Report on Energy Efficiency Audit

**PUBLIC COMMENTS**

**COUNCILMEMBER COMMENTS**

**NEW BUSINESS**

Consideration of a Development Agreement to Allow Construction of a Single Family Dwelling on a Parcel Zoned A-5 and Allow Certain Roadway Improvements to be Installed at Time Property is Subdivided

**UNFINISHED BUSINESS**

Request for Approval of Recycling Opt-Out Form and Resolution

**ADJOURN TO CLOSED SESSION**

**SCHEDULED DELEGATION**

**Report on Energy Efficiency Audit**

Mr. Mark Cram from Siemens Industry came forward. Siemens is in the process of developing an energy efficiency project for the City. On March 22 and 23 in conjunction with City staff, they conducted an audit. As a result of that audit, they had a 30% progress meeting on April 17. They took all the data they had collected at that point and reported on what they felt would be beneficial for the City and received direction on what to move forward with. The agreement was that the things they identified were what they should move forward on.

They took this information and began to build information around costs and savings. They presented to staff some kind of order of magnitude numbers. They talked in general terms about what the estimates would be for the improvements and what the approximate savings would be. He will get a contract to the City Attorney for his review.

They will meet again on June 29 for the 90% progress meeting. By that time, they will have firm fixed pricing to present to staff. Their goal is to have everything finalized by July 20 and present the contract agreement and the final numbers for the project to the Council. They will provide a list of organizations that have been pre-vetted by the State of Utah to do a third party review. The City has the option of contracting with that organization to validate what Siemens has done.

Mr. Cram continued that they have identified 11 different projects. These include lighting, heating and air conditioning, insulation, building automation, street lighting, and some work at the pool. He added that the mechanical equipment for City Hall, because of the magnitude of the work required, does not pay for itself.

Curtis from Siemens Energy Engineer, came forward and stated that they started this audit by looking at all the City's utility bills for the last two years to determine usage for summer vs. winter, figured out what is heating and what is cooling, and the water conditions. They went to all the City facilities and talked to the Facility Managers. They gathered all the concerns and complaints and what technology is available for more high efficiency air conditioning systems.

They also looked at the City utility rates. Curtis agreed with the previous discussion that the City's water rates are low. In fact, they are so low that it doesn't pay to do the retrofits at this time.

### **PUBLIC COMMENTS**

Julianna Larsen, Brigham City – Ms. Larsen discussed the principle that guides budgets. She worked with budgets for over 30 years. If she had any money in her fund balance, she was required to explain exactly where that money would go. She could not get to the end of two years, or three years, and have revenue remaining and be told what it was to be used for. Her general operating budget was set and was fed by only one source. There are very specific things fund balance can be used for and it should be designated and dedicated, stating what it is being saved for. She saved up for a \$200,000 digital x-ray machine over several years and she was requested every year to justify how much money came in, where it went and how much she was saving. If the City rolls all the money together it becomes general fund money. She heard there is not enough money to fix roads and infrastructure, yet there is money coming back through the general fund balance and back to projects. They may be good projects, but is that what the City is supposed to be doing? She agreed with Councilmember Peterson and Councilmember Jensen, she would like to see a plan.

### **COUNCILMEMBER COMMENTS**

Councilmember Farr attended the United Way Bravo Celebration to honor those who have provided service to Northern Utah. He met with the Utah State University Advisory Board, where attendance at the Brigham City campus was discussed. There was a small decrease last year. He enjoyed the pickleball tournament; it is a great event for the community. He attended a CERT meeting and they are in need of a new CERT person.

Councilmember Jensen was invited to Mountain View School for their Leadership Day; it was a lot of fun. The Veteran's Homecoming Event she attended was really good. She thanked all the departments that helped put this together and make it such a great event. She also went to the luncheon with the Public Works Department. She went to the Stake Center where they were doing a service project for blankets for

the foster care children. She is on the VIPS Committee and they're still not meeting. When there was an emergency management employee, they used to meet with staff, Mayor and a couple of councilmembers to do training and they had to do a certain amount of hours and a certain amount of certifications. She enjoys going to them so if they want a councilmember to attend she wouldn't mind going. She already has some of the certifications that are needed.

Councilmember Peterson and Councilmember Thompson were line judges at the pickleball tournament. It was a great opportunity to see the courts full. He watched one of the final matches. There were participants from Arizona, New Mexico, California and Washington. There were people from all over the Western United States at the tournament. The purse for the upcoming Peach Days tournament will be one of the highest purses in pickleball tournaments, so there should be a big influx of great players to the community. It is a strong thing for the City's economy. He was proud of how the community has stepped up and made it so successful. The Recreation Department has done a fabulous job with it, as well as Public Works. He went with the Youth City Council and placed flags on the graves on Memorial Day. It is always a humbling experience and it is great to see the volunteers that support this. There was a volunteer day at the golf course with over 50 people to work on the flowerbeds. He thanked the community for being motivated to find ways to improve City facilities. With tight budgets it is great to see people that are helping make things successful without having everything come from the City.

Councilmember Thompson had a great time lining at the pickleball tournament. There was a couple in the tournament from Nashville that stayed at their home. Every night they were out eating somewhere and enjoying Brigham City. They loved being in Brigham City.

Councilmember Bott also helped place flags on the graves. He has been at the cemetery for over 30 years as part of his profession. The week from Memorial Day to the following Monday is his favorite week to be at the cemetery with all the flags and flowers. Brigham City has the most beautiful cemetery in the state, and he has been to Logan, Salt Lake and smaller cemeteries. The cemetery staff does an excellent job. It is a real tribute to our forefathers and relatives. He attended the Chamber of Commerce Board meeting. They had some questions about their building and he told them it is in the works. The rollout with the Bear River Valley Chamber and the Brigham City Area Chamber into the new Box Elder Chamber of Commerce has gone very well. He just learned that UDOT is putting barriers in the middle of the road from the north end of Mantua to Michelle Drive. There are several houses on the hill that will be impacted by this. If there is anything the City can do to contact Representative Lee or UDOT, it would be appreciated by those residents. One of the residents is a nurse practitioner and needs access to the hospital in an emergency.

Mayor Vincent thanked the Council for all their time and effort on the budget. He also attended the Veteran's dinner and program. It was very well done. He thanked the staff and Utah State and the citizens that attended this function. He had the opportunity to go to the Middle School and pass out Mayor's Awards. One of his favorite things to do his mingle with the youth. He also went to Discovery School. He expressed appreciation to City employees. Pickleball and other events provided for the community take staff away from personal activities they could be participating in. He also thanked the citizens who spend endless hours helping these events to come forward. The reason the City is so successful is because of the hard work of staff and the citizens' dedication to the City.

## NEW BUSINESS

### **Consideration of a Development Agreement to Allow Construction of a Single Family Dwelling on a Parcel Zoned A-5 and Allow Certain Roadway Improvements to be Installed at Time Property is Subdivided**

Mr. Bradley came forward and stated that this agreement has been reviewed by the City Attorney's Office. This is a unique situation, so staff recommended a development agreement. The agreement

requires development of improvements (sidewalk, curb, gutter and widening of street) at the time the property is subdivided. The property owners will need to coordinate with UDOT because Highway 38 is a state road.

There is a sewer cost reimbursement that incorporates this property that meets its sunset clause, the 10-year timeframe, on July 5, 2017. If the owners pull their permit prior to that date they will be required to pay a certain amount per acreage.

This agreement will be recorded with the property and run with the land.

**MOTION:** Councilmember Thompson made a motion to approve the development agreement to allow construction as outlined, seconded by Councilmember Farr and unanimously carried.

### UNFINISHED BUSINESS

#### **Request for Approval of Recycling Opt-Out Form and Resolution**

Mr. Pugsley approached the Council and said staff met with the contractor to firm up what will be charged based on the percentage of participation.

In a previous meeting, Councilmember Peterson asked if there could be a one year trial period. Mr. Pugsley explained that the contractor said this is not possible because of their initial capital investment to purchase the cans. The minimal number of years the contractor would agree to was five years.

The resolution sets the fee based on City-wide participation:

50% participation - \$5.69 per month  
40-49% - \$6.34  
30-39% - \$7.09

The City allows commercial users to have one 90-gallon can. Commercial users will not opt out, they will have to request service if they want it.

To make citizens aware curbside recycling will be available and they have to opt out if they don't want it, a flier will be sent out with the utility bills, be posted to the City website and Facebook, and posters will be posted throughout the City. Citizens will have to come to City Hall to get the form. Mr. Pugsley did not want someone to put it in the mail and then the City not receive it.

Mayor Vincent asked if the form could be available online. They could print it and then still bring it in. Mr. Pugsley said that is one option, but he would still like to require them to bring it to City Hall. He felt it would be better if it was documented that it was brought in. Citizens have until September 15<sup>th</sup> to bring the form in.

Councilmember Peterson suggested a phone number be provided and if they feel they can't bring it in, someone could go get it.

Mr. Pugsley did not feel there would be too many people that can't bring the form in. Those can be handled on an individual basis.

Councilmember Peterson requested the form be stamped "received" and the form be numbered, and a copy given to the customer.

Mr. Pugsley added that citizens can opt in at any time. They will be required to keep the can for at least one year. They can opt-out once a year. Councilmember Bott said after the first opt out period citizens should only have 30 days to opt-out. Councilmember Jensen felt that the recycling can should be the same as the green can. After the year, they should be able to opt out at any time. Mr. Pugsley said this can be looked at in more detail after the first round.

Councilmember Peterson asked if a survey could be taken before the City signs a contract. Mr. Pugsley said this is possible, but it will delay delivery of the cans. He added that Econo Waste feels comfortable that there will be enough citizens that want it, based on other communities they have worked with. Mr. Oyler added that if the take rate is below 30% the contract is null and void.

**MOTION:** Councilmember Bott moved to approve the resolution setting the amounts to be charged for curbside recycling and the opt-out form, seconded by Councilmember Thompson.

**Roll Call:** Councilmember Bott – aye  
Councilmember Farr – aye  
Councilmember Jensen – aye  
Councilmember Peterson – aye  
Councilmember Thompson – aye

#### **ADJOURN TO CLOSED SESSION**

A motion to adjourn to a closed session to discuss the purchase, exchange or lease of property was made by Councilmember Jensen, seconded by Councilmember Peterson. A roll call vote was taken with all councilmembers voting aye. The meeting adjourned to a closed session at 7:55 p.m.

The Council returned to an open meeting at 8:11 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 1, 2017 City Council Meeting.*

*Dated this 6th day of July, 2017.*

*Mary Kate Christensen*  
*Mary Kate Christensen, Recorder*