

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
August 3, 2017**

PRESENT:	Tyler Vincent	Mayor
	DJ Bott	Councilmember
	Alden Farr	Councilmember
	Ruth Jensen	Councilmember
	Tom Peterson	Councilmember
	Mark Thompson	Councilmember (<i>excused at 7:54 pm</i>)
ALSO PRESENT:	Joseph Bach	Fire Chief
	Rick Bosworth	Human Resource Coordinator
	Dave Burnett	Public Power Director
	Mary Kate Christensen	City Recorder
	Michael Christiansen	City Attorney
	Brett Jones	City Engineer
	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 Bishop Waldron from the LDS 15th Ward. The Pledge of Allegiance was recited.

Approval of Minutes: A motion to approve the minutes of the July 20, 2017 Work Session was made by Councilmember Bott, seconded by Councilmember Thompson and unanimously approved as distributed.

AGENDA

CONSENT

- Schedule a Special Meeting for August 24 at 5:00 to Canvass the Primary Election
- Appointment to the Citizen Corps Council
- Reappointment to the Library Board
- Appointment of Derek Oyler to the Position of Director of Finance

PUBLIC COMMENT

COUNCILMEMBER COMMENTS

NEW BUSINESS

- Discussion on Fire Department Overtime and Retirement
- Consideration of Ordinance Amending City Code 17.030.060, Consumption of Alcohol, to Allow Alcohol in Public Parks, Playgrounds or Recreational Facilities when Permitted under a Special Event Permit
- Discussion on Splash Pad Design

UNFINISHED BUSINESS

- Consideration of Resolution Authorizing the Mayor to Sign a Local Consent Form for a Temporary Beer Event Permit Application
- UTOPIA Operational Update
- Discussion on Fireworks Restrictions

ADJOURN TO CLOSED SESSION

CONSENT

Schedule a Special Meeting for August 24 at 5:00 to Canvass the Primary Election

As the Board of Municipal Canvassers for the City, the Council is required to canvass the returns of the primary election no sooner than seven days after the election and no later than 14 days after the election.

Appointment to the Citizen Corps Council

It was recommended Reese Jensen be appointed to the Citizen Corps Council.

Reappointment to the Library Board

Martha Ewer was recommended for appointment to the Library Board, and Mike Adams was recommended for reappointment to the same Board.

Appointment of Derek Oyler to the Position of Director of Finance

It was recommended Derek Oyler be appointed to the position of Director of Finance. The City Recorder administered the Oath of Office.

MOTION: Councilmember Bott made a motion to approve the Consent items, the motion was seconded by Councilmember Farr and unanimously carried.

PUBLIC COMMENT

Ron Terry, Brigham City – Mr. Terry stated that there was a plan to make Forest Street attractive. He understood that there was going to be a shopping center but now sees that there is an unattractive warehouse. The City is not doing anything to beautify Forest Street and make the entrance to Brigham City attractive. What the City is doing may bring in revenue in but it won't bring people in. He was very disappointed.

Annette Jones, Brigham City – Ms. Jones does not think the Council can pick and choose which events are allowed to have alcohol. It's either all or nothing. She is the owner of B&B Billiards and she should be able to have a beer garden outside of her establishment during Peach Days.

Juliana Larsen, Brigham City – Ms. Larsen asked the Council to think about the fallout that comes when the liquor laws are changed. She stated that the State of Utah spent a lot of money on UTOPIA. She asked that the Council be mindful of these items.

Allena Pierce, Health Department – Ms. Pierce learned of the proposed amendment to allow for consumption of alcohol. She has the opportunity to provide drug and alcohol prevention and treatment services. She shared information on underage drinking and increased adult alcohol consumption.

Ron Terry, Brigham City – Mr. Taylor does not think the splash pad will bring in any business and is concerned about it being located next to the church. The proposed location has a lot of trees and that does not work for a splash pad. He asked that the City look for other locations.

DeAnna Hardy, County – Ms. Hardy is against the splash pad and UTOPIA. She feels the citizens are enslaved into paying the bond back.

COUNCILMEMBER COMMENTS

Councilmember Farr attended the CERT meeting and participated in fire suppression. He also had fun at the Tour of Utah.

Councilmember Jensen went to the chalk toss and the Farmer's Market. She also went to the Tour of Utah. The open house for the candidates was not very well attended. She advised citizens to get more informed about who is running for office.

Councilmember Peterson enjoyed the Tour of Utah and handed out chips.

Councilmember Thompson attended the Tour of Utah and asked residents to go out and vote.

Councilmember Bott said the Youth City Council is getting ready for the Box Elder County Fair booth and the Chamber of Commerce passed their audit. He watched Tour of Utah from his shop.

Mayor Vincent thanked the City Council for their dedication and for their work on the boards and commissions. The community party was fun and very well attended. He also expressed appreciation to City staff and citizens.

NEW BUSINESS

Discussion on Fire Department Overtime and Retirement

Mr. Oyler and Chief Bach came to the table. Mr. Oyler displayed a comparison of the Fire Department's retirement contribution and overtime to similar cities. The Fire Department currently has a 14 day/106 hour work period; however, they are being compensated 80 hours retirement per work period when in actuality their shifts are 128, 112 or 96 hours depending on the shift. The comparison shows that the norm is to compensate 112 hours. The Fire Department would like a 12 day work period which would cut the overtime but increase the retirement contribution. This change would affect nine employees. The cost would be approximately \$452 per year per employee and would fit within this year's budget with no revisions. The Fire Department would like to incentivize full and part time staff to compensate them at time and a half no matter how many hours they work in a pay period. Chief Bach stated that the market for paramedics and firefighters is getting more competitive and other Fire Departments are paying more for part time. He stated that some employees are considering leaving. They currently have three full time positions open with only six people applying.

Councilmember Bott would like to see estimations on the call back figures for coming budget years.

MOTION: Councilmember Bott made a motion that the schedule for Fire Department overtime and retirement be adopted. The motion was seconded by Councilmember Thompson and unanimously approved.

Councilmember Thompson was excused at 7:54 pm.

Consideration of Ordinance Amending City Code 17.030.060, Consumption of Alcohol, to Allow Alcohol in Public Parks, Playgrounds or Recreational Facilities when Permitted under a Special Event Permit

Paul Larsen and Kristy Law came to the table. Mr. Larsen explained that the ordinance prohibiting consumption in the parks has an exception for the golf course. From an economic development standpoint, with some controls in place, this ordinance widens the audience for the kind of events that the City is trying to attract at Pioneer Park or to the City in general. For the Tournament of Champions event, folks are here for three or four days, eating in restaurants, shopping and spending their money. Park City, Salt Lake and Ogden allow alcohol for special events. The State would issue the alcohol license.

Ms. Law stated that Mr. Gula was forthcoming in stating that the tournament would eventually need a revenue source to help supplement the money they need for the tournaments to be successful.

The Council discussed including local businesses and possible limitations and controls in the ordinance. Mr. Larsen stated that this ordinance is for food vendors that also want to serve alcohol and is for City properties, and specifically parks, private property. The control would be that the City Council has to authorize the local consent form.

Mr. Christiansen explained that it is a matter of special event permits versus business licenses. The City has the ability to place stricter standards under the permit process but standards need to be applied uniformly. He recommended setting standards in the ordinance to avoid bias.

Councilmember Farr suggested the venues where alcohol would be allowed under the special event permit be specified in the ordinance. Mr. Larsen read Ogden City's ordinance where venues and conditions are specifically listed.

Ms. Law stated the Tournament of Champions would be responsible for monitoring the perimeter and manning checkpoints to make sure no alcohol leaves the beer garden. Beer garden customers would be banded.

Councilmember Peterson suggested the ordinance be approved with a sunset date of December 31, 2018. Mr. Christiansen stated that a sunset clause would not be necessary because these are temporary permits and not renewable. The Council discussed limitations to certain areas of the park. Mr. Larsen read the revised draft ordinance:

Section 1: It shall be unlawful for any person to consume any alcoholic beverage or to have in his or her possession any alcoholic beverage within any public park, playground or recreational facility, with the exception of Eagle Mountain Golf Course and in accordance with the established rules and regulations of the Eagle Mountain Golf Course or as permitted under a special event permit at sports venues at Pioneer Park and excluding the swimming pool and playground portions of Pioneer Park.

Section 2: This ordinance shall be in effect until December 31, 2018.

Mr. Christiansen approved the language.

MOTION: Councilmember Bott made a motion to approve the ordinance as amended, seconded by Councilmember Farr.

Roll Call: Councilmember Bott; aye
Councilmember Peterson; aye
Councilmember Jensen; aye
Councilmember Alden; aye

Discussion on Splash Pad Design

Mr. Pugsley, Ms. Law and Mr. Oyler came to the table. Mr. Pugsley displayed a rendering of the splash pad on the screen and stated that it is a 40' x 40' pad. There will be 24 water nozzles on the pad with 2 water loops, a double flower shower, a dump bucket, 2 water cannons and a water mushroom. Due to Utah Risk Management concerns, the tip bucket feature may be changed out to a fire hydrant feature or a smaller tip bucket.

Councilmember Jensen stated that Orem City has coin operated features at their splash pad. She stated that it could be a small source of revenue and would promote community buy in. Mr. Pugsley said he does not think the kids would use features they have to pay for. Councilmember Jensen reminded the Council that she is responsible for starting the "honor system" at Mantua Reservoir which brings in \$8,000 per year. Mr. Oyler suggested that a financial analysis be done to find out the cost to automate a

feature and see if it fits into the budget. Mr. Pugsley stated that in order to complete the splash pad by May, 2018, a final design needs to be sent out to contractors.

Councilmember Jensen stated that Brian Rex was going to attend this meeting with some of the people from the Church who are not in favor of the splash pad being open on Sunday due to noise and parking. Mayor Vincent stated that Brian thought the splash pad location was going to be closer to the Church but it will be further to the west. The Mayor suggested visiting with the Bishops or Stake President. Mr. Roberts will meet with the Stake President.

Councilmember Peterson felt that a vinyl fence will be destroyed. He stated a concrete fence would cost \$55/foot. He also suggested putting the restroom between the Church and splash pad area as a noise buffer. Mr. Pugsley stated that he does have theft with vinyl fences and suggested slatted chain link like the one installed west of the pickleball courts.

The Council discussed other location options in case there is outcry from the community or the Church. Mr. Pugsley stated that if the location is moved, there will be an impact on the cost of bringing utility work to the new area. He asked the Council for approval on the design.

UNFINISHED BUSINESS

Consideration of Resolution Authorizing the Mayor to Sign a Local Consent Form for a Temporary Beer Event Permit Application

Mr. Larsen explained that this is the consent form that would be inserted with the application as discuss earlier.

MOTION: Councilmember Peterson made motion to approve the resolution, seconded by Councilmember Bott.

Roll Call: Councilmember Bott; aye
Councilmember Peterson; aye
Councilmember Jensen; aye
Councilmember Alden; aye

Consideration of Resolution Adopting 2017 Series Utility Revenue Bond

Mr. Oyler approached the table and stated that the bond would be for construction on the West Forest substation and for work on water lines in Mantua.

Alex Buxton came forward to discuss the resolution. The bond would be up to \$9,500,000 with a maturity of up to 11 years and a coupon of up to 5%. The resolution will state that the hearing will be on September 7th with a notice of bonds to be issued and a notice of public hearing. The resolution delegates that the Finance Director and Mayor or, in his absence, a City Councilmember can move ahead with the issuance of the bonds. When the request for bid is put out, various banks will provide various interest rates and call features or prepayment options. Once the bids are received, the delegating officers, with Mr. Buxton's assistance, would determine which option to go with.

MOTION: Councilmember Peterson made motion to approve the resolution adopting the 2017 Series Utility Revenue Bond based on a 10-year payoff, not to exceed 2.5% without coming back to the City Council and with the opportunity to prepay if so determined, seconded by Councilmember Jensen.

Mr. Buxton clarified that the motion to not exceed 2.5% is not part of the resolution; it is a 5% coupon. Councilmember Peterson said the resolution can stay as it is, but if it doesn't meet the parameters as stated in his motion, the Council would like to be notified via email.

Roll Call: Councilmember Bott; aye
Councilmember Peterson; aye
Councilmember Jensen; aye
Councilmember Alden; aye

Mr. Buxton stated that if it exceeds an aggregate of 3% there would not have to be a meeting, just an email notification because of the 48-hour time limit.

The meeting adjourned at 9:16 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 August 3, 2017 City Council Meeting.

Dated this _____ day of _____, 2017.

Mary Kate Christensen, Recorder