

1 **NORTH OGDEN CITY COUNCIL MEETING MINUTES**

2
3 October 28, 2014

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5 The North Ogden City Council convened in an open meeting on October 28, 2014 at 6:35 p.m. in
6 the North Ogden City Council Chambers at 505 East 2600 North. Notice of time, place and
7 agenda of the meeting was delivered to each member of the City Council, posted on the bulletin
8 board at the municipal office and posted to the Utah State Website on October 24, 2014. Notice
9 of the annual meeting schedule was published in the Standard-Examiner on January 24, 2014.

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12 **PRESENT:** Brent Taylor Mayor
13 Kent Bailey Council Member
14 Lynn Satterthwaite Council Member
15 Cheryl Stoker Council Member
16 Phillip Swanson Council Member
17 James Urry Council Member

18
19 **STAFF PRESENT:** Bryan Steele Acting City Manager
20 Annette Spendlove City Recorder/HR Director
21 Jon Call City Attorney
22 Gary Kerr Building Official

23
24 **VISITORS:** Kasen Mock Parker Kay
25 Keagan Anderson David Aardema
26 Mark Bunker Christian George
27 Heidi Scadden Rachel Trotter

28
29 Mayor Taylor welcomed those in attendance.

30
31 Council Member Stoker offered the invocation and led the audience in the Pledge of Allegiance.

32
33 **CONSENT AGENDA**

34 1. Consideration to approve the October 7, 2014 City Council Minutes

35
36 Mayor Taylor noted the City Council has requested some changes to the October 7 work session
37 meeting minutes, therefore, he pulled the item from the agenda and noted the minutes will be
38 considered at a future date.

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41 **ACTIVE AGENDA**

42
43 **1. PUBLIC COMMENTS**

44
45 Jake Sawyer, 1660 11th Street, stated he is planning to move to North Ogden soon and wants to
46 propose a service that he provides to Ogden City residents. He owns a company that cleans
47 garbage cans in several different cities and one benefit of his company is that it could potentially

48 increase revenue for the cities that he operates in. He also reviewed the health benefits of the
49 service he provides, including odor elimination. He noted the service he provides is very
50 convenient and he cleans cans on the same day they are emptied by the respective city's hauler
51 and the cans look great after they have been cleaned and sanitized. He noted his service can be
52 billed through the City's billing system, though it is not a mandatory service and there is a
53 probationary period for his service during which residents can determine if they want to continue
54 with service before deciding whether to remain on the list or be removed. The service cost is \$5
55 per can per month, for a total of \$60 per year and cans are cleaned four times each year.

56
57 Mayor Taylor suggested that Mr. Sawyer email the City's Public Works Director to determine if
58 this is a service he would like to pursue.

59
60 Keagan Anderson stated he moved to North Ogden two years ago and he is the Senior Patrol
61 Leader from Boy Scout Troop 235. He reported he is working on his communications merit
62 badge this evening.

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65 **2. DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT TO DEFER**
66 **THE INSTALLATION OF SIDEWALK, CURB AND GUTTER LOCATED AT**
67 **APPROXIMATELY 150 EAST LOMOND VIEW DRIVE**
68

69 A staff memo from City Recorder Spendlove explained Michele C. Scadden and Heidi Scadden
70 submitted an application petitioning for annexation for property located at approximately 150
71 East Lomond View Drive. It was brought before the City Council for consideration to accept the
72 application to be processed on September 16, 2014. The City Council held a Public Hearing on
73 October 14, 2014. The protest period ends October 28, 2014. The Planning Commission
74 recommended the property be zoned Residential Zone (RE-20). The petitioner is building a
75 single family home. Lomond View Drive does not have curb, gutter, or sidewalk in this area. The
76 City Council will need to determine if a deferral agreement to install these improvements would
77 be acceptable. The deferral agreement should contain stipulations that curb, gutter, and sidewalk
78 improvements will be done at the City's request at the owner's expense or participation in a
79 special improvement district. The petitioner has applied for annexation into the North View Fire
80 District and will be de-annexed from the Weber County Fire District.

81
82 Ms. Spendlove reviewed her staff memo.

83
84 Council Member Bailey stated the City Council has had previous discussions regarding a request
85 to defer the installation of sidewalk, curb, and gutter and decided it would be a matter of Council
86 policy to not defer such installation under any circumstances. Council member Urry agreed and
87 stated he is not in favor of deferring the installation of the needed infrastructure.

88
89 **Council Member Bailey motioned to deny Agreement #A28-2014. Council Member**
90 **Satterthwaite seconded the motion.**

91
92 Building Official Kerr stated that in most cases of residential development it is easy to determine
93 where curb, gutter, and sidewalk should be installed, but in this case staff has no idea where the

94 infrastructure should be installed and any such improvement will most certainly be removed in
95 the future when further street improvement projects occur. He stated that in this case he would
96 not recommend the installation of curb, gutter, and sidewalk and he concluded this situation is
97 much different than most.

98
99 Council Member Bailey asked how the City will go about making sure that the installation takes
100 place when necessary. He stated he is aware of several similar arguments dating back to the
101 1970s and in many of those cases there is still no curb, gutter, or sidewalk. Mr. Kerr stated that
102 he knows of many cases where the infrastructure was deferred, but could have been installed and
103 he agreed with the City Council that those deferrals should not have been granted; however, a
104 deferral should be recorded against the property with language specifying that when the City
105 wants the infrastructure installed, the property owner must comply at their own expense.
106 Council Member Bailey asked how the City keeps track of all the properties in the City for
107 which deferrals have been granted. Mr. Kerr stated staff would need to research City Council
108 minutes to find all the times that deferrals have been granted. He then stated that in this case, if
109 the Council requires the installation of curb, gutter, and sidewalk at this time, it will be installed
110 30 feet away from the edge of the asphalt of the existing road and, therefore, it will not provide
111 any service whatsoever.

112
113 Council Member Swanson stated that a deferral can be granted, but he wondered what would
114 happen if the homeowner does not have the means to install the infrastructure when the City
115 deems such installation necessary. He asked if it is possible to establish an escrow account to
116 hold the funding for the improvements until a future date. City Attorney Call noted that
117 mechanism may work in theory, but he would not recommend the Council use the mechanism
118 due to the fact that escrow accounts are most practical when they have a defined expiration date.
119 He noted that the City Council could decide, at a future date, to create a special improvement
120 district on Lomond View Drive for the installation of curb, gutter, and sidewalk and the owner of
121 the subject property would be required to participate. There was a general discussion regarding
122 the process for creating a special improvement district, with Mr. Call noting that if language
123 could be recorded on the plat for this property requiring the owner to participate in any such
124 district if one is created in the future. Council member Bailey noted other property owners could
125 vote against creating a special improvement district. Council Member Urry suggested the City
126 could create a special improvement district just for the subject property in order to require the
127 infrastructure installation. Mr. Call stated that could happen and reiterated that language can be
128 recorded on the plat requiring that the property owner comply with the City's request for the
129 installation of curb, gutter, and sidewalk at their own expense when the City deems the
130 infrastructure is needed.

131
132 Mr. Kerr noted when property along Lomond View Drive is developed, the developer will be
133 required to install curb, gutter, and sidewalk and the City could require that the owner of the
134 subject property install the infrastructure at that time. Council Member Bailey stated he is most
135 concerned about tracking deferrals for future reference. Mr. Kerr stated that from this point
136 forward he can create a tracking page for all deferrals. He added a member of City staff could
137 research past deferrals as well.

138

139 Ms. Spendlove noted that she has researched the issue and the City Council has approved
140 deferrals in the past, but not by way of agreement. She noted she asked Mr. Call to draft a
141 deferral agreement that can be recorded against the property and can be kept on file at the City
142 for easier tracking purposes. Discussion regarding tracking mechanisms ensued, with Mr. Call
143 noting he is confident that the agreement is sufficient to place the City in a position to require the
144 owner of the subject property to install curb, gutter, and sidewalk at a future date.

146 Mr. Scadden asked who will be responsible to manage and maintain the 30 foot strip of
147 undeveloped property between his property and Lomond View Drive in the event that he is
148 required to install curb, gutter, and sidewalk at this time. Council Member Bailey asked for
149 more information about the 30 foot right-of-way. Mr. Scadden stated that he is confused about
150 the purpose of the right-of-way as well, but installing curb, gutter, and sidewalk at this point in
151 time would be very problematic because there are differing opinions from the surveyors that
152 have visited the property regarding where the actual property lines are. Mr. Kerr noted it is his
153 understanding that the City will own the right-of-way and it will be used for the future
154 improvement of Lomond View Drive. Mr. Scadden stated he may not be inclined to maintain
155 the 30 foot right-of-way in the event that the City requires him to install curb, gutter, and
156 sidewalk at this time.

158 Council Member Bailey withdrew his initial motion to deny Agreement A28-2014.

160 **Council Member Bailey motioned to approve Agreement #A28-2014. Council Member
161 Stoker seconded the motion.**

163 Council Member Satterthwaite stated the agreement is between the property owner and the City
164 and he asked what will happen if the current owner sells the property to someone before curb,
165 gutter, and sidewalk is installed. Mr. Call stated paragraph five states the agreement shall run
166 with the land and will be binding upon successors of the Developer. Council Member Bailey
167 asked if the agreement will be recorded with the plat, to which Mr. Call answered yes.

169 Council Member Urry addressed Mr. Scadden and stated that in the event that Mr. Scadden
170 installs landscaping in the 30 foot right-of-way, it could be removed upon widening of Lomond
171 View Drive. Mr. Scadden stated he understands.

173 Mr. Call cited a typographical error in paragraph two of the agreement and stated it will be
174 corrected before the agreement is executed.

176 **Council Member Bailey motioned to approve Agreement #A28-2014 as corrected. Council
177 Member Stoker seconded the motion.**

179 **Voting on the motion:**

181 **Council Member Bailey aye**
182 **Council Member Satterthwaite aye**

183 Council Member Stoker aye
184 Council Member Swanson aye
185 Council Member Urry aye

186
187 **The motion passed unanimously.**
188

189 Mayor Taylor asked the Council if they like the format of the agreement for future use, with the
190 Council answering yes. Council Member Bailey asked if the City has ever deferred other
191 infrastructure improvements. Mr. Kerr stated no other types of deferrals have been approved to
192 his knowledge. There was a general discussion regarding utility connections that have been
193 deferred, with Mayor Taylor noting such deferrals have been approved by agreement. Council
194 Member Urry stated that on the converse, any person requesting connection to the City's utility
195 infrastructure should be required to annex into North Ogden. Council Member Bailey agreed.

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198 **3. DISCUSSION AND/OR ACTION TO APPROVE AN ORDINANCE ANNEXING 0.83**
199 **ACRES LOCATED AT APPROXIMATELY 150 EAST LOMOND VIEW DRIVE**
200

201 A staff memo from City Recorder Spendlove explained Michele C. Scadden and Heidi Scadden
202 submitted an application petitioning for annexation for property located at approximately 150
203 East Lomond View Drive. It was brought before the City Council for consideration to accept the
204 application to be processed on September 16, 2014. The City Council held a Public Hearing on
205 October 14, 2014. The protest period ends October 28, 2014. The Planning Commission
206 recommended the property be zoned Residential Zone (RE-20). The petitioner is building a
207 single family home. Lomond View Drive does not have curb, gutter, or sidewalk in this area. The
208 City Council will need to determine if a deferral agreement to install these improvements would
209 be acceptable. The deferral agreement should contain stipulations that curb, gutter, and sidewalk
210 improvements will be done at the City's request at the owner's expense or participation in a
211 special improvement district. The petitioner has applied for annexation into the North View Fire
212 District and will be de-annexed from the Weber County Fire District.

213
214 Ms. Spendlove reviewed her staff memo.

215
216 **Council Member Stoker motioned to approve Ordinance 2014-26 annexing 0.83 acres**
217 **located at approximately 150 East Lomond View Drive. Council Member Swanson**
218 **seconded the motion.**

219
220 **Voting on the motion:**

221
222 Council Member Bailey aye
223 Council Member Satterthwaite aye
224 Council Member Stoker aye
225 Council Member Swanson aye
226 Council Member Urry aye

227
228 **The motion passed unanimously.**

229 Council Member Bailey asked if it was an issue to approve the agreement prior to approving the
230 annexation. Mr. Call answered no and stated the agreement has not yet been executed.

231
232 Council Member Satterthwaite thanked Mr. Kerr and Mr. Scadden for the meaningful
233 information they provided to facilitate the discussion regarding the deferral agreement.

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236 **4. DISCUSSION REGARDING THE WEBER PATHWAYS TRAIL PROPOSAL**
237 **ACTION**

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239 A memo from Parks and Recreation Director Staheli explained Weber Pathways has begun the
240 construction on the Bonneville Shoreline Trail (BST) above the Gravel Pit and Equestrian Park.
241 Machines and crews began construction on Monday, October 6 and have completed about 14
242 mile on the south side of North Ogden Canyon. Construction will continue through the fall of
243 2014 and is scheduled for completion in late spring of 2015. Once this trail section is complete
244 there will be 26 miles of continuous BST from Pole Patch to Beus Canyon connecting four
245 communities (Pleasant View, North Ogden, Ogden, and South Ogden). These 26 miles of
246 continuous trail will be the longest section of the BST in the State. This project was the result of
247 collaboration between Weber Pathways, the US Forest Service, and a grant awarded from
248 RAMP. Almost the entire length of this five mile sections will be on Forest Service property. As
249 with other sections of the BST this section is purposely built for multi-use for hikers, bikers, and
250 equestrians. Weber Pathways has also proposed creating a connection to the Bonneville
251 Shoreline Trail across North Ogden City property to the east side of 2750 N. (see attached map).
252 They are willing to fund the trail construction and establishment. This will be a great benefit to
253 North Ogden City. Currently there are multiple unestablished trails that run throughout the
254 property. These would be closed, and the new single trail will create an established pathway for
255 hikers, bikers and equestrian use and add to the trail systems of North Ogden.

256

257 Ms. Staheli reviewed her staff memo and concluded that she recommends approval of the Weber
258 Pathways trail proposal. She noted there will be no added cost to the City if the Council chooses
259 to approve the proposal.

260

261 Mayor Taylor reviewed a map and identified the site of the proposed path to connect the City's
262 trail to the BST.

263

264 There was a general discussion regarding established and unestablished trail connections in the
265 area, with Mark Bunker of Weber Pathways using the same map to identify the dirt road that
266 many people use to access the North Ogden Divide road. He also noted that the proposed
267 pathway will alleviate the need to gain permission to access private property. Council Member
268 Bailey asked if the expectation is that people will use the new pathway and BST to access the
269 canyon. Mr. Bunker stated the trail is designed for pedestrians, horseback riders, and mountain
270 bikes; it is not open to motorized vehicles

271

272 Council Member Swanson asked Mr. Bunker if he is 100 percent certain that the trailway does
273 not cross private property; he noted he has been stopped by an individual several times who
274 claims that the trail is on his property. Mr. Call and Mr. Bunker both assured the Council that

275 the trail is not on private property. The Council and Mr. Bunker continued to review the map
276 and had miscellaneous discussion regarding various properties in the area.

277
278 Mayor Taylor noted that it is his understanding that Weber Pathways has already selected a
279 company to perform the trail construction and all work will be funded by Weber Pathways. Mr.
280 Bunker stated that is correct. He added Weber Pathways will also be responsible for
281 maintenance of the trail.

282
283 **Council Member Swanson moved to approve the request from Weber Pathways as stated**
284 **in a letter from Weber Pathways to North Ogden City. Council Member Stoker seconded**
285 **the motion**

286
287 Council Member Bailey asked how Weber Pathways will go about blocking unestablished trails
288 in the area. Mr. Bunker stated the best way to accomplish that is by using signage or
289 obstructions.

290
291 **Voting on the motion:**

292
293 **Council Member Bailey** aye
294 **Council Member Satterthwaite** aye
295 **Council Member Stoker** aye
296 **Council Member Swanson** aye
297 **Council Member Urry** aye

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300 **5. DISCUSSION REGARDING RAMP GRANTS**

301
302 A memo from Parks and Recreation Director Staheli explained each year North Ogden City can
303 submit to receive funding from R.A.M.P. (Recreation, Arts, Museums and Parks) for projects in
304 Parks and Recreation through matched grants. To date, the City has received \$778,556.00 in
305 funds and has been able to complete many great projects in the past, including park benches,
306 scoreboards for ball fields, park restrooms, basketball courts, and ball field renovation. This past
307 year we received \$94,390.00 towards a new restroom at Oaklawn Park. For this coming year, the
308 Parks and Recreation department has 3 project application proposals for council consideration.
309 These projects would require a minimum 50% match from North Ogden City to receive the grant
310 funding for the project.

311 Project 1 – Trail construction from Bicentennial Park to Pleasant View City connection.



312

- 313 • Completion of this portion of trail, along with Pleasant View City’s proposed completion
314 of the West end of the trail would connect the Pleasant View Drive walking trail from the
315 Highway 89 “trailhead” parking lot to the commercial center of North Ogden City at
316 Bicentennial Park.
- 317
- 318 • There is convenient access to the trail from surrounding communities and from the
319 greater Weber Pathway trails. Walking trails serve a broad demographic, including the
320 elderly, runners and joggers, walkers, bikers and more. For those who frequent the
321 Pleasant View trail heading into North Ogden, the proposed trail would increase the
322 safety of those walkers, runners and bikers who are currently traveling along the edge of
323 Pleasant View Drive where there is not a continuous stretch of sidewalk available.
324
- 325 • After the East end of the Pleasant View walking trail was completed a couple of years
326 ago, North Ogden City has had multiple requests for the remaining portion to be
327 completed to provide safer, more convenient travel access to the North Ogden Shopping
328 district and improved recreational opportunities.
- 329
- 330 • Trail approximately 0.3 miles, 6 foot wide, surface - asphalt
- 331

332 Project 2 – Property acquisition and trailhead/trail construction from 1900 N. to Mystery
333 Meadows Subdivision.

- 334 • Trail approximately 0.3 miles, 6 foot wide, surface – asphalt
- 335 • Property acquisition for trailhead at the corner of 400 E. and 1900 N.
- 336 • Pedestrian bridges would be required along the trail to connect over the canal/stream
- 337 • This connection would help complete a loop of trail system in conjunction with new
338 development along 1700 N., west of Washington Blvd.



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- 341 Project 3 – Replace restroom facilities at Orton/Green Acres Park and Lomond View Park



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- Orton, and Lomond View parks have old restrooms that are in poor shape, do not provide enough capacity for park usage, and do not comply with current ADA codes. These three parks are some of the most used parks in the city and their facilities cannot meet the demand.
- Orton Park sees most of its sports usage April - October for soccer programs. The track around Orton is popular with individual athletes as well as the students from Green Acres Elementary. This park is also the most popular for reservations for weddings and family reunions.
- Lomond View Park accommodates soccer practices for much of the year as well as softball in the summer (2,500) and football in the fall (4,300). It is also one of the most popular sledding hills in the area during the winter months. Lomond View Park has the biggest pavilion and so it is always in high demand for diverse community, service-oriented and church groups.
- Last year we applied for three restrooms through R.A.M.P. grant funding and were awarded one (Oaklawn Park). I believe we have a good opportunity to receive funding for the other two restrooms this coming year.

Ms. Staheli reviewed her staff memo and noted she is presenting this information to the Council for consideration and guidance on which RAMP Grants they would like her to pursue. She stated she feels the two restroom projects are most important, with Orton Park being the highest Priority; second is the Lomond View Park restroom; third is the Pleasant View trail connection; and fourth is the river walk.

Council Member Urry inquired as to the grant application deadline, to which Ms. Staheli answered January 19, 2015. Mayor Taylor stated that is the RAMP deadline, but there are other funding sources for the trail project for which the City must provide a letter of intent by October 30 with an actual application to follow in January 2015.

Council Member Bailey asked what would happen if the City received and rejected a grant award. Ms. Staheli stated that would look bad for the City. Council Member Bailey noted each project calls for matching funds and it is difficult to commit to provide such matching funds in

378 the middle of the budget year. Ms. Staheli agreed. Mayor Taylor noted the City receives a
379 certain amount of park impact fee revenues each year and there may be an opportunity to use
380 some of that funding for matching funds.

381
382 Council Member Urry asked if it is possible to charge a non-resident fee for all recreation
383 activities and then use that fee to pay for things like park maintenance. Ms. Staheli stated that
384 she already charges a non-resident fee and the revenues are deposited into the general fund.
385 Council Member Urry then asked if the City has surveillance systems in City parks to detect
386 vandals. Ms. Staheli answered no.

387
388 Council Member Swanson stated that the total matching amount for all four projects is \$450,000
389 and he would like to know more about the other funding options that could help with those
390 matching requirements. Ms. Staheli stated that she has received assurances that the City will
391 likely be awarded Community Development Block Grant (CDBG) funds to cover the City's 50
392 percent requirement for the restroom projects.

393
394 Mr. Kerr then noted that the City's building market is good right now and there may be park
395 impact fee revenue available for park projects. Acting City Manager Steele stated he would need
396 to conduct research to determine how much money is available in the park impact fee account.
397 There was a general discussion regarding the intent of impact fee funds.

398
399 Ms. Staheli noted that the bids for the restroom projects came in substantially higher than the
400 engineer's estimate for the projects. Council Member Bailey noted RAMP grant are based upon
401 engineer estimates and he asked how the City will make up the difference. Ms. Staheli stated
402 that she plans to put the projects out to bid again and she has heard from one contractor that is
403 willing to make a sizable donation for the project. Council Member Urry stated he is concerned
404 because it feels that the contractor offering a donation is 'buying' the project. The Council
405 debated the issue and Mr. Steele noted that he advised staff that the project must be re-bid and
406 the Council will have the opportunity to consider all bids submitted. Mayor Taylor agreed and
407 stated the City has done something similar in the past when all bids after an initial bid process
408 were much higher than a budget for a project. Council Member Swanson stated that as long as
409 the City is willing to declare no favoritism will be given to contractors that offer donations to the
410 City, it is acceptable to consider such a bid.

411
412 Mayor Taylor then provided the Council with information regarding additional funding sources
413 that the City could potentially apply for, all of which are administered by the Wasatch Front
414 Regional Council (WFRC): surface transportation program funding; congestion mitigation air-
415 quality funding; transportation alternatives program (TAP); community development block grant
416 funding; and local planning resource program funding. He concluded he would like to pursue
417 TAP funding for the Pleasant View Drive trail. He then moved to agenda item six to discuss
418 additional projects and funding options that may be suitable for them.

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6. DISCUSSION REGARDING ROAD/TRAIL GRANTS TO APPLY FOR

423 Mayor Taylor used the aid of a PowerPoint presentation to provide the Council with information
424 regarding road projects to possibly be completed in the City. He noted that some projects are
425 already included in the Utah Unified Transportation Phasing Plan, which gives them a higher
426 funding priority:

427

- 428 • 2850 N/Elberta Dr./450 E (no regional priority)
- 429 • Monroe Blvd. construction (Phase III priority, 2031-2040)
- 430 • Western portion of Skyline Drive construction (Phase I priority, 2011-2020)
- 431 • Eastern portion of Skyline Drive construction (Phase II priority, 2020-2030)
- 432 • 400/450 E extension to Skyline Dr. (*no priority, request made to prioritize)
- 433 • 400/450 E widening (Phase I priority, 2011-2020)
- 434 • 2100 North round-about (No regional priority)
- 435 • Reconstruction of 3100 North (no regional priority)

436

437 Mayor Taylor identified the location of each project on a map. He then noted there are
438 additional road construction funds available through Weber County, which the City has never
439 applied for in the past. He reviewed different grants and funding mechanisms the City has
440 received in the past for right-of-way acquisition. He concluded it is important for the Council to
441 have a discussion to prioritize the road projects in order for City Administration to determine
442 what funding options will be most viable.

443

444 Council Member Urry asked if the City can use the \$2.3 million allocated for the Monroe
445 Boulevard project. Mayor Taylor answered no and indicated that money will be used to
446 purchase the full right-of-way width to 3100 North for the Monroe Boulevard extension.

447

448 Mayor Taylor reviewed a chart in his PowerPoint presentation identifying the anticipated
449 construction costs for various projects included in the Utah Unified Transportation Plan and
450 noted that for any source of funding the City would need to provide matching funds of at least
451 6.77 percent. He noted it may be a good idea to consider implementing a transportation utility fee
452 to generate revenues to serve as the project matching funds. Council Member Urry stated that in
453 past discussions regarding a possible transportation utility fee the Council indicated they would
454 like to poll the citizenry to gauge their comfort level regarding such a fee. Mayor Taylor stated
455 now is the time to conduct that survey and indicated it could be done in conjunction with the
456 General Plan update project. The Council then discussed and debated the prioritization of road
457 projects included on Mayor Taylor's project list, with Council Member Satterthwaite stating he
458 does not feel the Council can have a meaningful discussion about the prioritization of such
459 projects without first having a budget discussion to identify the source of matching funds.

460 Council Member Bailey agreed and noted that it would be wise for the City to have a long term
461 capital facilities plan identifying road projects for up to 25 years into the future; the plan could
462 be updated annually as needed. Mayor Taylor acknowledged the list of road projects and their
463 associated price tags is daunting, but he asked that the Council at least consider the trail projects
464 that have been discussed tonight in order for staff to have clear direction regarding grant funding
465 applications. He stated he would like to submit a letter of intent to apply for TAP funding for the
466 Pleasant View Drive trail project; he would also like to apply for a CDBG funding for the
467 restroom projects; he concluded he would also like to identify the highest priority road project in
468 the City and apply for surface transportation program funding for that project in future years.

469 Council Member Urry asked Mayor Taylor to provide the Council with a spreadsheet identifying
470 the projects he would like to complete in the City, the projected cost of the project, the City's
471 potential matching requirement, and the potential year of completion for the project. He stated
472 that would help the Council have a more meaningful discussion.

473
474 Council Member Stoker asked if the TAP letter of intent is binding for the City whatsoever.
475 Mayor Taylor answered no. Council Member Stoker stated she agrees the Council needs the
476 additional information requested by Council Member Urry, but she is comfortable with the City
477 submitting a letter of intent for any of the grant programs as long as that letter is not legally
478 binding. Mayor Taylor stated the letters of intent for all programs are due by October 30, with
479 subsequent grant application due mid-January. He stated the Council could meet in a work
480 session meeting to discuss the road project prioritization in more depth. Council Member
481 Swanson asked if the City must identify the project in the letter of intent. Mayor Taylor
482 answered yes and noted the estimated cost must also be included in the letter of intent. He noted
483 the City already has all of that information. He stated that he would like to submit a letter of
484 intent for the Local Resource Planning Program for funding assistance for the City's General
485 Plan update project. He reiterated he would like to apply for STP funding and he recommended
486 the Council choose one regionally significant project for which funding could be applied. He
487 stated the most likely project to receive funding is a phase one priority project; these include the
488 Washington Boulevard widening project or construction of the western portion of Skyline
489 Boulevard. He noted if either of the projects were funded the City would have seven years to
490 raise matching funds. The Council determined they are in favor of the Washington Boulevard
491 widening project being referenced in the STP letter of intent. They also concluded they would
492 like the Pleasant View Drive trail project to be referenced in the TAP letter of intent. They also
493 concluded they are supportive of applying for CDBG funding for the park restroom projects.

494
495 Council Member Bailey asked if the parks and trails projects are considered and prioritized by
496 the Trails and Open Lands Committee. Council Member Stoker answered yes. Council Member
497 Bailey asked if there is a plan to pave more of the Cherry Way trail in the future. Ms. Staheli
498 answered yes and noted the next portion of the Cherry Way trail to be paved is the section that
499 connects to the equestrian park. Council Member Bailey suggested the City could apply for
500 Congestion Mitigation Air Quality funds for that project. Mayor Taylor stated the project would
501 apply for such funding.

502
503 The Council then concluded to schedule a work session on December 4 to discuss this item in
504 further detail. Council Member Bailey then noted that the Utah League of Cities and Towns
505 (ULCT) is promoting a quarter-cent sales tax increase, with revenues from the increase to be
506 used for transportation needs throughout the state. They have asked cities across the state to
507 adopt a resolution to support the increase and it may be good to discuss that issue during the
508 work session as well.

509
510 Mayor Taylor then asked the Council if they would like staff to submit RAMP grant applications
511 for all projects referenced by Ms. Staheli. Council Member Bailey stated he would like to apply
512 for funding for the top three projects at a minimum; he noted the restroom projects are
513 desperately needed. Mayor Taylor stated staff can start working on applications for the first

514 three projects and will bring detailed information back to the Council before final applications
515 are submitted.

516
517

518 **7. DISCUSSION AND/OR ACTION TO APPROVE AN AGREEMENT WITH**
519 **MERIDIAN ENGINEERING INC. FOR SURVEY SERVICES ON THE MONROE**
520 **BOULEVARD EXTENSION PROJECT**

521

522 A staff memo from Acting City Manager Steele explained a committee interviewed 3
523 engineering firms to complete the survey work for the Monroe Boulevard project. Meridian
524 Engineering was selected to do the work based on their survey experience. Staff will be
525 presenting the Land Acquisition Agent at a later meeting.

526

527 Mr. Steele reviewed his staff memo and indicated Mr. Darrin Williams is present from Meridian
528 Engineering to answer any questions the Council may have.

529

530 Council Member Urry asked how survey work is done on private property. Mr. Williams stated
531 he asks for permission from the private property owner to conduct survey work. Council
532 Member Urry asked if some private property owners deny access to their property, to which Mr.
533 Williams answered yes. He then noted that some survey work can be completed using aerial
534 photographs of certain properties. Mayor Taylor noted that all private property owners will be
535 invited to participate in the entire project process.

536

537 Council Member Swanson asked for clarification of the road width, asking for assurances that
538 the width is not 360 feet. Mr. Williams stated the road is planned to be 90 feet in width.

539

540 Council Member Bailey asked if there are options for road realignment in the event that some
541 property owners refuse to sell their property. Mr. Williams stated there are some opportunities
542 for rerouting, but that will be determined by the land acquisition agent and City Administration.
543 Mayor Taylor then reviewed the phasing plan for the project and noted that each purchase
544 agreement for the project will come before the Council for approval. He assured the Council that
545 eminent domain will not be used to take ownership of property to be used for the road right-of-
546 way.

547

548 **Council Member Swanson motioned to approve Agreement #A29-2014 with Meridian**
549 **Engineering Inc. for survey services on the Monroe Boulevard Extension Project. Council**
550 **Member Bailey seconded the motion.**

551

552 **Voting on the motion:**

553

554 **Council Member Bailey** **aye**

555 **Council Member Satterthwaite** **aye**

556 **Council Member Stoker** **aye**

557 **Council Member Swanson** **aye**

558 **Council Member Urry** **aye**

559

560 **The motion passed unanimously.**

561

562 Mr. Williams reviewed his schedule for completing his portion of the project.

563

564 Council Member Bailey asked when the City will hold a meeting with landowners that may be
565 approached to sell their property for the roadway. Mayor Taylor stated the meeting will be held
566 in January once some surveying work is completed.

567

568

569 **8. DISCUSSION AND/OR ACTION TO APPROVE A RESOLUTION AMENDING THE**
570 **FLEXIBLE BENEFITS PLAN**

571

572 A staff memo from City Recorder Spendlove explained that in May of 2014 the city asked
573 National Benefits Services to amend our Flexible Spending Plan (FSA). National Benefits
574 Services is the Company that writes this plan for us (required by IRS). The maximum amount
575 that may be allocated to the Health Flexible Spending Account by a Participant in any Plan Year
576 is \$2500. Our old grace period provisions allowed participants to continue to expense services in
577 their plan 75 days past the end of our fiscal year and turn in reimbursements for those services up
578 to 90 days past the end of the fiscal year. If participants didn't use their money or file
579 reimbursement by the end of the 90 days they lost the right to any money left in their FSA for
580 that fiscal year. We changed the plan that lets participants expense and file reimbursement for
581 their money in the fiscal year they declared the money. They would then be able to carryover up
582 to \$500 in their current account to the next years account, helping them to have a better
583 understanding of what they will use each year. It is required by law that the City Council approve
584 a Resolution accepting this amendment in the North Ogden City Cafeteria Plan.

585

586 Ms. Spendlove reviewed her staff memo.

587

588 Council Member Swanson asked if employees would be required to incur and expend eligible
589 expenses within the fiscal year. Ms. Spendlove answered yes. Council Member Swanson asked
590 if employees will be allowed to roll-over \$500 each year, to which Ms. Spendlove answered yes.
591 Council Member Swanson asked if that will increase an employee's maximum contribution to
592 \$3,000, to which Ms. Spendlove answered no and indicated the maximum contribution will still
593 be \$2,500.

594

595 Council Member Urry asked why employees lose money that they don't use. Ms. Spendlove
596 stated that is required by Federal law.

597

598 **Council Member Satterthwaite motioned to approve Resolution 19-2014. Council Member**
599 **Bailey seconded the motion.**

600

601 **Voting on the motion:**

602

603 **Council Member Bailey** **aye**

604 **Council Member Satterthwaite** **aye**

605 Council Member Stoker aye
606 Council Member Swanson aye
607 Council Member Urry aye

608
609 The motion passed unanimously.

610
611

612 **9. PUBLIC COMMENTS**

613
614 There were no public comments.

615
616

617 **10. CITY COUNCIL, MAYOR, AND STAFF COMMENTS**

618

619 Council Member Bailey provided a report of recent discussions at the Utah League of Cities and
620 Towns (ULCT) Legislative Policy Committee (LPC) meeting relative to potential legislation to
621 be considered in the upcoming legislative session. He concluded the next LPC meeting will be
622 held November 17. He then asked for an update regarding the website rewrite project. Mr.
623 Steele stated the City is waiting for the contractor to finalize execution of the agreement.

624

625 Mayor Taylor then reminded the Council of the work session meeting scheduled for next
626 Tuesday, November 4 and indicated the main topic of discussion will be employee
627 compensation.

628

629

630 **11. ADJOURNMENT**

631

632 Council Member Swanson motioned to adjourn and move into the RDA meeting. Council
633 Member Urry seconded the motion.

634

635 **Voting on the motion:**

636

637 Council Member Bailey aye

638 Council Member Satterthwaite aye

639 Council Member Stoker aye

640 Council Member Swanson aye

641 Council Member Urry aye

642

643 The motion passed unanimously.

644

645 The meeting adjourned at 9:20 p.m.

646

647 **RDA AGENDA**

648 **1. DISCUSSION REGARDING THE NORTH OGDEN PLAZA REDEVELOPMENT**

649

650 Mayor Taylor used the aid of a PowerPoint presentation to provide the Board with an update
651 regarding the North Ogden Plaza redevelopment project. He identified the multiple
652 redevelopment concepts created by Think Architecture with input from property owners at the
653 Plaza. He noted updating the facades of the buildings at the Plaza could range in cost from
654 \$15.43 to \$20.98 per square foot and it will be necessary to determine how the costs of the
655 project will be divided among property owners and whether the RDA will participate financially
656 in that aspect of the project. He asked the Board to start giving some thought to appropriate
657 financial participation in the project in order to facilitate a more meaningful discussion at a
658 future meeting.

659
660 Board Member Satterthwaite inquired as to RDA monies currently available as well as the
661 amount anticipated to be contributed to the RDA by the Smith's Marketplace project. Mr. Steele
662 stated the RDA's fund balance is approximately \$400,000 and at the year it should be nearly \$1
663 million. He noted the Smith's Marketplace project is projected to generate \$250,000 in tax
664 increment annually; the conservative projection for the RDA fund balance for the life of the area
665 is nearly \$3 million. Mayor Taylor noted no bond payment is required by the RDA in this fiscal
666 year.

667
668 Board Member Bailey asked how the fund balance will increase from \$400,000 to nearly \$1
669 million by the end of the year. Mr. Steele noted the RDA earns over \$500,000 per year in tax
670 increment. Board Member Bailey stated that he feels the details of the project are still up in the
671 air and it is difficult for the Board to determine what type of expenditure it is comfortable with.
672 He noted he would prefer to allow the project to continue to move forward and have a discussion
673 about funding after a redevelopment plan has been selected. Mayor Taylor stated he is in favor
674 of that as well, but he would like feedback from the Board regarding the RDA's potential level of
675 involvement in the project.

676
677 Board Member Satterthwaite stated that the City's economic development consultant has
678 indicated that the most viable redevelopment plan for the Plaza could come from a big box store
679 and if marketing packages are sent to big box stores there should be some level of commitment
680 from the City that it is prepared to back the redevelopment concept that is chosen. He noted it is
681 important to have buy-in from the property owners at the Plaza. Board Member Bailey added
682 that Mr. Godfrey has indicated that the marketing packages could be sent to big box developers
683 within four to six weeks. Mayor Taylor agreed and stated that it is important to him that the
684 entire RDA Board is updated relative to discussions regarding the project and he plans to provide
685 another update during the November 18 meeting as well. He noted the Economic Development
686 Committee will meet again on November 12.

687
688

689 **2. ADJOURNMENT**

690

691 **Board Member Swanson motioned to adjourn the RDA meeting and reconvene into the**
692 **City Council meeting. Board Member Satterthwaite seconded the motion.**

693

694 **Voting on the motion:**

695

696 **Board Member Bailey** aye
697 **Board Member Satterthwaite** aye
698 **Board Member Stoker** aye
699 **Board Member Swanson** aye
700 **Board Member Urry** aye

701
702 **The motion passed unanimously.**

703
704 **The meeting adjourned at 9:40 p.m.**

705
706
707
708 **Council Member Bailey motioned to move into a closed session to discuss the character,**
709 **professional competence, or physical or mental health of an individual. Council Member**
710 **Satterthwaite seconded the motion.**

711
712 **Voting on the motion:**

713
714 **Council Member Bailey** aye
715 **Council Member Satterthwaite** aye
716 **Council Member Stoker** aye
717 **Council Member Swanson** aye
718 **Council Member Urry** aye

719
720
721 **The Closed Session began at 9:50 p.m.**

722
723 **The City Council reconvened in its open meeting at 10:43 p.m.**

724
725 **Council Member Satterthwaite motioned to adjourn. Council Member Swanson seconded**
726 **the motion.**

727
728 **Voting on the motion:**

729
730 **Council Member Bailey** aye
731 **Council Member Satterthwaite** aye
732 **Council Member Stoker** aye
733 **Council Member Swanson** aye
734 **Council Member Urry** aye

735
736 **The meeting adjourned at 10:44 p.m.**

737
738
739
740 _____
741 **Brent Taylor, Mayor**

742
743
744 _____
745 S. Annette Spendlove, MMC
746 City Recorder
747
748 _____
749 Date Approved

NOT APPROVED