

1 NORTH OGDEN CITY COUNCIL WORK SESSION MEETING MINUTES

2
3 August 26, 2014

4
5 The North Ogden City Council convened in an open meeting on August 26, 2014 at 6:30 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 August 25, 2014. Notice
9 of the annual meeting schedule was published in the Standard-Examiner on January 24, 2014.

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11
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: Ronald F. Chandler City Manager
20 S. Annette Spendlove City Recorder/H.R. Director
21 Jon Call City Attorney
22 Gary Kerr Building Official
23 Craig Giles Public Works Director
24

25 VISITORS: Elizabeth Putnam Blake Welling
26 Nate Hall Bob Buswell
27 Joan Brown Annessa Bachman
28 Troy Nichols
29

30 Mayor Taylor welcomed those in attendance.

31
32 Council Member Stoker offered the invocation and led the audience in the Pledge of Allegiance.
33

34 **CONSENT AGENDA**

35 **1. Consideration to approve the August 5, 2014 City Council Work Session Minutes**

36
37 **Council Member Bailey motioned to approve the consent agenda. Council Member**
38 **Satterthwaite seconded the motion**

39
40 **Voting on the motion:**

41
42 **Council Member Bailey aye**
43 **Council Member Satterthwaite aye**
44 **Council Member Stoker aye**
45 **Council Member Swanson aye**
46 **Council Member Urry aye**
47

48 **The motion passed unanimously.**

49

50 **ACTIVE AGENDA**

51

52 **1. PUBLIC COMMENTS**

53 Blake Welling, 1098 E. 3100 N., stated he is bothered by the fee in the City's fee schedule that
54 allows for a surcharge when paying a utility bill online or via telephone. He noted that same
55 surcharge is not charged if a resident comes to City Hall to pay the utility bill in person. He
56 stated he seems the City would rather encourage citizens not to utilize an employee's time in
57 processing a utility payment and, therefore, the surcharge should only apply to people paying in
58 person or on the phone, but not online.

59

60 Mayor Taylor stated it is his belief that the credit card company does not allow the City to charge
61 a surcharge for in-person transactions. City Recorder Spendlove stated that is correct. Mr.
62 Welling stated he works for a company that processes credit cards and they would permit a
63 surcharge for any type of transaction. Council Member Urry stated he would like the City
64 Attorney to look into the issue to ensure the City is not discriminating against some residents by
65 only charging surcharges on certain transactions. Council Member Bailey agreed and stated he
66 would like to discuss the issue further during a future Council meeting.

67

68 Dallon Shupe, Senior Patrol Officer for Boy Scout Troop 417, reported his Troop has
69 participated in two camp-outs this summer and they worked on various merit badge certification
70 activities. He stated he is part of a great troop with a great leader.

71

72 Travis Johnson, Lundahl Building, provided the Council and public with an update regarding the
73 Public Works Facility project, with a focus on the relocation of the wells on the property. He
74 noted the location of the building has been shifted slightly and land drains installed to address
75 water drainage issues on the property. He also reviewed photographs of trenching work that has
76 been done on the property. He then noted the location of the salt and sand storage shed has also
77 been shifted to minimize heavy traffic impacts on the property. He concluded that the elevation
78 of the administration building will be changed by reducing the number of steps from three to
79 two; this will provide easier access.

80

81 Council Member Bailey asked how the space gained by shifting the locations of buildings on the
82 property will be used. Mr. Johnson stated the room will allow for future expansion of Lomond
83 View Drive without impacts to buildings on the site. He added there will be additional room for
84 landscaping as well. Council Member Bailey asked where garbage can storage will be
85 accommodated. Mr. Johnson stated that has not yet been determined, but the storage area will be
86 screened by chain link fences with slats.

87

88 Council Member Satterthwaite referenced the building locations as well and stated that it may
89 lessen the risk associated with the well owned by the neighboring property owner. Mayor Taylor
90 agreed that may be correct.

91

92 Council Member Bailey asked Mr. Johnson if he has encountered any surprises on the site now
93 that work has commenced. Mr. Johnson stated the biggest challenge on the site is related to

94 water control on the site; however, the site is great and will accommodate the future use as a
95 Public Works facility.

96
97 Mayor Taylor asked Mr. Johnson to review the schedule for the project. Mr. Johnson stated
98 actual building construction will begin next week first with the office building, then with the
99 shop area, and finally with the salt and sand storage building.

100
101 Council Member Satterthwaite asked if the trench that has been dug on the site will contain the
102 flooding risks. Mr. Johnsons stated the ditch has been left open so that it can be observed to
103 understand water absorption rates; it will help to reduce the flooding risk on the property, but
104 may not entirely mitigate it. He stated there are still two very old wells upstream of the property
105 and there is no way to tell if they could leak or break in the future and cause flooding.

106
107 Council Member Urry asked how many change orders have been submitted for the project to
108 date. Mr. Johnson stated there have been no change orders for the project. Council Member
109 Satterthwaite asked if the trench work has required a change order. Mr. Johnson answered no
110 and stated it has been absorbed in the cost of the project and will ultimately mitigate the risk on
111 the site which will benefit the contractor as well as the City. Mayor Taylor clarified there will be
112 a foundation drain around the administration building as well. Mr. Johnson stated that is correct.

113
114 Council Member Satterthwaite inquired as to the estimated cost savings associated with reducing
115 the elevation of the administration building. Mr. Johnson stated that concrete and foundation
116 costs will be reduced, but will be utilized in other areas of the project, such as for land drains.

117
118 Council Member Swanson asked if it is Mr. Johnson's opinion that the wells should still be
119 relocated even once the land drains are installed around the buildings. Mr. Johnson answered
120 yes; he stated there is no way to determine if there will be problems in the future, but relocation
121 would mitigate that risk entirely. He referred to the well relocation as an insurance policy for the
122 project. There was a brief discussion regarding the process to relocate wells as well as the
123 process to determine if water issues are actually associated with a leaking or broken well.

124
125 Mayor Taylor noted there have been discussions about a potential change order to upsize the
126 detention basin at the south end of the property; it may be necessary to relocate or build a new
127 detention basin to replace the existing one on 2550 North due to interest in the property by a
128 commercial entity and it may be possible to do that by building a larger basin on the south end of
129 the Public Works facility site. He concluded City Administration will continue to work with
130 Lundahl to investigate this option and provide an update or recommendation to the Council soon.
131 Council Member Bailey asked if it would be possible to replace the entire capacity of the
132 existing basin on 2550 North. City Manager Chandler stated the existing basin is approximately
133 eight acres and it would be possible to replace three of those eight acres south of the Public
134 Works facility. Mayor Taylor stated there are options for replacing the remaining acreage and
135 those options will be discussed with the Council in the future as well. There was a brief
136 discussion regarding funding for the project, with a focus on the use of economic development
137 funds for the relocation or replacement of the basin.

138

139 Mayor Taylor asked Mr. Johnson if it will still be possible to complete the project before
 140 Thanksgiving. Mr. Johnson stated he is hopeful that will still be possible. Mayor Taylor
 141 thanked Mr. Johnson for his time this evening.

142
 143

144 **2. PUBLIC HEARING TO RECEIVE COMMENTS ON AMENDMENTS TO 2014-2015**
 145 **FISCAL YEAR BUDGET FOR A SIDEWALK AT 2550 N, EAST OF MAJESTIC**
 146 **ELEMENTARY; 2014-2015 STREET MAINTENANCE PROJECTS; RE**
 147 **APPROPRIATION OF FUNDS FOR ROAD PROJECTS FROM FISCAL YEAR 2013-14**
 148 **THAT WERE NOT COMPLETED UNTIL THIS FISCAL YEAR 2014-15; TO MOVE**
 149 **FUNDS APPROPRIATED FOR THE CODE ENFORCEMENT OFFICER FROM THE**
 150 **POLICE DEPARTMENT TO THE BUILDING DEPARTMENT**

151
 152

153 A staff memo from Finance Director Steele explained each year amendments to the current fiscal
 154 year budget are necessary to cover expenditures not accounted for in the original budget. The
 155 Council packet included a chart identifying the expenses which require the Council's approval and
 156 the source of revenues from which the expenses will be paid.

157

Item number	Description	Amount of change
#1	General Fund Fund Balance	\$20,000
#2	Police Salaries & Benefits	\$27,000
#3	Capital Projects Fund Fund Balance	\$165,000
#4	General Fund Fund Balance	\$75,000
#5	RDA Fund Fund Balance	\$80,000
TOTAL		\$367,000

Description	Amount of Change	
Sidewalk Projects	\$20,000	
Building Department Salaries & Benefits	\$27,000	
Road Construction/Repair	\$165,000	
Road Construction/Repair	\$75,000	
IHC Detention Basin Construction	\$80,000	
TOTAL		\$367,000

158

159 The memo also offered the following explanation for each budget opening item:

- 160 1. Amount for construction of sidewalk along 2550 North (Majestic Elementary)
 161 2. Budget for Code Enforcement Officer was originally placed in the Police
 162 Department. Administration has decided to move to the Building Department.
 163 3. This is re-appropriation of funds. We had budgeted \$500,000 last Fiscal Year with
 164 assumption that we would spend the whole amount during last fiscal year. There
 165 were some projects which were not completed until after the start of this fiscal
 166 year. \$165,000 was unspent from last fiscal year.
 167 4. This is for Road Projects that were bid on this year. The bids came in higher than
 168 what was estimated.
 169 5. This is per our agreement with IHC in conjunction with the Smith's Marketplace
 170 development
 171

172 The memo noted the estimated unreserved fund balances following the proposed amendments
 173 would be:

174 General Fund \$922,280.00 or 16% of General Fund Revenues

175 Capital Projects Fund \$319,753.00
176 Water Fund \$2,365,881.00
177 Sewer Fund 31,531,283.00
178 Storm Water Fund \$1,732,019.00
179 Solid Waste Fund \$28,461.00
180 RDA Fund \$413,111.00

181
182 Mr. Steele reviewed his staff memo with input from City Manager Chandler. Mr. Chandler
183 noted he asked City Engineer Hartvigsen to prepare an estimate for a six foot wide asphalt
184 walkway on 2550 North to determine the cost for item #1. A six foot width was selected because
185 the standard asphalt machine lays the asphalt in six and eight foot widths. The estimated cost is
186 \$18,929 if all of the work is contracted. If the City performs all of the preparation work, the cost
187 can be lowered to \$11,920. Mr. Chandler then reviewed a map of the City to identify the
188 location of the street projects to be completed with the funding included in this budget opening.

189
190 There was a brief general discussion regarding the scope of the IHC detention basin project, with
191 a focus on the ownership of the land upon which the basin will be situated, after which Mr.
192 Steele noted the City Council will need to convene in an RDA meeting to take action on that
193 item. Mr. Chandler noted the detention basin will be large enough to handle water detention
194 needs for the new Smith's Marketplace development as well as any future development of IHC
195 property.

196
197 Council Member Satterthwaite asked if IHC will still own the property after the detention basin
198 is built upon it, to which Mr. Chandler answered yes, but he noted the City will have an
199 agreement that allows the City use of the property in perpetuity with service for Smith's. He
200 noted the City will maintain the drainage infrastructure in the basin and IHC will maintain the
201 grass and sprinkler system there.

202
203 Council Member Urry asked if the basin can be used for other purposes. Mr. Chandler stated the
204 agreement does not allow additional uses at this point.

205
206 Council Member Urry inquired as to the reasoning for moving the Code Enforcement Officer
207 from the Police Department to the Building Department. Mr. Chandler explained there are
208 several issues surrounding an officer's right to enter private property and after many discussions
209 with the Police Chief and the City Attorney, City Administration deemed it appropriate to assign
210 the officer to the Building Department.

211
212 Council Member Urry asked if the Majestic Elementary Parent/Teachers Association (PTA) has
213 agreed to assist in funding the 2550 North sidewalk project. Council Member Satterthwaite
214 indicated the PTA cannot offer funding for such projects, but the community around the school
215 has agreed to try to raise \$3,000 to assist in the project. Council Member Urry asked if anyone
216 from the City has checked on the long range plans of Weber School District to see if there may
217 be a school boundary change that will result in the students living on or near 2550 North being
218 bussed to North Ogden Elementary School. Council Member Bailey stated the Principal of the
219 school has indicated there are no such plans. Mayor Taylor agreed and stated there are no plans
220 to adjust the boundaries in the near future.

221
222 Mayor Taylor opened the public hearing at 7:18 p.m. No persons appeared to make public
223 comments.
224

225 **Council Member Satterthwaite moved to close the public hearing at 7:19 p.m. Council**
226 **Member Swanson seconded the motion**
227

228 **Voting on the motion:**
229

230 **Council Member Bailey** **aye**
231 **Council Member Satterthwaite** **aye**
232 **Council Member Stoker** **aye**
233 **Council Member Swanson** **aye**
234 **Council Member Urry** **aye**
235

236 **The motion passed unanimously.**
237
238

239 **3. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING**
240 **THE 2014-2015 FISCAL YEAR BUDGET**
241

242 There was a brief general discussion regarding the increased funding for road projects, with Mr.
243 Chandler reviewing the schedules of various slurry seal and crack sealing projects that have been
244 awarded to contractors to date.
245

246 Council Member Satterthwaite stated during past discussions regarding crack sealing projects
247 there was a suggestion that the Administration investigate the option of purchasing its own crack
248 sealing machine if such action would result in a cost savings. Public Works Director Giles stated
249 that analysis is still underway. Council Member Satterthwaite stated the Council is being asked
250 to take action on a budget amendment tonight without all pertinent information. Council
251 Member Urry agreed. Mr. Giles stated he knows that a crack seal machine would cost between
252 \$40,000 and \$70,000 to purchase and crack seal material is approximately \$.45 per pound.
253 Mayor Taylor indicated there is only two months left in the asphalt season for 2014 and if the
254 crack seal contracts are going to be awarded, time is of the essence.
255

256 Council Member Swanson asked how long it would take to accept delivery of a crack sealing
257 machine and the needed product if it were determined that purchasing the machine is the best
258 option for the City. Mr. Giles stated his rough estimate would be approximately one month.
259

260 Council Member Bailey asked if the City has the manpower to run a crack seal machine. Mr.
261 Giles stated it takes five men to run the machine, so employees would be pulled from other
262 projects to work on crack seal projects. Council Member Bailey stated he would prefer that the
263 City move forward in completing the projects that need to be completed now and conduct the
264 analysis of the viability of purchasing a crack seal machine over the winter in preparation for the
265 2015 construction season. Mr. Giles agreed and he reviewed the responses he received to the
266 crack seal Request for Proposal (RFP). There was a general discussion regarding the manner in

267 which the RFP document was written which allows the City to opt to complete just half of the
268 projects listed. Mr. Giles stated the City has been divided into four areas and the contractor will
269 only complete work in two areas; the contractor's bid for the project is \$128,000, but the City
270 will not pay that entire amount for the work to be completed.

271
272 Mr. Chandler summarized the Administration's proposal; he indicated the City identified four
273 areas that need crack seal work in the City and the City has the option of awarding that work in
274 whole or in part. He stated Post Construction bid is \$128,000 for all four areas, but they have
275 now said that bid will not be sufficient and they are willing to forfeit their \$6,000 bid bond and
276 complete only two of the areas (A and B). He indicated this will leave the City with \$64,000 that
277 can be used to award areas C and D to another contractor.

278
279 Council Member Swanson asked how much Post will be paid for areas A and B. Council
280 Member Urry stated that they should not be paid more than what they included in their bid. Mr.
281 Giles stated they will be paid the amount they bid on those areas.

282
283 Mr. Chandler stated that \$128,000 will not cover all needed crack sealing projects and if the
284 Council wants all projects completed it is necessary to add another \$60,000 to the budget for the
285 project.

286
287 Mayor Taylor asked if any crack seal project area in the City takes priority over another. Mr.
288 Giles answered no and stated all areas that have been identified are in need of crack sealing;
289 crack sealing is a preventative maintenance measure that will extend the life of the City's roads.
290 Council Member Bailey inquired as to the downside of not completing the crack seal projects
291 this year. Mr. Giles stated the maintenance schedule of the City's roads will be another year
292 behind and he indicated the City is behind on needed maintenance. Mayor Taylor inquired as to
293 the life of a crack seal, to which Mr. Giles answered five to ten years depending on the width of
294 the crack at the time it is sealed.

295
296 General discussion regarding the two areas to be awarded to Post Construction continued, after
297 which Mayor Taylor concluded his recommendation would be to award the two areas to Post
298 Construction and complete additional crack sealing using the bids of the other contractors. He
299 indicated City Administration will investigate other options for addressing crack sealing needs in
300 the future throughout the winter months.

301
302 Council Member Urry stated he would like to prevent Post Construction from bidding on future
303 projects due to this issue. Council Member Bailey stated that would be counterproductive and a
304 contractor should not be so heavily penalized for an honest accounting mistake, especially after
305 they have already agreed to forfeit their bid bond.

306
307 **Council Member Bailey motioned to adopt Ordinance 2014-20 amending the 2014-2015**
308 **Fiscal Year budget. Council Member Stoker seconded the motion**

309
310 Council Member Satterthwaite clarified that the budget amendment includes an additional
311 \$75,000 for road projects and \$20,000 for the 2550 North sidewalk project. He referenced Mr.
312 Chandler's communication that it may be possible to reduce the cost of the sidewalk project to

313 approximately \$11,000 if some of the work is done in-house. He wondered if the amount of
314 money included in the budget for that project should be reduced. Council Member Bailey stated
315 it is wise to allocate the full \$20,000 and City staff will not expend the full amount if not
316 necessary.

317
318 Council Member Satterthwaite then expressed his concern that the City Council spent a
319 significant amount of time developing the budget for the 2014-2015 Fiscal Year and only two
320 months into the budget cycle the Council is being asked to reallocate money that they had
321 originally decided not to spend. He stated he can understand the need for the funding for the
322 sidewalk project, but not for the other items. Council Member Bailey stated that every year it is
323 necessary to make budget amendments for various issues and he does not have a problem
324 approving the budget amendment, particularly because the City's reserve fund is still very
325 healthy. He stated the Council is being asked to approve \$95,000 in new expenditures and the
326 remaining amount is simply a shift in budget line items. Mayor Taylor agreed.

327

328 **Voting on the motion:**

329

330 **Council Member Bailey** aye

331 **Council Member Satterthwaite** nay

332 **Council Member Stoker** aye

333 **Council Member Swanson** aye

334 **Council Member Urry** nay

335

336 **The motion passed on a three to two vote.**

337

338

339 **Council Member Satterthwaite moved to recess the City Council meeting and convene in**
340 **an RDA meeting. Council Member Bailey seconded the motion**

341

342 **Voting on the motion:**

343

344 **Council Member Bailey** aye

345 **Council Member Satterthwaite** aye

346 **Council Member Stoker** aye

347 **Council Member Swanson** aye

348 **Council Member Urry** aye

349

350 **The motion passed unanimously.**

351

352

353 **RDA**

354

355 **1. PUBLIC HEARING TO RECEIVE COMMENTS ON AMENDMENTS TO 2014-2015**
356 **FISCAL YEAR BUDGET FOR THE IHC DETENTION BASIN CONSTRUCTION**

357

358 Mayor Taylor opened the public hearing at 7:56 p.m. There were no persons appearing to make
359 public comments.

360
361 **Board Member Satterthwaite motioned to close the public hearing at 7:57 p.m. Board**
362 **Member Swanson seconded the motion**

363
364 **Voting on the motion:**

365
366 **Board Member Bailey aye**
367 **Board Member Satterthwaite aye**
368 **Board Member Stoker aye**
369 **Board Member Swanson aye**
370 **Board Member Urry aye**

371
372 **The motion passed unanimously.**

373
374 **2. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING**
375 **THE 2014-2015 FISCAL YEAR BUDGET**

376
377 **Board Member Swanson moved to approve Ordinance 2014-20 amending the 2014-2015**
378 **Fiscal Year budget. Board Member Satterthwaite seconded the motion**

379
380 **Voting on the motion:**

381
382 **Board Member Bailey aye**
383 **Board Member Satterthwaite aye**
384 **Board Member Stoker aye**
385 **Board Member Swanson aye**
386 **Board Member Urry aye**

387
388 **The motion passed unanimously.**

389
390 **3. ADJOURNMENT**

391
392 **Board Member Swanson moved to adjourn at 8:00 p.m. and reconvene in the City Council**
393 **meeting. Board Member Bailey seconded the motion**

394
395 **Voting on the motion:**

396
397 **Board Member Bailey aye**
398 **Board Member Satterthwaite aye**
399 **Board Member Stoker aye**
400 **Board Member Swanson aye**
401 **Board Member Urry aye**

402
403 **The motion passed unanimously.**

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CONVENE BACK INTO ACTIVE AGENDA

4. DISCUSSION ON AMENDMENT TO TITLE II OF THE NORTH OGDEN CITY ZONING REGULATIONS TO ADD REGULATION FOR BEE KEEPING

A staff memo from City Manager Chandler explained City Administration has crafted a bee keeping ordinance, which was accompanied in the Council packet with the "Utah Bee Inspection Act." Please note that individuals keeping bees must comply with North Ogden's ordinance and Utah's bee inspection act. The following is a summary of the attached ordinance. The Planning Commission recommends approval of the attached ordinance

1. Beekeeping is permitted in all residential zones.
2. A maximum of five (5) hives is permitted on lots less than one-half (1/2) acre.
3. 10 hives are permitted on lots larger than one-half (1/2) acre.
4. Beekeepers must register with the State of Utah.
5. Hives must be located at least three feet (3') from any property line.
6. Hives between three feet (3') and fifteen feet (15') must install a fly wall.
7. The beekeeper must provide water.

Mr. Chandler summarized his staff memo. He indicated there are currently 11 registered beekeepers located in North Ogden and he reviewed a map of the City to identify the locations of the beekeepers' operations and the size of the properties upon which the hives are located. He then stated that during past discussions regarding this issue the Council has asked for him to research the possibility of prohibiting beekeeping in certain zones of the City; after that research he has arrived at five possible recommendations: first would be to permit beekeeping in all single family and multi-family residential zones, but not in the commercial zones of the City; second would be to permit beekeeping only in single family residential zones (he reviewed the location of single family zones on a map)(this option would prevent one currently licensed beekeeper from continuing his practice); third would be to permit beekeeping in single family residential zones and in the R-2 zone, which would allow all current beekeepers to continue their beekeeping; fourth would be to base determination of whether to allow beekeeping upon the property size; fifth would be to permit beekeeping in all zones based on housing type.

Council Member Bailey asked if the beekeeper located in the R-2 zone lives in a single family residence or in a duplex. Mr. Chandler stated he lives in a single family residence. There was a brief general discussion about the five different options, after which Mr. Chandler stated he is seeking feedback from the Council in order to draft a final ordinance.

Council Member Bailey stated he would opt for option four. Council Member Satterthwaite inquired as to the standard lot size upon which beekeeping is allowed in other cities. Mr. Chandler stated he has found other cities allow beekeeping on lot sizes as small as 10,000 square feet.

450 **Council Member Swanson moved to suspend the rules to allow an expert on beekeeping to**
451 **address the Council. Council Member Bailey seconded the motion.**

452

453 **Voting on the motion:**

454

455 **Council Member Bailey** aye

456 **Council Member Satterthwaite** aye

457 **Council Member Stoker** aye

458 **Council Member Swanson** aye

459 **Council Member Urry** aye

460

461 **The motion passed unanimously.**

462

463 Nathan Hall, 2870 N. 1025 E., stated he does not understand why the City's ordinance needs to
464 be so complicated or convoluted by including information regarding the various zones that exist
465 in the City. He stated that Ogden City's beekeeping ordinance is sufficient and uncomplicated
466 and he would prefer that North Ogden adopt something similar. He stated the ordinance is based
467 upon lot size; any property owner in the City can keep five beehives on their property, and
468 property owners with lot sizes larger than one-half acre can keep 10 hives. He stated this applies
469 to residential zones and those living in agriculture zones can keep more hives. He stated he
470 advocates licensure for beekeeping and would continue to do so upon the adoption of an
471 ordinance in North Ogden. He then noted that bees do not adhere to boundaries or follow
472 property lines, but the impact they have on a neighboring property or its owners are so minimal.

473

474 Council Member Satterthwaite asked if a limit of five beehives per property is sufficient. Mr.
475 Hall stated it is sufficient for a hobbyist beekeeper; those keeping bees for commercial purposes
476 will secure larger properties or lease agriculture property for those purposes. He added he feels
477 that the beekeepers in the area would be supportive of allowing five hives.

478

479 Council Member Urry inquired as to the recommendation from the Planning Commission
480 regarding this item. Planning Commissioner Brown indicated the Planning Commission focused
481 on the required distance of beehives from neighboring properties, but the body does not feel an
482 ordinance that is too specific in nature is appropriate for North Ogden. Council Member Urry
483 stated that his neighbor has beehives very close to his property and they have never been a
484 nuisance for him.

485

486 Council Member Bailey asked if there is a minimum lot size in the Ogden City ordinance. Mr.
487 Hall answered no and indicated that any property owner in Ogden City can keep five beehives,
488 with those residents owning lots larger than one-half acre in size permitted to keep 10 hives. Mr.
489 Chandler reviewed the beekeeping ordinance that was originally proposed to the City Council,
490 which was patterned after Ogden City's ordinance, and noted that it does not include a minimum
491 lot size. Council Member Bailey asked if that means those living in apartment complexes could
492 keep beehives. Mr. Hall stated that practice is done in cities like San Francisco and New York
493 on a regular basis, but noted that apartment complex owners or homeowners associations may
494 have their own rules prohibiting such practice. He stated he does not feel the City's ordinance
495 needs to be so specific in its governance of beekeeping.

496
497 Council Member Swanson stated he would be comfortable permitting beekeeping on any lot size
498 as long as it is a single family residence. Council Members Urry and Bailey stated they would
499 be comfortable with that approach as well. Discussion centered on the fact that one beekeeper
500 would not be permitted to continue his operations because he has beehives on a half-acre lot that
501 contains a duplex. The Council concluded to proceed with option three, permitting beekeeping
502 in the R-2 and other single family residential zones. Council Member Bailey concluded the
503 ordinance includes a sunset provision that will allow the Council to review the ordinance at a
504 future date to determine if it is meeting the City's needs.
505

506
507 **5. PUBLIC HEARING TO RECEIVE COMMENTS ON AMENDMENTS TO NORTH**
508 **OGDEN CITY ZONING REGULATIONS 11-10-23; TEMPORARY CARNIVALS,**
509 **CIRCUSES, REVIVALS, RODEOS, SWAP MEETS, OUTDOOR RETAIL SALES,**
510 **AND SIMILAR ACTIVITIES**
511

512 A memo from City Planner Scott explained when the City Council is acting in a legislative
513 capacity and has wide discretion. Examples of legislative actions are general plan, zoning map,
514 and land use text amendments. Legislative actions require that the Planning Commission give a
515 recommendation to the City Council. Typically the criteria for making a decision, related to a
516 legislative matter, requires compatibility with the general plan and existing codes. On July 2,
517 2014 the North Ogden City Planning Commission discussed possible amendments to the city's
518 temporary business provisions. On July 16, 2014 the Planning Commission reviewed amendment
519 language regarding temporary businesses and directed staff to prepare an ordinance and set a
520 public hearing for August 6. There was no one in attendance at the public hearing. Recently, two
521 conditional use permit applications have applied for a temporary business. Staff has processed
522 these applications based on both the business license provisions and the zoning requirements.
523 The two ordinances have conflicting standards. The memo reviewed types of temporary
524 business. In reviewing the zoning ordinance standard it appears that the ordinance is combining
525 short term temporary activities, i.e., carnivals, circuses, revivals, rodeos, and swap meets with
526 more traditional temporary businesses, e.g., shave ice stands. The planning commission is
527 recommending that these two types of temporary activities and businesses have provisions
528 unique to themselves. In reviewing the temporary business timeframe, there is conflicting
529 language for the amount of time allowed for temporary businesses in the two ordinances, e.g.,
530 the business license ordinance allows a 90 day time period and the zoning ordinance allows for 4
531 seven day periods. The existing temporary business timeframe is 95 consecutive days. The
532 planning commission feels a more reasonable timeframe is 180 consecutive days for temporary
533 businesses. Temporary carnivals, circuses, revivals, rodeos, and swap meets typically do not last
534 longer than a week at time. The timeframe standard is appropriate for these activities.
535 The memo referenced locations of temporary businesses, noting the business license sections
536 identify the zones where they are to be located, i.e., C-1, CP-1, C-2, CP-2, and MP-1 zones. It
537 also identifies the requirements for the appropriate site plan submittal. The zoning ordinance
538 limits Christmas tree sales, fruit and vegetable stands, and fireworks stands are only allowed in
539 commercial zones; not manufacturing zones. The Planning Commission is recommending that
540 temporary businesses also be allowed in manufacturing zones. Currently there are only a few
541 parcels zoned manufacturing. The memo compared conditional uses to permitted uses.
542 Traditionally temporary businesses are permitted uses. They are already located in the most

543 intensive zones within cities. It can be a burden for an applicant who has a limited time window
544 to operate a temporary business to wait to be put on a planning commission agenda. Second the
545 standards for review are straight forward. The only potential issue here may be the hours of
546 operation. A standard could establish hours of operation and require special review if the
547 business wanting to operate outside of those hours, e.g., 7 am to 11 pm. The planning
548 commission is recommending that temporary businesses be permitted uses with no hours of
549 operation standard. Temporary carnivals, circuses, revivals, rodeos, swap meets, and similar
550 activities are unique in that they have the potential for impacting neighboring uses; the planning
551 commission is recommending these uses remain conditional uses with a limit of 7 consecutive
552 days. The following list summarizes the amendments recommended by the Planning
553 Commission:

- 554 • No changes to section 4-1-9 Temporary Businesses.
- 555 • 4-1-1 Definitions is revised to include an expanded definition and the time allowance is
556 modified from 95 consecutive days to 180 consecutive days.
- 557 • 11-10-23 The term outdoor retail sales is eliminated; it does not appear to be a viable use.
558 Temporary carnivals, circuses, revivals, rodeos, swap meets, and similar activities remain
559 conditional uses with a limit of 7 consecutive days.
- 560 • 11-8A-5 Special Regulations the phrase temporary businesses has been added under
561 subsection A.
- 562 • 11-8A-7 Uses and 11-8C-2 Permitted Uses are amended. The list of uses for the
563 commercial and manufacturing zones adds temporary businesses. The existing fruit store
564 or stand and vegetable store or stand uses are deleted.

566 This amendment should take into account its conformity to the following North Ogden City
567 General Plan goals:

568 Commercial Development

569 New commercial and other business development will enhance the community when meeting the
570 objectives of the General Plan. An improved standard of function, quality, and appearance is
571 expected by the citizens.

572 (1) Implementation Goal: Commercial development must be required to develop projects that are
573 designed for functionality, appearance and include significant physical enhancement to the
574 community.

575 Community Aesthetics

576 (3) Implementation Goal: Attractiveness, orderliness, and cleanliness are qualities that establish
577 North Ogden as a place where people care about visual appearances. These qualities should be
578 preserved and required throughout the city.

580 The Planning Commission is recommending that the City Council adopt the proposed ordinance.

581
582 Mr. Chandler summarized Mr. Scott's memo.

583
584 Council Member Swanson referenced Section 4-1-9(C) and asked if the City receives approval
585 from the Weber Morgan Health Department for fruit and vegetable stands. Building Official
586 Kerr stated the City does not require health department approval for a produce stand, but when a
587 vendor is preparing food to be sold to the public they must get a permit from the health
588 department. Council Member Swanson stated the ordinance does not make that distinction. He

589 stated that there are several other requirements in the ordinance, such as a structure being able to
590 withstand 70 mile per hour winds, that are not being enforced. He stated he feels these
591 requirements should be enforced in fairness to the brick and mortar restaurants that have invested
592 in the City.

593
594 Planning Commission Brown stated that the City should not be policing whether a business has
595 obtained a food handler's permit; it is the responsibility of the health department to police that
596 type of licensure. Council Member Swanson argued the City's ordinance states that the City
597 cannot license a business until they can prove that they have received approval from the health
598 department. Mr. Chandler acknowledged that any requirement in a City ordinance should be
599 enforced by the City. There was a general discussion regarding the various requirements placed
600 upon a temporary business, with a continued focus on regulations of other agencies, such as the
601 health department. Mr. Kerr stated he always obtains a copy of the health department's report
602 regarding a restaurant or other food service business before allowing them to open.

603
604 Council Member Urry asked if the City ordinance specifies areas in the City in which temporary
605 businesses are permitted. Mr. Kerr answered yes and noted temporary businesses are permitted
606 in the C-1, CB-1, CB-2, or MP-1 zones.

607
608 Mayor Taylor opened the public hearing at 8:49.

609
610 Vanessa Bachman, 2828 N. 400 E., referenced the comments regarding a structure being able to
611 withstand a 70 mile per hour wind. She stated that when she sets up an awning or tent at the
612 farmer's market she is required to weight each corner of the awning down with a five gallon
613 bucket full of water or similar weight. She suggested the same thing could be required for
614 temporary businesses using awnings in the City. She also added produce may be governed under
615 the Department of Agriculture rather than the health department.

616
617 There were no additional persons appearing to be heard.

618
619 **Council Member Swanson moved to close the public hearing at 8:51 p.m. Council Member**
620 **Bailey seconded the motion.**

621
622 **Voting on the motion:**

623
624 **Council Member Bailey** **aye**
625 **Council Member Satterthwaite** **aye**
626 **Council Member Stoker** **aye**
627 **Council Member Swanson** **aye**
628 **Council Member Urry** **aye**

629
630 **The motion passed unanimously.**

631
632 Mayor Taylor noted the item will discussed in more depth at a future work session meeting and a
633 subsequent Council meeting.

634

635 Council Member Bailey inquired as to the reasoning behind the recommendation to extend the
636 period for which a temporary business is permitted from 90 days to 180 days. Mr. Kerr stated
637 that many temporary businesses are interested in being open throughout the entire summer and
638 fall season and 90 days seemed too restrictive. Council Member Bailey stated he would like to
639 discuss the issue further during continued discussions.

640
641

642 **6. PUBLIC HEARING TO HEAR COMMENTS ON AMENDMENTS TO TITLE II,**
643 **CHAPTER 22 OF THE NORTH OGDEN CITY ZONING REGULATIONS**
644 **RELATING TO SIGN REGULATIONS IN ALL ZONES**
645

646 When the City Council is acting in a legislative capacity it has wide discretion. Examples of
647 legislative actions are general plan, zoning map, and land use text amendments. Legislative
648 actions require that the Planning Commission give a recommendation to the City Council.
649 Typically the criteria for making a decision, related to a legislative matter, requires compatibility
650 with the general plan and existing codes. Quail Meadows Assisted Living, located at 786 East
651 2100 North is in the process of replacing their sign. The sign material is to be a rock / stone with
652 laser cut lettering. When staff reviewed the sign permit it was discovered that rock / stone is not
653 an allowed material. Quail Meadows Assisted Living has made application to amend this
654 provision to allow rock / stone to be an allowed sign material. Staff supports the applicant's
655 request. Staff researched this request and presented the following amendment language to 11-22-
656 4 (P) Materials:

657 P. Materials: Permanent signs may only be constructed of one or more of the following
658 materials: stucco, metal, at least one-fourth inch (1/4") thick plastic; rock/stone or wood that is at
659 least three eighths of an inch (3/8") thick. No paper or cloth sign shall be allowed.

660 The memo reviewed the applications conformance to the General Plan, noting the above
661 described application conforms to the North Ogden City General Plan due to its being compliant
662 with city ordinances and the following Plan goals:

663 Commercial Development

664 New commercial and other business development will enhance the community when meeting the
665 objectives of the General Plan. An improved standard of function, quality, and appearance is
666 expected by the citizens.

667 (1) Implementation Goal: Commercial development must be required to develop projects that are
668 designed for functionality, appearance and include significant physical enhancement to the
669 community.

670 Community Aesthetics

671 (3) Implementation Goal: Attractiveness, orderliness, and cleanliness are qualities that establish
672 North Ogden as a place where people care about visual appearances. These qualities should be
673 preserved and required throughout the city.

674

675 The memo offered the following summary of the City Council considerations:

- 676
- 677 • Is the proposed amendment consistent with the North Ogden City General Plan?
 - 678 • Does the proposed use meet the requirements of the applicable City Ordinances?
 - 679 • Is the proposed amendment to add rock / stone materials to permanent signs
680 appropriate?

681 The Planning Commission at its June 18, 2014 meeting considered this application and is
682 recommending that the City Council amend 11-22-4 (P): Materials to add rock / stone to the sign
683 ordinance list of allowed materials.

684 P. Materials: Permanent signs may only be constructed of one or more of the following
685 materials: stucco, metal, at least one-fourth inch (1/4") thick plastic; rock / stone, or wood that is
686 at least three eighths of an inch (3/8") thick. No paper or cloth sign shall be allowed.

687
688 Mr. Chandler reviewed Mr. Scott's staff memo.

689
690 Mayor Taylor opened the public hearing at 8:50 p.m.

691
692 TJ White, representative of the applicant, stated that the sign has been ordered and Quail
693 Meadows is ready to proceed with construction.

694
695 Planning Commissioner Brown stated that the Planning Commission has granted approval for the
696 sign; it is a beautiful sign and would be an asset to the community.

697
698 **Council Member Swanson moved to close the public hearing at 8:52 p.m. Council Member**
699 **Bailey seconded the motion.**

700
701 **Council Member Swanson moved to approve Ordinance 2014-21 amending Title II,**
702 **Chapter 22 of the North Ogden City Zoning Regulations relating to sign regulations in all**
703 **zones. Council Member Urry seconded the motion.**

704
705 **Voting on the motion:**

706
707 **Council Member Bailey** aye
708 **Council Member Satterthwaite** aye
709 **Council Member Stoker** aye
710 **Council Member Swanson** aye
711 **Council Member Urry** aye

712
713 **The motion passed unanimously.**

714
715
716 **7. DISCUSSION AND/OR ACTION TO APPROVE AN INTERLOCAL AGREEMENT**
717 **WITH WEBER COUNTY ON THE CEVERING ANNEXATION**

718
719 Mayor Taylor stated this proposed interlocal agreement was discussed during the last meeting in
720 conjunction with discussion regarding the Cevering annexation. Mr. Chandler agreed the
721 proposed interlocal agreement is between the City and Weber County and would allow the City
722 to exercise authority over the property while it is still located in the County. He briefly reviewed
723 the provisions of the agreement. He stated the County Commission has met and approved the
724 agreement, after which he reviewed a plat map to identify the location of the subject property.

725

726 Council Member Urry moved to approve Agreement A19-2014 with Weber County
727 regarding the Covering annexation. Council Member Swanson seconded the motion
728

729 **Voting on the motion:**

730
731 Council Member Bailey aye
732 Council Member Satterthwaite aye
733 Council Member Stoker aye
734 Council Member Swanson aye
735 Council Member Urry aye
736

737 **The motion passed unanimously.**
738

739 **8. DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH**
740 **KARMEN SANONE CONCERNING WATER ON THE NEW PUBLIC WORKS**
741 **FACILITY SITE**
742

743 Mayor Taylor stated it is necessary to pull this item from the agenda because no agreement has
744 been reached with Ms. Sanone.
745

746
747 **9. DISCUSSION AND OR ACTION TO CONSIDER AN AMENDED STATE ROAD**
748 **AGREEMENT BETWEEN UDOT, NORTH OGDEN CITY, PLEASANT VIEW,**
749 **HARRISVILLE AND FARR WEST**
750

751 A staff memo from City Manager Chandler explained state road 134 (2700 North) is classified
752 by UDOT as category three: System priority-urban importance. According to UDOT rule 930-6-
753 1, a category three road is designed for the following:

- 754 a. Category 3 is appropriate for use on highways that have the capacity for high
755 speed and relatively high traffic volumes.
756 b. Category 3 highways are designed and intended to achieve a posted speed of 50
757 mph or higher in areas without signals and 40 mph or higher in areas with signals.
758 c. These facilities provide for interstate, inter-regional, intra-regional, and intercity
759 travel needs in urban areas.
760 d. Direct access service to abutting land is subordinate to providing service to
761 through traffic movements.

762 Rule 930-6-1 also provides the following information about spacing standards.
763

				Minimum interchange to crossroad access spacing		
Category	Minimum Signal Spacing (feet)	Minimum Street Spacing (feet)	Minimum Driveway Spacing (feet)	To first right-in right-out driveway (feet)	To first intersection (feet)	From last right-in right-out driveway (feet)

3 (S-U) 2,640 N/A N/A 1,320 1,320 1,320

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- The memo noted the agreement specifies the following:
- a. Existing and future traffic signals will be as shown on the attached map.
 - b. Traffic standards will be installed when the traffic meets the minimum traffic as defined by the Manual on Uniform Traffic Control Devices.
 - c. Other intersections within the City will not be considered for future traffic signalization.
 - d. Access may be denied at any location for existing or proposed access at UDOT’s discretion.
 - e. UDOT, at its discretion, may restrict access at any and all un-signalized intersections or access points to right-in and right-out only movements.
 - f. If access is restricted through the use of raised medians, the City and UDOT will work together to identify the most suitable landscaping.
 - g. The cost of landscaping improvements is typically borne by the City.

Mayor Taylor summarized the memo and indicated he would recommend that the Council approve the agreement as written. He stated he will work with the other cities that are party to the agreement to ask for their approval of the requested amendments in North Ogden.

Council Member Bailey motioned to approve Agreement A20-2014 amending the State Road Agreement between UDOT, North Ogden City, Pleasant View, Harrisville, and Farr West. Council Member Stoker seconded the motion.

Voting on the motion:

- Council Member Bailey aye**
- Council Member Satterthwaite aye**
- Council Member Stoker aye**
- Council Member Swanson aye**
- Council Member Urry aye**

The motion passed unanimously.

10. DISCUSSION AND/OR ACTION TO CONSIDER A MEMORANDUM OF UNDERSTANDING BETWEEN NORTH OGDEN CITY AND WEBER COUNTY CONCERNING MAINTENANCE OF THE SHARED SIDEWALK AND PARKING LOT ON 2600 N AND 505 E

Mayor Taylor reported there is currently no agreement relative to the maintenance of the parking lot in front of the Weber County Library; he approached the County and asked if they would enter into an agreement defining theirs and the City’s responsibilities relative to maintenance and they agreed to do that, though they were hesitant to enter into a long term agreement relative to rebuilding the parking lot when necessary. He stated the proposed memorandum of understanding would assign short term maintenance, such as street sweeping and snow and ice

809 removal for the parking lot and sidewalks, to the City and the County would have responsibility
810 for long term maintenance including periodic restriping, patching, and sealing of the shared
811 parking area. He indicated the County will perform the agreed upon work in the next few weeks.

812

813 **Council Member Swanson motioned to approve Agreement A21-2014 with Weber County**
814 **concerning maintenance of the shared sidewalk and parking lot on 2600 N. and 505 E.**

815 **Council Member Stoker seconded the motion**

816

817 **Voting on the motion:**

818

819 **Council Member Bailey** aye

820 **Council Member Satterthwaite** aye

821 **Council Member Stoker** aye

822 **Council Member Swanson** aye

823 **Council Member Urry** aye

824

825 **The motion passed unanimously.**

826

827 **11. COMMITTEE ASSIGNMENTS**

828

829 Mayor Taylor pulled this item from the agenda and indicated he is not ready to proceed at this
830 point in time.

831

832

833 **12. PUBLIC COMMENTS**

834

835 There were no public comments.

836

837

838 **13. CITY COUNCIL, MAYOR, AND STAFF COMMENTS**

839

840 Council Member Swanson referenced the earlier discussion regarding temporary businesses and
841 stated he would like to investigate the option of requiring a minimum distance between
842 temporary businesses and brick and mortar businesses so that such businesses are not directly
843 competing with one another. Council Member Urry agreed with the recommendation. Council
844 Member Swanson then thanked staff for their hard work in preparing for City Council meetings.

845

846 Council Member Urry stated he received a phone call from a property owner in the proposed
847 Commercial Development Area (CDA). He stated he is concerned about the City's agreement
848 with Better Cities; he stated Mr. Godfrey met with property owners in the area, but the property
849 owner indicated to him that there was not much fruitful discussion. He stated he is concerned
850 Mr. Godfrey will come to the City Council and declare that he is making progress and ask to be
851 paid for that service. He added that he is aware that the property owner intends to locate a gun
852 range in his building and he asked if the Planning Commission will consider that application.
853 Mr. Chandler stated a gun range is not a permitted use and the owner would need to make

854 application to amend the zoning ordinance to declare a gun range a permitted use; the Planning
855 Commission would ultimately make a recommendation to the City Council.

856
857 Mayor Taylor summarized the scope of the agreement with Better Cities and noted that there are
858 defined criteria that must be met in order for Mr. Godfrey to receive payment. He stated Mr.
859 Godfrey has received payment for reaching the mid-point of the project as defined in the
860 agreement and he will not be paid again until the project is under contract for development.

861
862 Council Member Urry asked if City staff attends the meetings held by Mr. Godfrey. Mr.
863 Chandler stated that he has attended many of the meetings, but he did not attend the most recent
864 meeting. He then summarized the scope of the RFP that has been published relative to the
865 design of the development at the property in the CDA. Council Member Urry stated the owners
866 of the property were not consulted about the scope of the RFP and the proposed uses of their
867 property and he objects to that practice. Mayor Taylor stated no property owner is obligated to
868 participate if they do not wish to. He added, however, that all property owners have been
869 consulted. Discussion regarding the development of the concept plan for the CDA and the
870 overall purpose of a CDA ensued, with Council Member Bailey noting the concept of CDA's
871 and RDA's are proven and they greatly assist with the redevelopment of properties that have sat
872 vacant and stagnant for years. Council Member Swanson agreed and stated he would liken
873 Better Cities to the party responsible to organize all property owners in the area to work together
874 to redevelopment and rent their space in a manner that will provide a family retail space that will
875 benefit the property owners and the entire community. Mayor Taylor stated the City can reach
876 out to the property owner and ensure that he is comfortable with the process and has been
877 consulted.

878
879 Council Member Satterthwaite stated he feels the City and Better Cities have assumed a
880 reasonable role in the redevelopment of the King's plaza, but if an owner of one of the buildings
881 has a tenant that is willing to pay to locate a gun range in his building he has the right to apply to
882 the City to declare gun ranges a permitted use and the City should consider such an application.
883 He then stated that the Council has reviewed the criteria for payment to Better Cities in the past
884 and stated it may be necessary to review the contract again in the vein of being fiscally
885 responsible.

886
887 Council Member Urry stated the Council also serves as the RDA Board and he asked the RDA
888 should be responsible to approve the RFP that was published for the design concept for
889 redevelopment of the King's plaza. Mayor Taylor stated that the RDA approved the issuance of
890 the RFP, but did not pay for the publication of the RFP. He stated that when the RFP results in
891 some sort of design concept or proposal, that information will be brought directly to the RDA for
892 selection or approval. Council Member Urry stated he feels the RDA should be apprised of
893 when Better Cities meets the midpoint in a project and that they are going to be paid. Mayor
894 Taylor stated that the RDA was informed of the expense from the RDA for the professional
895 services provided by Better Cities. Council Member Urry stated that information has not been
896 presented in an actual meeting. Mayor Taylor stated that is because the RDA approved the
897 execution of an agreement that spells out the projects that Better Cities will work on and the
898 criteria that must be met in order for Mr. Godfrey to be compensated for his work. Council
899 Member Urry stated he would like for the RDA to be informed of when a project has reached its

900 midpoint and Mr. Godfrey will be paid. Council Member Satterthwaite stated the Council does
901 not get involved in approving payments for other contractors and he would like to be consistent.
902 Mayor Taylor agreed and stated that Lundahl will receive several payments throughout the
903 Public Works facility project, but each payment will not be reviewed by the Council before it is
904 released. He stated this may be a discussion for a work session meeting. Council Member Urry
905 stated he views the CDA as a business and businesses have boards of directors that are apprised
906 of actions such as payments to professional service contractors. Council Member Bailey agreed
907 this is a larger philosophical discussion; he agreed it would be nice for the RDA to be informed
908 when a mid-point payment is released for a certain project, but he does not think it is necessary
909 for the RDA to approve such payments. He then stated that Mayor Taylor and Mr. Chandler as
910 well as the rest of the City staff do a good job of keeping the Council informed of the day-to-day
911 happenings of the City and they are amenable to providing additional information if they
912 understand the expectations of the Council. Mayor Taylor agreed.

913
914 Council Member Stoker stated there has been mention of possibly including a splash pad at the
915 King's plaza project and she wondered why the City would support such a venture that would be
916 in direct competition with the splash pad at the North Shore Aquatic Center. She stated she does
917 not think a splash pad is a good idea. She then asked if there is a review period for the new
918 garbage hauler; she stated she understands they are new and are still learning about the City, but
919 she does not feel they provide the same quality of service as Waste Management. Mr. Chandler
920 stated that he will review the agreement to determine if there is a review period. Mayor Taylor
921 stated he has received more phone calls about missed garbage cans in the last two months than
922 ever before and he is hopeful that is simply associated with the transition to a new hauler. Mr.
923 Chandler stated City staff has received many phone calls as well. Council Member Bailey stated
924 the City may need to be clearer about its expectations of the new hauler. There was a general
925 discussion regarding the duties of the garbage hauler.

926
927 Council Member Satterthwaite stated there was a discussion in a recent Council meeting
928 regarding the street damage at 800 E. 3550 N. caused by Century Link and he asked for an
929 update on that situation. Mr. Chandler stated the insurance adjusters have estimated the cost to
930 fix the damage at \$72,000, which depreciated to \$59,000; the City is now in the process of
931 working with the contractor to fix the damage, which will be paid for by the contractor's
932 insurance. Mayor Taylor added the City Engineer will review the estimate to determine if it is
933 sufficient.

934
935 Mayor Taylor reported there is a vacancy on the Planning Commission and he asked the City
936 Council to encourage those citizens they know that may be good for the position to apply. He
937 then reported the annual Utah League of Cities and Towns (ULCT) Conference will be held
938 September 10 to 12 and he asked if the Council wants to cancel or reschedule the September 9
939 meeting. There was a discussion regarding items to be considered, with the Council concluding
940 cancel the September 9 meeting and reschedule it for September 16. Mayor Taylor then stated a
941 work session meeting has been scheduled for September 2 and he reviewed the items that will be
942 listed on that agenda. The Council had a brief discussion regarding additional items they would
943 like to discuss in future work sessions.

944

945 Mayor Taylor then asked the Council to convene in a closed session for the purpose of
946 discussing pending or reasonably imminent litigation as well as the character and professional
947 competence of an individual.
948

949 **Council Member Bailey moved to convene in a closed session for the purpose of discussing**
950 **pending or reasonably imminent litigation and the character and professional competence**
951 **of an individual. Council Member Swanson seconded the motion.**
952

953 **Voting on the motion:**
954

955 Council Member Bailey	aye
956 Council Member Satterthwaite	aye
957 Council Member Stoker	aye
958 Council Member Swanson	aye
959 Council Member Urry	aye

960
961 **The motion passed unanimously.**
962

963 The closed session began at 9:59 p.m.
964

965 The regular meeting reconvened at 12:40 a.m.
966
967

968 **14. ADJOURNMENT** 969

970 **Council Member Bailey motioned to adjourn. Council Member Satterthwaite seconded the**
971 **motion.**
972

973 **Voting on the motion:**
974

975 Council Member Bailey	aye
976 Council Member Satterthwaite	aye
977 Council Member Stoker	aye
978 Council Member Swanson	aye
979 Council Member Urry	aye

980
981 **The motion passed unanimously.**
982
983

984 **The meeting adjourned at 12:40 a.m.**
985
986

987 _____
988 Brent Taylor, Mayor
989
990 _____

991 S. Annette Spendlove, MMC
992 City Recorder
993
994 _____
995 Date Approved

NOT APPROVED