

NORTH OGDEN CITY COUNCIL WORK SESSION MEETING MINUTES

August 5, 2014

The North Ogden City Council convened in an open meeting on August 5, 2014 at 6:35 p.m. in the North Ogden City Council Chambers at 505 East 2600 North. Notice of time, place and agenda of the meeting was delivered to each member of the City Council, posted on the bulletin board at the municipal office and posted to the Utah State Website on July 31, 2014. Notice of the annual meeting schedule was published in the Standard-Examiner on January 24, 2014.

- PRESENT:
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| Brent Taylor | Mayor |
| Kent Bailey | Council Member |
| Lynn Satterthwaite | Council Member |
| Cheryl Stoker | Council Member |
| Phillip Swanson | Council Member |
| James Urry | Council Member |
- STAFF PRESENT:
- | | |
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| Ronald F. Chandler | City Manager |
| S. Annette Spendlove | City Recorder/H.R. Director |
| Kevin Warren | Police Chief |
| Gary Kerr | Building Official |
| Craig Giles | Public Works Director |
- VISITORS:
- | | |
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| Joan Brown | June Chekel |
| Donna Cullen | |

Mayor Taylor welcomed those in attendance.

Council Member Bailey offered the invocation and led the audience in the Pledge of Allegiance.

ACTIVE AGENDA

1. PUBLIC COMMENTS

Donna Cullen and June Chekel, 405 E. 3475 N., 415 E. 3350 N., respectively, approached and expressed their feelings about a structure located on the corner of 425 E. 3475 N. that was initially built as a clubhouse but has turned into a dilapidated storage facility; the roof is in disrepair as is the boardwalk. It was recently broken into and broken glass is scattered about the foundation. It appears as if the purpose of the building is lumber storage, but there is also a bed located in the building and someone may be sleeping there. It is reducing the property value of nearby properties, namely Ms. Chekel’s. Ms. Cullen stated she was pleased to see the City will be taking a more active role in code enforcement and she asked that the City pay close attention to the property and storage building mentioned. Ms. Chekel has complained to the property owner in the past and he threatened to build condominiums on the property if she continued to complain. Ms. Cullen then addressed the issue of animal keeping in the City; a young couple recently purchased the house across the street from her and their neighbor kept too many

48 chickens on their property. She wondered if the City took into consideration lots in the middle of
49 a cul-de-sac when considering the setback requirements because a person owning such a lot
50 could locate chickens very close to up to five other property owners. Mayor Taylor
51 recommended that Ms. Cullen work with the Animal Control Officer to ensure that the chicken
52 coops in question are well kept and clean. Ms. Chekel refocused on the clubhouse building that
53 is located next to her property and added that it also has very tall weeds. City Manager Chandler
54 stated that he has taken down the address and will direct staff to follow-up on the code
55 enforcement issue.

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58 **2. UPDATE ON NEW PUBLIC WORKS FACILITY**

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60 City Manager Chandler used the aid of a site map to provide the Council with an update
61 regarding the progress of relocating the wells located at the north end of the new Public Works
62 Facility property. He reported the owner of adjacent property whose property will be impacted
63 has concerns about relocation of the wells and those concerns could impact the timing of the
64 project; she is not prepared to make the financial commitment required to relocate the wells and
65 she will not be prepared until September. He stated the well relocation must be completed early
66 in the project and cannot wait until September. He is proposing that the City Attorney draft an
67 agreement between the City and the adjacent property owner that would allow the City to pay for
68 and proceed with the well relocation, with the requirement that the adjacent property owner pay
69 the City for the services over a defined period of time. He stated he has also reached out to
70 Weber Basin Water Conservancy District about the ability of the City to purchase the water
71 rights for the wells, but he has not received a response. He stated he is seeking direction from
72 the City Council regarding how to proceed. There was a general discussion regarding the issues
73 surrounding the well relocation, with a focus on timing of the project and all options available
74 for the City relative to relocating the well. Mr. Chandler noted that if the Council approves the
75 concept of an agreement whereby the City would pay for the well relocation it will be necessary
76 to approve a change order to the Public Works Facility contract because this component of the
77 project was not included in the project budget because the adjacent property owner had agreed to
78 pay for the well relocation. The Council discussed options for proceeding if the property owner
79 refuses to relocate the well at this time, with Mr. Chandler noting the wells are very old and have
80 not been operating for some time. The Council offered support for the City Attorney developing
81 an agreement between the City and the adjacent property owner, but indicated they are
82 concerned about discussions that have taken place to date regarding the manner in which the
83 wells will be relocated. Council Members Stoker and Swanson noted they would like for the
84 agreement to dictate that the work must be performed by a licensed and insured contractor and
85 that the contractor must rely upon an engineering study to complete the project.

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87 Public Works Director Giles then provided the Council with an update regarding the remainder
88 of the Public Works Facility project.

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91 **3. DISCUSSION REGARDING COST OF ROAD REPAIR AT APPROXIMATELY 1675**

92 **N. 745 E.**

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94 Mayor Taylor briefly referenced a water main break in the area that required road repairs. He
95 stated he would prefer to focus on budgeted street projects included in the 2014-2015 budget
96 under item four on the agenda.
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98 **4. DISCUSSION REGARDING 2014-15 STREET PROJECTS**

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100 Mayor Taylor referenced a bid sheet and map identifying road projects to be completed in the
101 2014-2015 Fiscal Year (FY). Mr. Giles noted the bid sheet includes a slurry seal project, crack
102 sealing projects, and asphalt projects. He stated the most major project will take place on 450
103 East from 2600 North to 3100 North and he provided an overview of the scope of the project.
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105 The Council then had a brief discussion regarding various minor road projects throughout the
106 City, with a focus on road damage caused by a Century Link contractor. Mr. Chandler then
107 reviewed the bid amounts for each bid schedule on the bid sheet; the total bid amount for all
108 three schedules is \$527,045, which results in a budget shortfall of \$96,963. He stated the
109 projected fund balance at the end of the FY is \$1,017,280 and the Council could take money
110 from the fund balance to cover the shortfall, which would result in a 15.4% fund balance. He
111 asked the Council if they are interested in considering a budget opening at their next Council
112 meeting and he reviewed the City's options for proceeding with needed street projects.
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114 Council Member Satterthwaite stated Pleasant View handles their own crack-sealing in house
115 and he asked if that is a viable option for North Ogden. Mayor Taylor stated it may be wise to
116 evaluate the cost of completing the work in-house and compare to bids received by contractors to
117 complete the same work.
118

119 The Council then refocused on the list of needed street projects, with a focus on the reason for
120 the budget shortfall, after which Mr. Chandler concluded staff would like to proceed with
121 schedules A and C and bring a budget amendment to the Council in August to allocate funding
122 for schedule B. Discussion regarding the reasons for the budget shortfall ensued, with Council
123 Members Satterthwaite and Urry expressing their concern about unforeseen surprises related to
124 budgeting. Mayor Taylor stated City Administration will conduct further research into options
125 for completing necessary crack-sealing projects and report back to the Council at the last meeting
126 in August.
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129 **5. DISCUSSION REGARDING CODE ENFORCEMENT**

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131 Mayor Taylor stated code enforcement is a priority for him and many Council Members and the
132 City is working to hire a new part-time Code Enforcement Officer soon. He hopes the officer
133 will be aggressive, targeted, and consistent in enforcing the City's codes in order to help keep the
134 City looking nice. Mr. Chandler provided the Council with an update on the hiring process for
135 the Officer, noting the successful candidate will be introduced to the Council soon. He then
136 proceeded to provide an overview of the sections of the City Code that the officer will be
137 charged with enforcing, including business licensing regulations and health and sanitation
138 regulations that are more commonly known as junk and debris or nuisance regulations. The
139 Council had a discussion regarding the notification process by which a property owner will be

140 notified of their code violation. The Council also reviewed public nuisance regulations with a
141 focus on accumulation of cut weeds on a property as well as storage or licensed or inoperable
142 vehicles stored on a property. Discussion focused on the manner in which the City will identify
143 nuisance properties in the City; Council Member Urry expressed his concerns about the City
144 actively searching for nuisance properties or residents storing inoperable vehicles on their
145 property. Council Member Bailey stated he would like for the City to actively work to enforce
146 the City's ordinances against nuisance properties because he has received more phone calls about
147 this issue than any other during his time in office. All other Council Members offered support
148 for hiring a Code Enforcement Officer and Council Member Stoker stated she feels he will
149 receive appropriate leadership from the Mayor, City Manager, and Police Chief. Mr. Chandler
150 agreed and stated the City will work with residents to assist them in bringing their property into
151 compliance. Building Official Kerr added that the Officer will not enter backyards, but property
152 owners can receive citations for nuisances in their backyards if a next door neighbor complains
153 and assists the Officer into seeing the condition of a backyard.
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155 Mr. Chandler continued to review the sections of City Code that the Officer will be responsible
156 to enforce. Discussion centered on changes the Council would like to consider making to
157 various sections of the City Code; Mr. Chandler stated he will take the feedback of the Council
158 into consideration and make a future proposal relative to the requested amendments.
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161 **6. DISCUSSION REGARDING TITLE LOAN ORDINANCES**

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163 Mayor Taylor indicated that this item will be discussed at a future date due to the late hour. He
164 requested that the Council review the staff documentation regarding the item.
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167 **7. DISCUSSION REGARDING BEE KEEPING**

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169 Mayor Taylor indicated that this item will be discussed at a future date due to the late hour. He
170 requested that the Council review the staff documentation regarding the item.
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173 **8. DISCUSSION REGARDING SIDEWALKS NEAR SCHOOLS**

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175 Mr. Chandler provided an overview of the City's past participation in the construction of
176 sidewalks or walking paths that serve schools; the City has budgeted money in past budgets for
177 safety sidewalks and local school Parent Teacher Associations have done the leg-work to secure
178 easements upon which to build the sidewalks. He used the aid of a map to identify the locations
179 of safety sidewalks built by the City as well as the locations of planned future sidewalks; the map
180 is part of the safety sidewalk program adopted by the City in 2008. Council Member Urry asked
181 if homeowners are asked to participate financially in safety sidewalk programs, to which Mr.
182 Chandler answered no. Council Member Urry stated that is wrong. Mr. Chandler then reviewed
183 a PowerPoint presentation to provide an explanation of additional improvements the City has
184 funded for local schools, such as crosswalks and signage. He then stated the Council had asked
185 for information about the number of students that would be served by a sidewalk on 2550 North

186 and he reported there are 75 children that are forced to find an alternate means of transportation
187 rather than walking to school on the street. He reviewed a map to identify the areas where those
188 students live. Council Member Urry stated that the residents that live in that area have agreed to
189 pay a monthly Homeowners Association (HOA) fee for maintenance of their property and it may
190 not be too difficult for them to also pay for a sidewalk on the street to serve their children.
191 Mayor Taylor stated the sidewalk would not be constructed on their property. He then stated that
192 City Administration has driven on roads throughout the City that have similar problems, but he
193 does not feel there is a street in the City that is worse for pedestrians than 2550 North. Council
194 Member Stoker agreed. There was a general discussion regarding the problems with 2550 North,
195 with Council Member Stoker noting that years ago a pedestrian was struck by a vehicle and
196 killed on the road and it is only a matter of time until that will happen again; there is a section of
197 the road that lacks a shoulder and sidewalk.

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199 Mr. Chandler noted the estimate for the project requested along 2550 North could be between
200 \$13,000 and \$20,000. There was a general discussion regarding the proximity of the proposed
201 sidewalk to the fence that is currently in place on the subject property, after which the focus
202 shifted to maintenance of the sidewalk. Mayor Taylor stated he feels the road is dangerous for
203 all pedestrians that use it, not just school aged kids, and he feels the City needs to address it.
204 Council Member Stoker agreed. Council Member Urry disagreed and suggested that the City
205 consider creating a special improvement district to achieve the construction of the sidewalk. He
206 added he feels it is the responsibility of the parents to get their children to school safely and
207 many other parents have done just that in other areas of the City lacking sidewalks for many,
208 many years. Mayor Taylor argued he feels the request for the City to participate is reasonable.
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210 Mr. Chandler suggested that the City develop a policy and plan for the construction of future
211 sidewalks throughout the City; such a policy will assist the City in budgeting for sidewalk
212 projects each year. The Council ultimately concluded to solicit bids for the project to understand
213 a firm cost for the requested project. There was a general discussion regarding past sidewalk and
214 crosswalk projects in the City, after which Council Member Bailey addressed Police Chief
215 Warren and inquired as to his opinion regarding the requested sidewalk. Chief Warren stated he
216 would recommend constructing the sidewalk on 2550 North to serve all residents, not just school
217 aged children. Council Member Urry stressed that he feels parents are solely responsible for the
218 safety of their children. Mayor Taylor and Council Member Stoker disagreed.
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221 **9. PUBLIC COMMENTS**

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223 There were no public comments.

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

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228 Council Member Urry reported on his participation in a recent Economic Development Committee
229 meeting and noted after that meeting he received a phone call from Homer Cutrbus, who is interesting in
230 converting the old Macy's building into an indoor gun range; he plans to petition the Planning
231 Commission to amend the zoning regulations for the City to permit an indoor gun range on the property.

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11. ADJOURNMENT

Council Member Swanson motioned to adjourn the meeting. Council Member Satterthwaite 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.

The meeting adjourned at 10:15 p.m.

Brent Taylor, Mayor

S. Annette Spendlove, MMC
City Recorder

Date Approved