

1 NORTH OGDEN CITY COUNCIL MEETING

2
3 June 10, 2014

4
5 The North Ogden City Council convened in an open meeting on June 10, 2014 at 6:37 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 March 20, 2014. Notice of
9 the annual meeting schedule was published in the Standard-Examiner on January 24, 2014.

10
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 Jon Call City Attorney
21 Bryan Steele Finance Director
22 Gary Kerr Building Official
23 Nicole Smedley Deputy City Recorder

24
25 VISITORS: Joan Brown Ryan Barker
26 Marcie Gilgen Jess Robinson
27 Kevin Farnsworth Ryan Farnsworth
28 Dale G. Swenson Bill Treadway
29 Cindy Child Dave Robinson
30 Dan White David White
31 Aaron Christensen Andrew Christensen
32 Steve Rasmussen Blake Welling
33 Rachel Trotter Tamara Briggs
34 Tanya Cheal Justin Scott
35 April Welch Jonathan Heeringa

36
37 Mayor Taylor welcomed those in attendance.

38
39 Council Member Stoker offered the invocation and led the audience in the Pledge of Allegiance.

40
41 Mayor Taylor reported the ground breaking ceremony for the new Public Works Facility was
42 held last Tuesday, June 3 and he presented a few photographs from the ceremony. He also
43 briefly reviewed the budget for the project, after which he thanked everyone that has been a part
44 of the project to this point.

48 **CONSENT AGENDA**

49 **1. Consideration to approve the minutes of the May 8, 2014 City Council Meeting.**

50 **2. Consideration to approve the minutes of the May 27, 2014 City Council Meeting.**

51
52 Mayor Taylor indicated the Council has decided to pull approval of the minutes from the agenda
53 in order to make a few changes; he noted the minutes will be listed on the next City Council
54 agenda for approval.
55

56
57 **ACTIVE AGENDA**

58
59 **1. PUBLIC COMMENTS**

60
61 Fire Marshall Ryan Barker stated that through an interagency agreement, the City participates
62 with other local entities and the collective agency has discussed adopting a resolution regarding
63 fireworks regulations; they would like to put something in place before June 23, which is when
64 fireworks go on sale. He reviewed the areas in the City that fireworks are prohibited and there
65 will be a map to identify those areas. He provided a copy of the map and a copy of the resolution
66 used last year for each Council member to review. Mr. Chandler read the 2013 fireworks
67 regulation resolution for the record. Council member Urry inquired as to who enforces the
68 fireworks regulations. Mr. Barker stated enforcement is handled by the Police and Fire
69 Departments of the City and he stated no citations were issued for violations in the City last year
70 and when residents were informed that they may be using fireworks in areas in which they were
71 not permitted they were willing to move to a different location to fire them.
72

73 Council member Swanson asked if the City will erect signs informing the residents of the areas
74 where fireworks are prohibited. Mr. Barker stated that signage will be erected.
75

76 Council member Bailey stated he feels the Council will be comfortable adopting a new
77 resolution and he indicated such a resolution could be included on the next meeting agenda for
78 final consideration.
79

80 Steve Rasmussen, 1092 E. 3250 N., inquired as to why 3300 North was selected as the arbitrary
81 boundary for fireworks rather than the actual boundary of the City; there are many homes above
82 3300 North and some of the residents there would like to be able to use fireworks at their homes.
83 Mr. Barker stated that the Fire Department was likely looking for an easy City landmark to use
84 as a boundary.
85

86
87 **2. PROCLAMATION IN SUPPORT OF LOCAL UTAH'S INDEPENDENTS WEEK**

88
89 Mayor Taylor stated North Ogden City has been invited to issue a proclamation supporting local
90 and independent Utah businesses and encouraging residents to buy local first. He asked Chief
91 Deputy City Recorder Smedley to read the proclamation for the record as follows:
92

93 A Proclamation In Support of Local First Utah's Independents Week:

94 Whereas, Independents Week provides a time to celebrate the independence of the members of
95 the community of North Ogden and the entrepreneurial spirit represented by our core of local
96 independent businesses; and

97
98 Whereas, the individual decisions every community member makes today affect the future of
99 North Ogden; and

100
101 Whereas, North Ogden's local independent businesses help preserve the uniqueness of the
102 community and give us a sense of place; and

103
104 Whereas, North Ogden's core of independently-owned businesses give back to this community
105 in goods, services, time and talent; and

106
107 Whereas, the health of North Ogden's economy depends on our support of businesses owned by
108 our friends and neighbors; and

109
110 Whereas, North Ogden's independent business owners and employees enrich community
111 members' shopping experiences with their knowledge & passion;

112
113 Therefore, as we celebrate Independents Week 2014, we acknowledge that the ability to choose
114 the direction of North Ogden lies within each of us.

115
116 NOW, THEREFORE, I, Brent Taylor, Mayor of North Ogden, do hereby proclaim the week of
117 June 30-July 6, 2014, as: "Independents Week" and salute our community members and locally
118 owned independent businesses who are integral to the unique flavor of North Ogden and honor
119 their efforts to make North Ogden the place we want to live and work.

120
121 Mayor Taylor thanked Ms. Smedley for reading the proclamation and noted that over the coming
122 months the City will be rolling out a campaign to encourage its residents to shop locally in order
123 to keep sales tax revenues in the City.

124
125

126 **3. VENTURE ACADEMY PRESENTATION**

127
128 Mayor Taylor reported that City Manager Chandler has been working with the students of
129 Venture Academy to educate them regarding the inner workings of a city; this evening's
130 presentation is the culmination of the education period and some of the students have been
131 selected to make a presentation to the City Council regarding the things they learned throughout
132 the program.

133
134 Mr. Chandler stated during the past six weeks the Venture Academy Jr. High School age
135 students have studied community building, local government and local land use policies. The
136 classes were divided into groups of three or four and asked to identify property inside and
137 outside of North Ogden and prepare a recommendation for the future development of the
138 property. Specifically, they were asked to discuss how their recommendation will impact the
139 following:

- 140 1) The surrounding area;
141 2) Traffic;
142 3) Financial; and,
143 4) The City's personality.

144
145 The top four groups have been selected to present their recommendations to the City Council.

146
147 Mr. Chandler introduced John Huringa, one of the teachers that participated in the program and
148 stated he will assist the students in making their presentations. Mr. Huringa stated the four
149 groups that have been selected have put a lot of work into their presentations.

150
151 The first group consisted of Abbigaile Treadway, Ashley Swapp, Christopher Isaacson, and Jake
152 Schill and they used the aid of a PowerPoint presentation to provide their North Ogden Land
153 Proposal. The group was assigned to consider the future development of a large vacant area near
154 residential development and an LDS church. The group indicated the property should be zoned
155 for mixed-use development including recreational and retail uses because such a development
156 would work very well with the surrounding area and would improve upon good existing
157 development in the City. The development could include a small park and a small outdoor mall.
158 Recreation and parks are great for families and they provide a quiet environment. Relative to the
159 retail aspect of the recommendation, North Ogden needs more retail outlets and it would be a
160 good place for families to engage. Mr. Schill reviewed renderings of the proposed project, after
161 which Ms. Swapp addressed the traffic impact that the development could have on the City. It
162 may be necessary to add new roads and parking lots. The financial impact on North Ogden
163 could be great; the development would bring much more patronage to the City, local jobs would
164 be created, and sales tax would benefit the City. The development would change the City's
165 personality in a good way; it would not increase noise drastically, but it would improve the
166 City's financial position. A few negative aspects of the project include the price to develop and
167 construct the area as well as the fact that some residents may not be in favor of the development.
168 In conclusion, Mr. Schill stated the land should be zoned for financial benefit, economic boost,
169 and improvement of North Ogden's atmosphere.

170
171 Council member Satterthwaite inquired as to the location of the property that was analyzed by
172 the first group. Ms. Treadway stated it is near Fruitland Drive, but she is not sure of the exact
173 address. She reviewed a map and identified the property as being near 2100 North.

174
175 Council member Bailey asked if the group talked to any property owners in the area to
176 understand their feelings regarding the proposed development, to which the group answered no.

177
178 Council member Satterthwaite asked what the group meant when they said the project would be
179 expensive. Ms. Treadway stated any type of construction is expensive, but the value realized as
180 a result of the development would benefit the City.

181
182 Mayor Taylor asked the group to stay involved and he thanked them for their presentation.
183 Council member Satterthwaite stated it would be exciting for the group to see the results of their
184 ideas in the years to come.

185

186 The second group consisted of Abby Child and Rudy Ellis and they used the aid of a PowerPoint
187 presentation to present their ideas regarding the future development of a parcel of property that
188 was selected for them. The citizens of North Ogden chose to live here because it is a bedroom
189 community, meaning the residents live in the City but do not work in the City. The parcel of
190 land they were assigned is located in an area that is already being developed commercially; the
191 area is on the corner of 2600 North and Washington Boulevard and is zoned for
192 commercial/retail development and the group suggests the land be used for an outdoor mall, but
193 not an ordinary mall; the mall should give the community a nice place to gather, play, shop, and
194 eat and would be the town square or center of North Ogden. It should include grass, benches,
195 flowers, trees, walkways, tables, fire pits, and displays; it will make the citizens feel they are at a
196 family friendly place where it is easy to relax and have a good time. Ms. Ellis reviewed pictures
197 of other outdoor malls in California and Salt Lake City and noted the design of the mall they are
198 proposing is based upon the design of Station Park in Farmington, which is used for many events
199 and is always very busy. The group reviewed some of the components of the Station Park
200 development and stated the proposed development would serve the current generation and the
201 generation of tomorrow; it will benefit North Ogden in many ways by creating a town square that
202 North Ogden currently does not have. It can be used for special events and gatherings and will
203 bring in more business for the aquatic center. The development could bring a heavy traffic flow,
204 but because it is located on a corner property the existing roads will be able to handle the
205 increased traffic. North Ogden will receive 50 percent of sales tax generated by the development
206 and since the City is interested in commercial development this is a great way to bring businesses
207 into the area. People will come from the entire region to visit the development and the group
208 reviewed renderings for their concept for the development. The group concluded that an outdoor
209 mall would be a great addition to the City; North Ogden seems very family friendly and this
210 outdoor mall has the potential to bring a special, unique flair to the area.

211
212 Council member Satterthwaite suggested the group make this presentation to the owner of the
213 parcel, The Boyer Company.

214
215 Group three was represented by Boston John; the parcel of land the group worked on is located
216 at 1850 N. Washington Boulevard. Located to the north is Big-O Tires, to the south is
217 commercial zoning, and to the west is a farm. The group proposed use of the property as retail
218 service and like the surrounding property, it should be zoned for commercial use; this will bring
219 people to the area and provide the City with sales tax income. A retail business would fit in
220 perfectly with the buildings around it, while not affecting the City's bedroom community
221 personality. The business would benefit the City by bringing a large variety of food for
222 convenience and would attract many people and it will also provide a challenge for different
223 retail businesses, which will help the local economy. Mr. John referenced the traffic impact of
224 the proposed land use and stated there will be a significant change in the amount of traffic in the
225 area, but Washington Boulevard should not be impacted due to the fact that it is designed for
226 large amounts of traffic. The increase in traffic that will occur would be beneficial to the City
227 helping other local businesses by providing an increase in customers. The project would also
228 increase sales tax revenue, which would help the local economy; it will also attract residents
229 from other communities to come to North Ogden. The project would also be a draw and would
230 help attract new residents to the community. With population growth the need for a convenient
231 food source will become greater and a fast food restaurant would help with that problem.

232 Council member Satterthwaite asked what types of restaurants group three would like to attract
233 to the property. Mr. John stated his group envisioned Kentucky Fried Chicken or Chic-Fil-A.
234

235 Group four was represented by Kristen Shaw and Emily Hawkes; the unincorporated land they
236 focused their presentation on is a triangle parcel of ground that is surrounded by single family
237 housing and 775 East serves the property. The group would like the land to be zoned for
238 recreation open space; studies have shown that recreational open space can raise property values
239 anywhere from eight to ten percent and it also provides a safe place for children to play.
240 Suggested uses for the area would be a volleyball court; only one other park in the City includes
241 a volleyball court. The park could also include a picnic area and only three other parks in the
242 City include picnic areas. The group referenced the traffic impact associated with the proposed
243 development and noted the City would not need to construct a new road because 775 East
244 already serves it and is large enough to accommodate the increased traffic. Zoning the area for
245 recreation or open space will bring more people to the area and will encourage family
246 participation in the area. North Ogden is family oriented and having the area zoned for
247 recreation open space will further that family personality and help the surrounding neighborhood
248 feel more like a family with an available gathering place. The group concluded that zoning the
249 property for recreation and open space would provide a safe place for residents to gather and will
250 give kids a place to play outside; the project may help North Ogden for many years to come.
251

252 Council member Swanson asked if the group had given any thought to adding adaptive
253 playground equipment to serve children that may be disabled or in a wheelchair. The group
254 answered of course.
255

256 Mr. Chandler concluded he is appreciative he had the opportunity to work with the students that
257 are exceptionally bright and they have great teachers. He thanked Venture Academy for
258 allowing him to participate. Council Member Swanson stated the future is bright and that is
259 represented by the youth that made presentations tonight. Mayor Taylor agreed and stated the
260 City will undertake a similar exercise on a much grander scale later this year by way of updating
261 the City's General Plan; residents are encouraged to participate in that process.
262
263

264 **4. DISCUSSION AND/OR ACTION TO CONSIDER REQUEST ON MAXIMUM**
265 **LENGTH OF A CUL-DE-SAC FOR PROPERTY LOCATED AT APPROXIMATELY**
266 **100 W. FROM ELBERTA DR. TO 3100 NORTH**
267

268 Mayor Taylor disclosed that he is one of the property owners from which land would be coming
269 from to accommodate this cul-de-sac; he does not feel this is a conflict of interest and he will not
270 try to influence the way the City Council will vote on this issue.
271

272 A staff memo from City Planner Scott explained the applicant is interested in creating a
273 subdivision on a parcel at the end of a stub street at 100 West and approximately 3050 North.
274 100 West currently extends approximately 700 feet to a temporary turn around. The existing
275 parcel is approximately 1.52 acres and has frontage on 3100 North. The proposal is to create a
276 permanent cul-de-sac at the end of 100 West. 100 West is a neighborhood street that is currently
277 projected to extend north to 3100 North. There are no immediate plans for this extension; it will

278 be built as development occurs. There is currently a City water line that cuts through the
279 property. The subdivision ordinance requires that cul-de-sacs be a maximum of 600 feet in
280 length. In order for a cul-de-sac to be approved it requires that the City Council grant a variance
281 from this standard. Mr. Robinson would like to get an indication from the City Council as to
282 whether or not they would entertain this type of request. The City Council can't grant a variance
283 at this meeting. Mr. Kevin Orme discussed 100 West with the Council on January 22, 2013 and
284 the minutes of that meeting have been provided in the Council packet. The memo summarized
285 the sections of City Ordinance that address this issue; following ordinance standards must be met
286 in order to grant a variance:

287
288 12-6-3 Streets

289 J. Cul-de-sacs shall be no longer than six hundred feet (600') measured from the center of the
290 cul-de-sac bulb to the center of the intersection of the connecting street . . . (Ord. 2000-16, 11-
291 14-2000)

292
293 The subdivision ordinance specifies the standards for granting a variance to a subdivision design
294 and also the process. Staff has underlined the pertinent sections. These criteria are similar to the
295 zoning ordinance criteria.

296
297 12-1-12: VARIANCES:

298 A. General: Where the city council finds that extraordinary hardships or practical difficulties
299 may result from strict compliance with these regulations and/or the purpose of these regulations
300 may be served to a greater extent by an alternative proposal, it may approve variances to these
301 subdivision regulations so that substantial justice may be done and the public interest secured;
302 provided, that such variance shall not have the effect of nullifying the intent and purposes of
303 these regulations; and further provided, the city council shall not approve variances unless it
304 shall make findings based upon the evidence presented to it in each specific case that:

- 305 1. The granting of the variance will not be detrimental to the public safety health or welfare
306 or injurious to other property;
- 307 2. The conditions upon which the request for a variance is based are unique to the property
308 for which the variance is sought and are not applicable generally to other property in the
309 city;
- 310 3. Because of the particular physical surroundings shape or topographical conditions of the
311 specific property involved a particular hardship to the owner would result. as
312 distinguished from a mere inconvenience, if the strict letter of these regulations is carried
313 out: and
- 314 4. The variance will not in any manner vary the provisions of the zoning ordinance general
315 plan or official map.

316
317 B. Conditions: In approving variances, the city council may require such conditions as will, in its
318 judgment, secure substantially the objectives of the standards or requirements of these
319 regulations.

320
321 C. Procedures:

- 322 1. A petition for any such variance shall be submitted in writing by the developer at the time
323 when the preliminary plan is filed for the consideration of the planning commission. The

324 petition shall state fully the grounds for the application and all of the facts relied upon by
325 the petitioner.

326 2. Within thirty (30) days after receipt of the petition, the planning commission shall
327 forward a recommendation of approval or denial to the city council. Failure of the
328 planning commission to submit a recommendation within the prescribed time shall be
329 deemed approval by the commission of the requested variance, unless consideration of
330 the petition is continued for further review within the prescribed time limits. The city
331 council shall uphold or overrule the recommendation of the planning commission by a
332 majority of its members after holding a public hearing. At least ten (10) days' notice of
333 time and place of such hearing shall be published in a newspaper of general circulations
334 in the city. Property owners within three hundred feet (300') of the proposed subdivision
335 boundaries shall also receive notification of the public hearing. The decision of the city
336 council shall be final. (1987 Code § 16.08.120)

337

338 The memo provided the following summary OF CITY COUNCIL CONSIDERATIONS:

- 339 • Does the proposed variance meet the variance criteria of the subdivision ordinance?
340

341 Staff recommends the City Council give direction to Mr. Robinson regarding his request.

342 If the City Council is inclined to hear Mr. Robinson's request then the next step will be for him to
343 prepare a subdivision application along with a variance request. The application will go through
344 the normal review process with the Planning Commission making a recommendation to the City
345 Council. The City Council will conduct a public hearing before making a final decision.

346

347 Mr. Chandler summarized the staff memo and used the aid of a map to identify the location of
348 the proposed cul-de-sac and subject property.

349

350 Applicant Jess Robinson thanked the City staff for their assistance through this process. He
351 indicated he is not a developer and this is not a project for him; rather this is an opportunity for
352 him to build a home for his family. He indicated he feels there are four options for the property:
353 first is to leave the property as is; second is for the City to impose eminent domain and
354 purchase the property to develop the road as planned, the costs of which could exceed anywhere
355 from \$150,000 based on the fair market value of the property; the third option would be for a
356 developer to convince the property owner to sell the 1.5 acres of property to develop as he
357 chooses – he feels this option is the least likely of the four; the fourth option is the approval for
358 the variance for a permanent cul-de-sac, which would permit him to build his family's home. He
359 indicated he does not have a vested interest or much to gain, but he does not want to proceed and
360 continue to invest in his proposal, which could ultimately create a hardship for his family, if
361 there is no chance of his application being approved. He is seeking feedback from the City
362 Council regarding whether he should proceed in making a formal application to the Planning
363 Commission. He reviewed the details of the potential development of the cul-de-sac indicating
364 the City will not be asked to contribute financially to the project and would also have no liability
365 for the road. He has spoken with all of his neighbors and all are in favor of a cul-de-sac rather
366 than a thru street. He also referred to how the cul-de-ac would influence traffic patterns in the
367 area for the better and concluded that he does not anticipate a private developer would be willing
368 to pay to construct the road to serve an additional two building lots in the existing subdivision.
369

370 Council Member Bailey stated it appears that 100 West is considerably wider than other roads
371 south of 3100 North in that area and he asked if it was developed to be a connector artery. Mr.
372 Chandler stated the road would not be considered a collector road; instead it is a neighborhood
373 road and he believes it is a 66-foot right-of-way.

374
375 Council Member Satterthwaite asked if preparations have been made on 3100 North to
376 accommodate the future extension of 100 West. Mr. Chandler stated it is the City's general
377 policy to encourage thru roads and that is one of the reasons for the 600 foot limit for cul-de-
378 sacs. Council Member Bailey added that the road does not directly line up with any other roads
379 on Elberta Drive. The Council reviewed the aerial map for the area to understand the
380 characteristics of the existing road and neighborhood, with a focus on the location of curb and
381 gutter in the area.

382
383 Council Member Bailey inquired as to why 600 feet was chosen as the limit on the length of a
384 cul-de-sac. Mr. Chandler stated he could not find the supporting reasons for that, but he believes
385 it is related to fire safety for homes in such a cul-de-sac.

386
387 Council Member Swanson inquired as to whether similar variances have been requested in the
388 past. Mr. Chandler stated he is not aware of any requested variance for a cul-de-sac longer than
389 600 feet. There was a discussion regarding why this variance is considered by the Council rather
390 than an administrative hearing officer and Mr. Chandler reviewed the criteria that must be
391 considered when addressing such a variance request. Council Member Stoker stated that if such
392 a variance request were considered by the former Board of Adjustment, it would not have been
393 granted because it would not meet the four criteria that body was required to consider when
394 addressing variance requests. Mr. Robinson stated he feels the situation is unique in that the City
395 holds an easement for the property, though the property owner pays the property taxes. If the
396 cul-de-sac were finished, the property would become property of the City and the easement
397 would be eliminated as would any shared liabilities between the City and the property owner.
398 Council Member Bailey asked if Mr. Robinson would deed the property to the City once the cul-
399 de-sac is developed, to which Mr. Robinson answered yes. Council Member Stoker revisited the
400 criteria considered by the former Board of Adjustment, with a focus on hardship; Council
401 Member Bailey stated those criteria do not apply to this situation and the Council is acting in a
402 manner similar to how an administrative hearing officer would.

403
404 Council Member Swanson stated due to the manner in which the neighborhood has developed it
405 is not feasible to connect a thru street and if this issue is not addressed the property will remain
406 in the state it is currently in. He has considered the history of the property to try to determine
407 how this issue developed and he feels it is a unique situation that he hopes will not occur again in
408 the future of the City.

409
410 Council Member Bailey state one thing that is frustrating to him is that it seems the Council is
411 faced with cleaning up problems created by previous administrations; he asked how the City
412 would deal with a situation like this if one were to arise now. Mr. Chandler stated that at the
413 time of the development there was an agreement with the property owners for the cul-de-sac to
414 be located on property that was not considered part of the subdivision and was not owned by the
415 developer. If a similar issue arose today the cul-de-sac would be required to be part of the

416 subdivision. Building Official Kerr added this issue likely occurred due to a phasing issue for
417 the development; one phase of the subdivision ended and if a future phase would have ever
418 occurred the street would have been put through; however, there are two homes on 3100 North
419 that are in the way of a thru street. Discussion regarding the development process continued
420 with a focus on current regulations that would prevent this situation from occurring again in the
421 future. Mr. Robinson added that the cul-de-sac he is requesting approval of is only 125 feet
422 longer than the permitted length of cul-de-sacs in the City, but the layout of the cul-de-sac could
423 be adjusted in a way that would make it a 600 foot cul-de-sac that would be permitted as a
424 permanent feature. Mr. Chandler agreed and stated the City's ordinance is working as intended
425 though the timing of this request is somewhat peculiar; typically a variance would be requested
426 before development of a subdivision occurs. There was then a discussion regarding the
427 temporary cul-de-sac in relation to potential building lots in the development, with Council
428 Member Urry indicating he feels this would be a win-win situation for Mr. Robinson and the
429 City.

430
431 Council Member Swanson addressed the City's water line running through the property and he
432 asked how that would be addressed. Mr. Kerr stated the City would require an easement for the
433 water line. Mr. Robinson stated such an easement is already in place.

434
435 Council Member Bailey reviewed the criteria the Council must consider when addressing the
436 request for a variance and Mr. Chandler stated the Council's motion should include findings that
437 would address the Council's position on those criteria. Council Member Bailey stated he feels
438 all four criteria are met by the application and it would be his recommendation that the Council
439 approve this request.

440
441 **Council Member Bailey then moved to suspend the rules to allow public comment**
442 **regarding this topic. Council Member Swanson seconded the motion.**

443
444 **Voting on the motion:**

445
446 **Council Member Bailey** **aye**
447 **Council Member Satterthwaite** **aye**
448 **Council Member Stoker** **aye**
449 **Council Member Swanson** **aye**
450 **Council Member Urry** **aye**

451
452 **The motion passed unanimously.**

453
454 Doug Mead, 3057 N. 100 W., stated he was the second to build his home on the road in June
455 1994; the temporary cul-de-sac was developed through a handshake agreement and the
456 agreement has worked for years, but when the previous owner, Max White, sold the property the
457 new owner allowed the temporary cul-de-sac to be overtaken by weeds to the point that it is not
458 useful. There are real positives to allowing Mr. Robinson to build a permanent cul-de-sac,
459 including appropriate storm water management and effective snow removal. He would love to
460 see a permanent cul-de-sac constructed and he believes it would be a win-win situation for the
461 entire neighborhood.

462 Justin Scott, 3024 N. 100 W., stated he is also in favor of this proposal and he thinks the idea is
463 fantastic. It is very difficult for larger vehicles to turn around on the street as it is currently laid
464 out and he is impressed that Mr. Robinson is willing to front the cost to construct a permanent
465 cul-de-sac. The street currently seems incomplete, but he does not see how it would be possible
466 to continue it to 3100 North as a thru street. He stated he feels this is the right thing for the City
467 to do.

468
469 Council member Swanson stated he has sought reasons to grant the variance, but he also believes
470 the City should be careful about enforcing its ordinances.

471
472 **Council Member Bailey moved to grant the variance requested by Jess Robinson based on**
473 **the criteria listed in North Ogden City Code 12-1-12. Council Member Satterthwaite**
474 **seconded the motion.**

475
476 **Voting on the motion:**

477
478 **Council Member Bailey** aye
479 **Council Member Satterthwaite** aye
480 **Council Member Stoker** aye
481 **Council Member Swanson** aye
482 **Council Member Urry** aye

483
484 **The motion passed unanimously.**

485
486
487 **5. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE ADOPTING**
488 **FISCAL YEAR 2014-2015 FINAL BUDGET**

489
490 A memo from Finance Director Steele provided an introduction to the proposed final budget,
491 which was included in the Council packet. There have been a couple of minor changes since the
492 last Council Meeting.

- 493
- 494 • The City has received the final health insurance enrollment numbers and they have been
495 inserted into the budget. The net effect of the change is -\$10,106.
 - 496 • Chief Warren had originally budgeted for a 3% increase in vehicle costs from last year's
497 prices. He has recently learned that the increase was instead 5%. This resulted in an
498 increase of \$1,950 in the Police Motor Pool Fund for the Purchase Equipment line item
499 (65-40-740).

500 In the final budget ordinance, the City agrees to accept the certified tax rate the County Auditor
501 calculates. We should have the final rate on Monday, so we can let you know what it will be in
502 council meeting. The Council can make changes to the budget but any changes have to be
503 included in the motion when the final budget is approved. The memo concluded by thanking the
504 Council for their hard work and participation on this year's budget. The staff feels it is a good
505 budget because they were able to implement a lot of the Mayor and Council's priorities into it.

506

507 Mayor Taylor reviewed the process the Administration and Council undertook to develop a
508 budget for the 2014-2015 fiscal year, after which Mr. Steele reviewed his staff memo.

509
510 Council Member Urry inquired as to the balance of the City's utility tax fund. Mr. Steele stated
511 there is not an actual balance, but the budget must include the anticipated annual revenue for the
512 fund; he was conservative with the estimate. Council Member Urry asked if the money is
513 eventually dedicated to the General Fund, to which Mr. Steele answered yes. Council Member
514 Urry stated it is his understanding the approximate revenue is \$1 million each year. Mr. Steele
515 stated that is correct.

516
517 Mr. Chandler then noted in the current fiscal year budget there was \$108,000 funded for a water
518 line relocation at the north end of town; as the project commenced the property owners asked
519 that the water line be further extended to serve a future subdivision and they agreed to assume
520 the extra costs associated with that work. The City has been working through those negotiations,
521 but the \$108,000 was not included in the upcoming fiscal year budget; because the funding was
522 not spent in the current budget it will go back into the water fund balance and once negotiations
523 are complete City Administration will come back to the Council for a budget opening to
524 accommodate the project.

525
526 **Council Member Bailey moved to adopt Ordinance 2014-12 adopting the Fiscal Year 2014-**
527 **2015 final budget. Council Member Stoker seconded the motion.**

528
529 **Voting on the motion:**

530
531 **Council Member Bailey** aye
532 **Council Member Satterthwaite** aye
533 **Council Member Stoker** aye
534 **Council Member Swanson** aye
535 **Council Member Urry** aye

536
537 **The motion passed unanimously.**

538
539 Mayor Taylor then reviewed a few of the highlights of the adopted budget.

540
541
542 **6. DISCUSSION AND/OR ACTION TO CONSIDER A RESOLUTION ADOPTING THE**
543 **2014-2015 CONSOLIDATED FEE SCHEDULE**

544
545 A staff memo from Finance Director Steele indicated some items on the Consolidate Fee
546 Schedule have been changed. They are outlined below and highlighted in yellow on the schedule,
547 but are summarized as follows:

548 Page 2 –

549 Updated the cost of the initial waste containers from \$100 to \$170. This is due to the City's costs
550 being higher. Our cost for a garbage can is \$79.00 and the recycle can is \$67.00. We provide
551 each new home with 1 garbage can and 1 recycle can.

552

553 Page 4 –

- 554 1) Added Administration Time to costs which must be paid to the City for Annexation
- 555 2) Changed Appearance before Board of Adjustment to Appearance before Administrative
- 556 Hearing Officer and increased the fee from \$50 to \$400.

557

558 Page 9-

- 559 1) Increased the cost for an extra garbage container from \$12.59 to \$18.00 for residents and
- 560 \$25.19 to \$36.00 for non-residents
- 561 2) Decreased the cost for an additional recycling bin from \$5.30 to \$2.65 for residents and
- 562 \$10.60 to \$5.30 for non-residents
- 563 3) Increased the cost for the culinary water base fee from \$6.98 to \$8.65 (\$1.67 increase) for
- 564 residents and from \$13.96 to \$17.30 for non-residents (\$3.34 increase)
- 565 4) Increased the storm water fee .75¢, except the additional units on multi-family housing,
- 566 which was increased .42¢ (kept percentage in relation to first unit charge – 55%)

567

568 Mr. Steele summarized his staff memo.

569

570 Council Member Urry asked if the \$170 fee for garbage receptacles covers the cost of both cans.

571 Mr. Steele answered yes and noted the cost would provide a garbage can and a recycling can.

572

573 There was a general discussion regarding the change relative to hearings before an
574 Administrative Hearing Officer, with a focus on the fact that the \$400 fee will cover the actual
575 costs of a hearing and may prevent people from making frivolous appeals. Mr. Steele also
576 reviewed the cost for administrative review of annexation applications and noted that cost will
577 cover all research time billed at an hourly rate. Council Member Bailey asked if an annexation
578 applicant will be made aware of the potential cost of reviewing their application. Mr. Chandler
579 stated that the timeline to annex a property takes approximately six months and he will be able to
580 provide more firm information about the total potential cost for administrative review at a later
581 date. Council Member Satterthwaite stated he would like to have that information before making
582 the change in the fee schedule. Mayor Taylor stated that change can be struck from the
583 document and brought back at a later date.

584

585 Mr. Steele briefly reviewed the changes on page nine relating to second garbage cans and
586 recycling cans and there was a discussion regarding the inclusion of the County's tipping fees in
587 the calculation of the fees. Mayor Taylor stated the tipping fees have not been included in the
588 rates and discussion regarding that issue will continue when the contract for the City's new
589 hauler is brought to the Council for review and consideration on June 26.

590

591 Mr. Steele then referenced the changes to the water rates that were decided upon through budget
592 discussions and stated it may be necessary to have additional discussions regarding decreasing
593 the threshold for monthly usage for water users in an effort to conserve water. Council Member
594 Bailey stated that he would like to have a discussion regarding that throughout the year. Council
595 Member Urry agreed. Council Member Bailey stated he would like to understand the threshold
596 in other communities. Mayor Taylor and Council Member Swanson both stated a common
597 threshold is 10,000 gallons. Council Member Urry stated he would also like to understand how
598 many non-residents actually have access to the City's utility system for a non-resident rate and

599 he indicated he would like to follow the City's policy that requires annexation of a property in
600 order for it to receive City services. Mr. Chandler stated he will gather data regarding how many
601 non-resident properties are connected to the City's utility system.
602

603 **Council Member Swanson moved to adopt Resolution 9-2014 approving the 2014-2015**
604 **Consolidated Fee Schedule after striking the fee for administrative review of an annexation**
605 **petition. Council Member Stoker seconded the motion.**
606

607 **Voting on the motion:**
608

609 Council Member Bailey	aye
610 Council Member Satterthwaite	aye
611 Council Member Stoker	aye
612 Council Member Swanson	aye
613 Council Member Urry	aye

614

615 **The motion passed unanimously.**
616
617

618 **7. DISCUSSION AND/OR ACTION TO CONSIDER A RESOLUTION SETTING**
619 **FORTH THE PROCEDURE FOR APPROVING CHANGE ORDERS FOR THE**
620 **PUBLIC WORKS FACILITY**
621

622 A memo from City Manager Chandler noted that in the previous City Council Meeting the
623 Council asked for greater oversight of the Public Works Facility project and potential change
624 orders. Staff has drafted a Resolution providing that oversight.
625

626 Mr. Chandler reviewed his staff memo as well as the draft resolution.
627

628 Council Member Bailey stated he read through the proposed resolution earlier today and he is
629 impressed with the tone of the document and thanked Mr. Chandler for capturing what the
630 Council asked for in their previous meeting.
631

632 **Council Member Bailey moved to adopt Resolution 10-2014 setting forth the procedure for**
633 **approving change order(s) for the Public Works Facility project. Council Member Urry**
634 **seconded the motion.**
635

636 **Voting on the motion:**
637

638 Council Member Bailey	aye
639 Council Member Satterthwaite	aye
640 Council Member Stoker	aye
641 Council Member Swanson	aye
642 Council Member Urry	aye

643

644 **The motion passed unanimously.**

645 **8. DISCUSSION AND/OR ACTION TO RESCHEDULE THE JUNE 24TH CITY**
646 **COUNCIL MEETING TO JUNE 26TH**

647
648 Mr. Chandler noted the County primary election is scheduled for June 24 and staff is
649 recommending that the regularly scheduled meeting of June 24 be rescheduled for June 26 to
650 accommodate that event.

651
652 **Council Member Urry moved to reschedule the June 24 City Council meeting to June 26,**
653 **2014. Council Member Satterthwaite seconded the motion.**

654
655 **Voting on the motion:**

656
657 **Council Member Bailey** **aye**
658 **Council Member Satterthwaite** **aye**
659 **Council Member Stoker** **aye**
660 **Council Member Swanson** **aye**
661 **Council Member Urry** **aye**

662
663 **The motion passed unanimously.**

664
665
666 **9. PUBLIC COMMENTS**

667
668 There were no public comments.

669
670
671 **10. CITY COUNCIL, MAYOR, AND STAFF COMMENTS**

672
673 Council Member Satterthwaite stated tonight's meeting was great and he appreciated the participation by
674 local youth and the work City staff has done to mentor those youth.

675
676 Council Member Urry thanked Mr. Chandler for the information provided to the Council regarding the
677 safety of the intersection near Smith's. He then noted he had a resident approach him about the
678 requirement to mow weeds on vacant lots and he would like that ordinance enforced. He added that the
679 lights in the parking lot are not functioning properly and he asked staff to follow up on that. He noted that
680 the Council had a discussion recently regarding issuing cards to citizens for use of the green waste pit and
681 he asked if staff has investigated that. Mr. Chandler stated Public Works Director Giles has been
682 investigating options for use of the pit. Council Member Urry then stated that he has noticed sprinklers at
683 City properties functioning during rain storms and he would like that to be stopped. Mr. Chandler stated
684 he does not believe the City's sprinkler system has rain sensors; this led to a discussion about the reasons
685 for the City's watering schedule. Council Member Urry then referenced the sidewalk on 2550 North and
686 stated the City should considering lowering the speed limit on the street from 40 to 25 miles per hour.

687
688 Council Member Swanson stated that he would like the City to work to find a solution for citizens to
689 effectively recycle their green waste for a reasonable cost. Mayor Taylor stated City Administration will
690 work on a proposal for use of the green waste pit to address those concerns.

691 Council Member Bailey inquired as to the status of addressing nuisance properties in the City. Mr.
692 Chandler stated the City will employ a code enforcement officer in July and that person will begin
693 working to address those problems; in the interim City Administration has been working to address the
694 process for dealing with nuisance properties to ensure that the new employee will have clear duties and
695 responsibilities.

696
697 Council Member Stoker also referenced nuisance properties, but noted those owned by banks are not
698 being properly maintained. She added that when she runs through the City she notices trash and she picks
699 it up and places it in garbage cans on garbage days; however, she saw a sack one day and when she went
700 back to pick it up she saw a City employee had mowed over it with a lawn mower and the trash is now
701 strewn all over the side of the road. She provided Mr. Chandler with the address of the garbage. She then
702 thanked staff for all their hard work to develop the budget, namely for the budgetary focus on the Public
703 Works Facility project.

704
705 Mayor Taylor reminded the Council he needs input regarding who they would like appointed to various
706 committee vacancies. He then noted the idea of a dog park in the City will be discussed at the June 26
707 meeting and there is a range of options for the Council to consider. He then stated the parents of the
708 Lacrosse community are working very hard to develop a plan for fundraising for the park they would like
709 to see built in the City; information about their work will be brought back to the Council on July 8.

710
711 Council Member Satterthwaite inquired as to the status of the sidewalk request on 2550 North for Majestic
712 Elementary. Mayor Taylor stated City Administration has attended meetings regarding the request and
713 visited the site where the sidewalk would be constructed; he feels the project is needed and the school and
714 parents are investigating their fundraising options. He noted information regarding the outcome of that
715 work will be brought back to the Council later in the summer. Council Member Stoker suggested that the
716 road be restriped during the summer months while school is adjourned. There was a discussion regarding
717 maintenance of the sidewalk and Mayor Taylor stated those issues will be discussed when the overall
718 project is considered by the Council.

719
720

721 **11. ADJOURNMENT**

722

723 **Council Member Satterthwaite moved to adjourn the meeting. Council Member Stoker**
724 **seconded the motion.**

725

726 **Voting on the motion:**

727

728 **Council Member Bailey** aye

729 **Council Member Satterthwaite** aye

730 **Council Member Stoker** aye

731 **Council Member Swanson** aye

732 **Council Member Urry** aye

733

734 **The motion passed unanimously.**

735

736

737 **The meeting adjourned at 9:12 p.m.**

738

739

740 **RDA**

741

742 **1. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE ADOPTING**
743 **FISCAL YEAR 2014-2015 FINAL BUDGET**

744

745 Mayor Taylor indicated the RDA budget has not changed since the time the tentative budget was
746 presented.

747

748 **Board Member Swanson moved to adopt Ordinance 2014-13 adopting the Fiscal Year**
749 **2014-2015 final RDA budget. Board Member Bailey seconded the motion.**

750

751 **Voting on the motion:**

752

753 **Board Member Bailey aye**

754 **Board Member Satterthwaite aye**

755 **Board Member Stoker aye**

756 **Board Member Swanson aye**

757 **Board Member Urry aye**

758

759 **The motion passed unanimously.**

760

761

762

763 **2. ADJOURNMENT**

764

765 **Board Member Swanson moved to adjourn the meeting. Board Member Satterthwaite**
766 **seconded the motion.**

767

768 **Voting on the motion:**

769

770 **Board Member Bailey aye**

771 **Board Member Satterthwaite aye**

772 **Board Member Stoker aye**

773 **Board Member Swanson aye**

774 **Board Member Urry aye**

775

776 **The motion passed unanimously.**

777

778

779

780

781

782

783 **The meeting adjourned at 9:15 p.m.**

784

785

786

787 _____
Brent Taylor, Mayor

788

789

790

791 _____
S. Annette Spendlove, MMC

792 City Recorder

793

794

795 _____
Date Approved

NOT APPROVED