

1 NORTH OGDEN CITY COUNCIL MINUTES

2  
3 February 11, 2014

4  
5 The North Ogden City Council convened in an open meeting on February 11, 2014 at 6:30 p.m.  
6 in 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 February 6, 2014. Notice  
9 of 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 Justin Fawson Council Member  
15 Lynn Satterthwaite Council Member  
16 Cheryl Stoker Council Member  
17 James Urry Council Member

18  
19 STAFF PRESENT: Ronald F. Chandler City Manager  
20 Nicole Smedley Deputy City Recorder  
21 Jon Call City Attorney  
22 Bryan Steele Finance Director

23  
24 VISITORS: Marc Edminster Larry Florence  
25 Zach Hartmann Joan Brown  
26 Neil Amaral Danielle Carter  
27 Blake Welling Rachel Trotter  
28 Jackson Trotter Phil Clawson  
29 Don Mathewson Tiffany Turner

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

33  
34 **CONSENT AGENDA**

- 35 **1. Consideration to approve the minutes of the January 14, 2014 City Council Meeting**  
36 **2. Consideration to approve the minutes of the January 28, 2014 City Council Meeting**  
37 **3. Consideration to approve business licenses**

38  
39 Council Member Bailey stated he wanted to discuss some needed corrections in the minutes with  
40 staff before approving them. Council Member Urry concurred and also expressed his concern  
41 regarding some missing information in the business license applications being considered this  
42 evening. City Manager Chandler stated he could provide additional information to the Council  
43 regarding the missing information in the business license applications at a future date.

44  
45 **Council Member Bailey moved to remove items one (1) and two (2) from the consent**  
46 **agenda. Council Member Urry seconded the motion.**

48 **Voting on the motion:**

49

50 **Council Member Bailey** aye

51 **Council Member Fawson** aye

52 **Council Member Satterthwaite** aye

53 **Council Member Stoker** aye

54 **Council Member Urry** aye

55

56

57 **Council Member Bailey moved to approve item number three on the consent agenda.**

58 **Council Member Stoker seconded the motion.**

59

60 **Voting on the motion:**

61

62 **Council Member Bailey** aye

63 **Council Member Fawson** aye

64 **Council Member Satterthwaite** aye

65 **Council Member Stoker** aye

66 **Council Member Urry** aye

67

68 **The motion passed unanimously.**

69

70

71 **AGENDA**

72

73 **1. PUBLIC COMMENTS**

74

75 Neil Amaral, 183 E. 1875 N., stated he has owned his property for over a year and he bought it  
76 because it is a very beautiful property; it is a rental property and he bought it because of its  
77 beauty and its location. He provided the Council with a photograph of his property as well as a  
78 photograph of the view he currently has from his property. He stated he is very concerned about  
79 the proposed development of the 30 acre parcel that would allow high impact residential uses  
80 behind him and his neighbors' homes. He stated he has talked to all of his neighbors whose  
81 property would border the proposed development and they are all adamantly against it and they  
82 were concerned that they did not have enough information about the proposal. He stated they all  
83 feel the property should be zoned for low density residential development except for the portion  
84 that fronts Washington Boulevard. He stated they are not happy about the idea that it is currently  
85 zoned for commercial development and they are hopeful that the zoning is changed to allow  
86 construction of single-family homes.

87

88 Larry Florence, 1338 E. 2600 N., stated he recently received a letter from the City informing him  
89 that he is required to obtain a business license. He stated that he is present on behalf of the local  
90 Kiwanis Club, whose motto is to improve the world one child at a time and he provided the City  
91 Council with a brief summary of the work that the Kiwanis Club has done over the past six or  
92 seven years as well as some plans for future work. He stated the Club organizes many events to  
93 try to raise money for the purpose of helping children and he provided the Council with a copy of

94 a letter summarizing his comments this evening as well as the request the Club is making relative  
95 to the City's business license requirements.

96  
97 Zach Hartmann, 884 E. 2100 N., provided each Council Member with a copy of a letter  
98 summarizing his family's request that the City allow accessory dwelling units in the RE-20 zone.  
99 He stated he is also providing information regarding the research he has conducted relative to the  
100 other cities that already allow the type of land use he is requesting. He stated his proposal will  
101 greatly help the aging population of North Ogden in the future. He also provided the Council  
102 with a history regarding his situation and the reason for his request for allowing accessory  
103 dwelling units in the RE-20 zone and he asked that they review it in preparation for their meeting  
104 scheduled for two weeks from tonight.

105  
106 Mayor Taylor thanked Mr. Hartmann for the time and effort he has put into gathering  
107 information regarding his proposal.

108  
109 Don Mathewson, 2277 N. 515 E., stated that he feels there is a need to post a speed limit sign  
110 near his house on 2300 North between Washington Boulevard and 600 East; the speed limit is 30  
111 miles per hour and posting a sign may encourage motorists to be law abiding citizens. He then  
112 referenced the City's bi-centennial park and noted he has heard that the City plans to enclose the  
113 waterway in that park and he asked if that is true. Mr. Chandler stated he has also heard that  
114 rumor, but he does not know how it started. He stated there has been talk of piping the canal that  
115 runs west of the park, but nothing relative to that project has been finalized.

116  
117 Mayor Taylor addressed Mr. Amaral's comments and stated the Planning Commission has  
118 scheduled a work session for tomorrow evening during which the proposed rezone of the  
119 property referenced by Mr. Amaral will be discussed at length. He stated there is a regular  
120 Planning Commission meeting scheduled for February 19 and the issue will be addressed at that  
121 meeting as well.

122  
123  
124 **2. DISCUSSION AND/OR ACTION TO APPROVE A RESOLUTION AUTHORIZING \$2,550,000**  
125 **SALES TAX REVENUE REFUNDING BONDS, SERIES 1014, TO REFINANCE, AT A**  
126 **SAVINGS, THE ISSUER'S OUTSTANDING SALES TAX REVENUE BONDS, SERIES 2001**  
127 **ORIGINALLY ISSUED TO CONSTRUCT THE AQUATIC CENTER AND RELATED**  
128 **MATTERS**  
129

130 A staff memo from Finance Director Steele explained there are three documents which need to be  
131 approved tonight; the Final Bond Resolution, Bond Purchase Agreement, and Escrow Agreement.  
132 Marc Edminster from Lewis Young Robertson and Burningham, our Financial Advisor for this  
133 transaction, will be at the meeting to explain the transaction, agreements and answer any questions the  
134 Council may have. Here are some facts about the final numbers for the refinancing bond:

- 135 • Lender: Pinnacle Public Finance, Inc. with Headquarters in Scottsdale, Arizona
- 136 • Transaction amount - \$2,586,168
- 137 • Interest Rate – 2.32%
- 138 • The refinancing bond can be paid in full after November 1, 2017
- 139 • The total savings amount is approximately \$281,270 with a net present value savings of  
140 \$225,773, a majority of which will be recognized in the first year of the bond.

142  
143 Mr. Steele summarized his staff memo and stated the savings referenced in his memo will be realized in  
144 the 2014-2015 fiscal year.

145  
146 Mr. Edminster provided the Council with a report regarding how the sale of the bonds transpired. He  
147 noted that when he originally presented to the Council regarding this issue he had projected that the total  
148 savings to be realized by the City through this transaction would be approximately \$171,000, but after  
149 actually going through the process to sell the bonds and determine the interest rate associated with the  
150 refinanced bond, he has found the actual savings to be \$224,892. He stated this is a result of the City's  
151 excellent credit rating coupled with low interest rates. He added that his report includes a summary of all  
152 firms that submitted a bid for the bond as well as the rates they included in their bid. He stated he has  
153 scheduled bond closing for next week.

154  
155 Mayor Taylor inquired as to the total savings over the life of the initial bond and he asked if that number  
156 is \$284,356. Mr. Edminster stated that is the total savings, but the City will still be making a bond  
157 payment this year on the original bond, which decreases the principal amount of the new bond; that bond  
158 payment is approximately \$56,000 and is not included in the total savings of \$224,892 referenced in his  
159 report.

160  
161 Council Member Bailey asked if the savings are present value numbers or gross savings numbers. Mr.  
162 Edminster stated the \$284,000 is a total gross savings number and the net present value figure is  
163 \$278,000.

164  
165 Council Member Satterthwaite asked if the new bond includes a provision that would allow the City to  
166 pay it off early. Mr. Edminster stated the bonds are not callable until 2017 so the City cannot pay them  
167 off before that time; but, after that time the City could choose to pay them off at any time.

168  
169 Mayor Taylor summarized the competitive bid process that was undertaken by the City for the benefit of  
170 those present in the audience. He thanked Mr. Steele and Mr. Edminster for all their work on this item.

171  
172 Council Member Urry echoed Mayor Taylor's thanks to the staff and Mr. Edminster for their work on the  
173 bond refinancing.

174  
175 **Council Member Fawson moved to approve Resolution 03-2014 authorizing \$2,550,000**  
176 **sales tax revenue refunding bonds, series 2014, to refinance, at a savings, the issuer's**  
177 **outstanding sales tax revenue bonds, series 2001 originally issued to construct the aquatic**  
178 **center, and related matters. Council Member Stoker seconded the motion.**

179  
180 **Voting on the motion:**

181  
182 **Council Member Bailey**                    **aye**  
183 **Council Member Fawson**                **aye**  
184 **Council Member Satterthwaite**       **aye**  
185 **Council Member Stoker**               **aye**  
186 **Council Member Urry**                  **aye**

187  
188 **The motion passed unanimously.**

189  
190

191 **3. DISCUSSION AND/OR ACTION TO CONSIDER THE BOND PURCHASING AGREEMENT**  
192 **FOR THE AQUATIC CENTER REFINANCING OF BONDS**

193  
194 Council Member Bailey moved to approve agreement A04-2014 for the aquatic center  
195 refinancing of bonds. Council Member Satterthwaite seconded the motion.

196  
197 **Voting on the motion:**

198  
199 Council Member Bailey aye  
200 Council Member Fawson aye  
201 Council Member Satterthwaite aye  
202 Council Member Stoker aye  
203 Council Member Urry aye  
204

205 **The motion passed unanimously.**  
206  
207

208 **4. DISCUSSION AND/OR ACTION TO CONSIDER THE ESCROW AGREEMENT FOR THE**  
209 **AQUATIC CENTER REFINANCING OF BONDS**

210  
211 Council Member Fawson moved to approve escrow agreement A05-2014 for the aquatic  
212 center refinancing of bonds. Council Member Satterthwaite seconded the motion.

213  
214 **Voting on the motion:**

215  
216 Council Member Bailey aye  
217 Council Member Fawson aye  
218 Council Member Satterthwaite aye  
219 Council Member Stoker aye  
220 Council Member Urry aye  
221

222 **The motion passed unanimously.**  
223  
224

225 **5. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING THE 2013-**  
226 **2014 FISCAL YEAR BUDGET**

227  
228 A staff memo from Finance Director Steele explained each year amendments to the current fiscal year  
229 budget are necessary to cover expenditures not accounted for in the original budget. The Council packet  
230 included a file detailing the expenses requiring Council approval as well as the source of revenues from  
231 which all expenses will be paid.  
232

233 Mr. Steele summarized his staff memo as well as the requested budget amendments.  
234

235 Council Member Fawson asked for additional information regarding the money being spent on  
236 redevelopment of the area in which the old King's store is located. Mr. Chandler stated Better Cities has  
237 been working on a development plan as well as recruitment of businesses to the area. Council Member  
238 Fawson asked if the amount listed is being paid to Better Cities. Mr. Chandler stated it is a combination

239 of payment to Better Cities as well as to Jones and Associates. He noted the money is coming from the  
240 Redevelopment Agency (RDA) fund.

241  
242 Council Member Bailey stated it is his understanding that some of the savings realized by the bond  
243 refinancing action will be used on RDA projects such as those included in this budget amendment. Mr.  
244 Chandler stated that is correct.

245  
246 Council Member Urry stated he would like to receive a hard copy of items such as these for review during  
247 the meeting. He added he has been reviewing information provided to him by the Utah League of Cities  
248 and Towns (ULCT) and has found the Council should be receiving a monthly financial report and a  
249 quarterly detailed financial report and he would like to recommend that the Council receive those  
250 documents. Mr. Chandler stated the Council receives revenue and expenditure statements monthly.  
251 Council Member Urry stated that is sufficient for the monthly report, but not the detailed quarterly report.  
252 Mr. Chandler stated both reports contain the same information, but the quarterly detailed report is a line-  
253 by-line statement of each account of the City.

254  
255  
256 **Council Member Bailey moved to approve ordinance 2014-2 amending the 2013-2014 fiscal**  
257 **year budget. Council Member Fawson seconded the motion.**

258  
259 **Voting on the motion:**

260  
261 **Council Member Bailey** aye  
262 **Council Member Fawson** aye  
263 **Council Member Satterthwaite** aye  
264 **Council Member Stoker** aye  
265 **Council Member Urry** aye

266  
267 **The motion passed unanimously.**

268  
269  
270 **6. DISCUSSION AND/OR ACTION TO APPROVE KENT BAILEY AS MAYOR PRO**  
271 **TEMPORE**

272  
273 Mayor Taylor stated there is a need for the Council to appoint a Mayor Pro Tempore to provide coverage  
274 in the event that he is required to fulfill duties associated with his role in the Army National Guard. He  
275 stated the City Council has suggested that Council Member Bailey serve as the Mayor Pro Tempore and it  
276 is necessary for the Council to vote on that nomination.

277  
278 **Council Member Satterthwaite moved to appoint Council Member Bailey as the Mayor**  
279 **Pro Tempore for the two years remaining on Council Member Bailey's term of office.**  
280 **Council Member Stoker seconded the motion.**

281  
282 **Voting on the motion:**

283  
284 **Council Member Bailey** aye  
285 **Council Member Fawson** aye  
286 **Council Member Satterthwaite** aye  
287 **Council Member Stoker** aye



288 **Council Member Urry** **aye**

289

290 **The motion passed unanimously.**

291

292 Mayor Taylor provided a brief explanation of the purpose of the Mayor Pro Tempore position.

293

294

295 **7. PUBLIC COMMENTS**

296

297 There were no public comments.

298

299

300 **8. CITY COUNCIL, MAYOR, AND STAFF COMMENTS**

301

302 Council Member Urry stated he met with a group of Boy Scouts and they presented him with a list of  
303 very interesting questions regarding the City. He stated he would provide those questions to Mr.  
304 Chandler.

305

306 Council Member Bailey thanked the Council for their vote of confidence in him by selecting him as  
307 Mayor Pro Tempore.

308

309 Council Member Stoker thanked the City staff and Planning Commission for all the hard work they do to  
310 make the City great. Council Member Bailey echoed those sentiments and stated he feels it would be  
311 appropriate to schedule a joint meeting of the City Council and Planning Commission in the near future to  
312 review upcoming issues as well as the process to update the General Plan. Mayor Taylor stated City  
313 Administration has met to discuss the process to begin working to update the General Plan and the initial  
314 recommendation from Administration will be presented soon. He stated he hopes to start the process of  
315 updating the General Plan this spring.

316

317 Council Member Fawson stated there is a town hall meeting this Thursday, February 13 from 7:00 to 9:00  
318 p.m. in the Council Chambers; Commissioner Kerry Gibson, Senator Alan Christensen, and  
319 Representative Brian Wilcox will be present at the meeting. Council Member Bailey added  
320 Representative Wilcox is also holding a meeting at the State Capitol on February 17 and residents are  
321 invited to attend that meeting as well.

322

323

324 **9. ADJOURNMENT**

325

326 **Council Member Satterthwaite moved to adjourn the meeting. Council Member Stoker**  
327 **seconded the motion.**

328

329 **Voting on the motion:**

330

331 **Council Member Bailey** **aye**

332 **Council Member Fawson** **aye**

333 **Council Member Satterthwaite** **aye**

334 **Council Member Stoker** **aye**

335 **Council Member Urry** **aye**

336

337 **The motion passed unanimously.**

338  
339 **The meeting adjourned at 7:20 p.m.**  
340

341 **RDA AGENDA**

342  
343 **1. DISCUSSION AND/OR ACTION TO APPROVE BUDGET AMENDMENTS TO THE**  
344 **2013-2014 FY**  
345

346 Mayor Taylor stated the single \$40,000 RDA budget amendment was discussed during the  
347 Council meeting and he asked the Board if they have additional questions.  
348

349 **Board Member Urry moved to approve the RDA budget amendment for the 2013-2014**  
350 **fiscal year. Council Member Satterthwaite seconded the motion.**  
351

352 **Voting on the motion:**

353  
354 **Board Member Bailey** aye  
355 **Board Member Fawson** aye  
356 **Board Member Satterthwaite** aye  
357 **Board Member Stoker** aye  
358 **Board Member Urry** aye  
359

360 **The motion passed unanimously.**  
361  
362

363 **2. ADJOURNMENT**  
364

365 **Board Member Fawson moved to adjourn the meeting. Board Member Stoker seconded**  
366 **the motion.**  
367

368 **Voting on the motion:**

369  
370 **Board Member Bailey** aye  
371 **Board Member Fawson** aye  
372 **Board Member Satterthwaite** aye  
373 **Board Member Stoker** aye  
374 **Board Member Urry** aye  
375

376 **The motion passed unanimously.**  
377  
378

379 **The meeting adjourned at 7:21 p.m.**  
380  
381  
382  
383



384  
385  
386 \_\_\_\_\_  
387 Brent Taylor, Mayor  
388  
389  
390 \_\_\_\_\_  
391 S. Annette Spendlove, MMC  
392 City Recorder  
393  
394 \_\_\_\_\_  
395 Date Approved

NOT APPROVED