

1 NORTH OGDEN CITY COUNCIL MINUTES

2
3 July 23, 2013

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5 The North Ogden City Council convened in an open meeting on July 23, 2013 at 6:30 p.m. in the North
6 Ogden City Council Chambers at 505 East 2600 North. Notice of time, place and agenda of the meeting
7 was delivered to each member of the City Council, posted on the bulletin board at the municipal office
8 and posted to the Utah State Website on July 18, 2013. Notice of the annual meeting schedule was
9 published in the Standard-Examiner on January 30, 2013.

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12 PRESENT: Richard G. Harris Mayor
13 Wade Bigler Council Member
14 Cheryl Stoker Council Member
15 Brent Taylor Council Member

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17 EXCUSED: Kent Bailey Council Member
18 Justin Fawson Council Member

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21 STAFF PRESENT: Ronald F. Chandler City Manager
22 Annette Spendlove City Recorder/H.R. Director
23 Gary Kerr Building Official

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25 VISITORS: Steve Tobias Cory Bach
26 Phillip Swanson Jim Urry
27 Jim Suhr Brian Russell
28 Blake Welling Terry Spicker
29 Sherrie Gardner Spencer Gardner

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31 Mayor Harris welcomed those in attendance.

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

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36 **CONSENT AGENDA**

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38 **1. CONSIDERATION TO APPROVE BUSINESS LICENSES**

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40 Council Member Taylor moved to approve the consent agenda. Council Member Stoker
41 seconded the Motion.

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43 **Voting on the motion:**

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45 Council Member Bigler aye
46 Council Member Stoker aye
47 Council Member Taylor aye

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49 **The motion passed unanimously**

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AGENDA

1. PUBLIC COMMENTS

There were no public comments.

2. DISCUSSION TO CONSIDER THE BOWN ANNEXATION

A memo from City Recorder Spendlove explained Anthony J. and Shawna L. Bown submitted an application to petition for the annexation into North Ogden City the property located at approximately 2197 North Washington Boulevard. The City is required to present this petition to the City Council as the first step in the formal annexation process.

Ms. Spendlove reviewed her staff memo.

Council Member Taylor asked if the zoning of the property will be determined by the Planning Commission or if the applicant is asking for a certain designation as part of their annexation petition. Ms. Spendlove noted the applicant is asking for a manufacturing M1 zoning designation and she explained the property is located adjacent to the Bach Storage property and the subject property will be added to that property in order to increase the size of the business. She noted the Planning Commission will make a recommendation regarding the zoning to the City Council. Mayor Harris added the City Council will make the final decision regarding the zoning of the property.

Council Member Taylor moved to accept the petition to annex the Bown property and refer the petition to the City Recorder for certification. Council Member Stoker seconded the Motion.

Voting on the motion:

- Council Member Bigler aye**
- Council Member Stoker aye**
- Council Member Taylor aye**

The motion passed unanimously

3. PUBLIC COMMENTS

Jim Urry, 1615 N. Mountain Road, stated he has a few questions for the Council. He first asked where the revenues from the utility tax collected on the City's utility bill goes; he asked if it is part of the general fund. Mayor Harris asked Mr. Urry if he is asking about franchise taxes. Mr. Urry answered yes. City Manager Chandler stated the revenue from those taxes is deposited into the City's general fund. Mr. Urry inquired as to the amount of revenue generated annually by those taxes. Mr. Chandler stated he does not know the answer to that question, but he can research it and get back to Mr. Urry. Mayor Harris noted that all revenues are detailed by line item in the City's budget. Mr. Urry stated he will follow-up with Mr. Chandler to get the information. He stated he knows the City has the right to collect those taxes, but his concern is that the City may say it is not raising taxes, but if utility rates are increased, the City is essentially raising taxes on every user of the

100 City's utility system. He stated he believed the phone company has a franchise tax. Mr. Chandler
101 stated franchise taxes are associated with phone companies, electric companies, natural gas
102 companies, and cable companies. Mr. Urry stated he would like to know the amount generated by
103 those taxes annually. Mayor Harris stated Mr. Urry is welcome to visit with Mr. Chandler to get the
104 answers to his questions, but he noted the City's budget is available on the City website.
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107 **4. CITY COUNCIL, MAYOR, AND STAFF COMMENTS**

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109 There were no comments.
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112 **5. ADJOURNMENT**

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115 **Council Member Bigler moved to adjourn the meeting. Council Member Stoker seconded the**
116 **motion.**

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118 **Voting on the motion:**

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120 **Council Member Bigler aye**
121 **Council Member Stoker aye**
122 **Council Member Taylor aye**

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124 **The motion passed unanimously**
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128 **The meeting adjourned at 6:41 p.m.**
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132 Richard G. Harris, Mayor

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136 S. Annette Spendlove, MMC
137 City Recorder

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140 Date Approved