

NORTH OGDEN CITY COUNCIL MEETING MINUTES

February 10, 2015

The North Ogden City Council convened in an open meeting on February 10, 2015 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 February 6, 2015. Notice of the annual meeting schedule was published in the Standard-Examiner on December 21, 2014.

PRESENT:	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:	Bryan Steele	Finance Director/City Administrator
	Annette Spendlove	City Recorder
	Gary Kerr	Building Official
	Rob Scott	City Planner

Mayor Taylor welcomed those in attendance.

Judi Amsel, President of Congregation Brith Sholem, offered the invocation and led the audience in the Pledge of Allegiance.

CONSENT AGENDA

1. **CONSIDERATION TO APPROVE THE JANUARY 14, 2015 CITY COUNCIL MINUTES**
2. **CONSIDERATION TO APPROVE THE JANUARY 20, 2015 CITY COUNCIL MINUTES**

Council Member Swanson motioned to approve the consent agenda. 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.

ACTIVE AGENDA

1. PUBLIC COMMENTS

Larry Florence, no address given, stated he is present on behalf of the Kiwanis Club, which does a lot of great things for the City. He referenced a recent newspaper article detailing some of the recent work done by the Kiwanis Club; one project of note is the Kiwanis' Club participation in installing a walking path near Majestic Elementary School.

2. DISCUSSION AND/OR ACTION TO APPROVE AN AGREEMENT WITH MERIDIAN ENGINEERING INC. FOR PHASE II OF THE SURVEY SERVICES ON THE MONROE BOULEVARD EXTENSION PROJECT

A staff memo from Finance Director/City Administrator Steele explained in October, the Council approved Phase I of the contract with Meridian Engineering to complete the survey work (including topo, aerial, existing ROW and control diagram) for Monroe Boulevard ROW acquisition. Because the number and location of parcels being affected is now known, Phase II of the contract is being presented to you for your approval. Phase II consists of document and map preparation which the Land Acquisition Specialist will need before making offers. Darren Williams from Meridian Engineering will be here to answer any questions you have concerning the project.

Mr. Steele summarized his staff memo, after which Mr. Williams provided an overview of the scope of work that will be performed by Meridian in the process of acquiring properties for the Monroe Boulevard ROW.

Council Member Satterthwaite asked if the scope of work has changed since the conclusion of the request for proposal (RFP) and selection process. Mr. Williams stated the scope has not changed, but the service fee has reduced by \$22,000.

Council Member Bailey asked if the process to this point has gone as expected or if there have been any surprises. Mr. Williams stated one thing he was surprised about was the lack of monumentation in the City; through certain construction projects the City has lost a significant

number of historical markers and it was somewhat more difficult to trace properties than he thought it would have been. From 1990 forward many monuments have been taken out and not replaced; it may be wise to direct the City Engineer or other City staff to track the replacement of monuments during future projects. Mayor Taylor asked Mr. Williams to provide the City with a list of missing monuments in order for staff to work towards replacing them. There was a general discussion about how other cities handle monument preservation, restoration, or replacement, with Mr. Williams noting tracking of historical monuments is handled with GIS databases or survey information. Building Official Kerr noted the City's GPS equipment could be used to identify waypoints for historical monuments that could be entered into the City's GIS system.

Council Member Satterthwaite motioned to approve agreement A2-2015 with Meridian Engineering Inc. for Phase II of the survey services on the Monroe Boulevard extension project. Council Member Bailey 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.

3. DISCUSSION AND/OR ACTION TO CONSIDER A LOGO DESIGN FOR NORTH OGDEN CITY

A memo from Mayor Taylor explained the General Plan Steering Committee proposed a Logo Contest to design a city logo. If we adopt a formal logo, it will not replace our wonderful City Seal. We would continue to use the seal for formal documents, but the logo would be used on vehicles, shirts, letterhead, marketing materials, etc. The logo would be an important part of branding our city. We launched a logo contest on Nov 24th to solicit potential logo designs from artists in the community. We offered a pool party for up to 200 people at the North Shore Aquatic Center to the winning designer. We received 11 entries, all of which were wonderful, and we had a very hard time narrowing them down to four finalists. We posted the finalists to our website and Facebook pages and have invited input from our residents. The logos were numbered 1-4, in no particular order. We also asked the General Plan Steering Committee to weigh in on their favorite logo from among the finalists. All members of the committee voted for their top two favorite logos and overall, Logo #2 received the most positive feedback, both by the public and the General Plan Committee. The Council selected logo #2 during the January 27, 2015 meeting, with some recommended changes to the logo.

Mayor Taylor reviewed his memo and introduced the artist that created logo 2, Zarin Ficklin. He also provided the Council with different color schemes and optional wording to be included on the logo and asked that the Council discuss and debate the options before them.

Mr. Ficklin provided his explanation for the theme that he chose for his logo, indicating that after being gone from the City for an extended period of time, he would look for the mountains, which signaled in his mind that he was almost home. He then referenced the different color schemes that have been developed for his logo, noting that blue and green logos are most common in other cities and red seems to stand out to him more.

The Council engaged in discussion and debated about what to be used at the bottom of the logo, with Mayor Taylor providing input regarding the public feedback he has received regarding the color scheme and the language. Council Member Satterthwaite voted for the teal or green color scheme and the use of the words “settled 1851” at the bottom of the logo. Council Member Urry voted for the red color scheme and the use of the word “settled” at the bottom of the logo. Council Member Swanson voted for the red or teal color scheme and stated he would prefer using the word “founded” at the bottom of the logo, but could also support the use of the word “settled”. Council Member Stoker voted for the red color scheme and the use of the words “settled 1851” at the bottom of the logo. Council Member Bailey voted for the red color scheme and supported the use of either “founded” or “settled” at the bottom of the logo. The Consensus was to support the red color scheme and the use of the words “settled 1851”.

Council Member Bailey motioned to use the red color scheme with the use of the words “settled 1851” at the bottom of the logo, upon verification that 1851 was the actual settlement date for the City. Council Member Swanson 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.

4. DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH SYRINGA FOR FIBER OPTICS

A memo from Building Official Kerr explained he and the City Attorney have been working with Syringa Networks for several months to get an acceptable franchise agreement between them and North Ogden City. Syringa Networks have approached the City to develop a franchise agreement since they want to install fiber optics cable in North Ogden City. Syringa finally has drafted a franchise agreement that Jonathon Call thinks may work for the City. The agreement was discussed during the January 27, 2015 Council meeting and the Council directed staff to

conduct additional research into the service that Syringa plans to provide in the City. The Council also asked staff to consider whether Syringa could be denied a franchise agreement or if a moratorium could be placed on entering into additional franchise agreements until the City's street boring policy is updated.

City Attorney Call summarized the staff memo and noted that upon conducting research into the questions asked by the Council he does not feel the City has the power to limit telecommunications companies that operate in the City because such companies are licensed by the State of Utah and State law preempts the City's local authority, though the City is allowed to collect a franchise fee. He noted the City can still regulate the operations of the business relative to street boring. Mayor Taylor noted that the Administration has taken steps to ensure coordination between the service provider and the City relative to the installation of telecommunications infrastructure in the City's streets.

Council Member Bailey inquired as to the service that Syringa will provide North Ogden City residents. Michelle Quayle, Outside Client Manager for Syringa, provided an overview of the history of the creation of the Syringa company, noting it is formed by 12 independent cell phone companies. Syringa now provides service to larger carriers in the State of Utah to give them access to a higher speed bandwidth at a lower cost for their customers. Syringa does not serve individual residents, only large businesses. The location of the infrastructure will be determined by accessibility to existing cell phone towers in the City.

Council Member Swanson motioned to approve agreement A3-2015 with Syringa for fiber optics. 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.

5. DISCUSSION REGARDING A VEHICLE STORAGE BUILDING AT THE NEW PUBLIC WORKS FACILITY

A memo from Mayor Taylor explained Lundahl has given us a bid to complete the Vehicle Storage Building at the new Public Works site. The vehicle storage building was not part of the original contract but a few council members have wanted to at least consider building it now as there will not be enough parking at the new site without it. The current public works site can be used for parking until that site is sold. The reason it is being considered at this time is because we are anticipating having some money available to do so including remaining contingency funds and sale of topsoil gathered when the site was graded. Currently we have \$96,000 left in our

contingency fund plus most of the \$180,000 that was budgeted for imported fill which does not appear to be needed. We are not sure how much the sale of topsoil might bring in but hope to have a better estimation when the landscaping plan is brought back. Here are the costs of the Vehicle Storage Building which includes the following:

- Design and Engineering
- Excavation/Earthwork
- Concrete work including footings, foundations, 5” reinforced floor slab and 6” x 12’ x 260’ concrete apron
- Provide CMU firewall to avoid fire sprinklers
- Provide pipe bollards at doors
- New metal building 60’x260’ x 18’ low eave height
- (5) 3070 doors and (8) 14’x14’ insulated motor operated overhead doors
- Unit heaters and minimal exhaust/fresh air and gas line
- Electrical per code

Site Work/Concrete/Design	\$233,411
Building/Doors/Insulation/Electrical/Firewall	\$427,689
Mechanical	\$ 33,165
Total Price	\$694,265

Option: Change to a different building manufacturer with a longer lead time
Deduct \$38,000; this includes a CMU firewall to split the building and excludes Fire Sprinklers.

Mr. Steele reviewed Mayor Taylor’s memo, noting there is \$96,000 remaining in the project contingency fund as well as \$180,000 that was originally budgeted for import fill material. The City also has the opportunity to sell topsoil on the site to generate additional revenue. Lundahl has indicated they will be presenting some project change orders to the City and he is unsure of the costs associated with those change orders.

Council Member Satterthwaite inquired as to when the City Council needs to make a decision regarding this aspect of the project. Mayor Taylor stated Lundahl has indicated that the project should be complete by mid-April and any delays in project decisions will only delay the grand opening of the facility. He stated that they would like a decision as soon as possible, but February 24 should be soon enough.

Council Member Urry stated he would prefer that this item be tabled until all information is available to the Council in order to make an informed decision. The rest of the Council agreed. Council Member Satterthwaite stated he would like an understanding of how much money the City stands to generate via the sale of topsoil. He also added that he visited Ogden City’s Public Works Facility and found that they have a large parking area with a cement slab that has a cover over the top and no sides. He stated he would be open to considering other options for the covered parking at the City’s Public Works Facility. Council Member Bailey agreed. Mayor Taylor stated he would obtain alternate bids prior to the next City Council meeting.

**Council Member Urry motioned to table the item until the next City Council 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.

Council Member Bailey suggested that information regarding the item be provided to the Council as far in advance of the next Council meeting as possible in order to give the Council sufficient time to consider the information and make suggestions regarding alternative options.

6. DISCUSSION AND/OR ACTION ON AMENDED INTERLOCAL AGREEMENT FOR SR-134/2700 NORTH

A memo from Mayor Taylor explained that after thorough review, UDOT has approved our request for a future light at 2700 North and 300 East. Pleasant View City has very generously offered to "swap" the future light currently designated in the Agreement at Hillsborough Dr. in favor of our light at 300 East. Therefore there is not a net increase in lights approved on 2700 North. Essentially one future light is cancelled in favor of a future light at our location. This future light is important because it will better facilitate commercial access at the future commercial development on the southwest corner of Washington/2700 North. Further, it also will provide a way for shoppers exiting the Lee's Market complex with a safe way to turn left and head east. This will be a major safety improvement to eventually have signalized left turn options exiting both commercial developments on the north and south side of 2700 North. The light will not be installed at this time, but will be installed in the future by UDOT when traffic warrants at the intersection merit signalization. However, the intersection will be a full-access intersection until that point (i.e., left or right turns can be made from it). Once additional commercial development occurs at this corner, and when additional cars are using the intersection, UDOT will measure the traffic volume to see if it is enough to merit installation of the signal. UDOT has the final say on when the light will be installed. UDOT has also committed to paying for the light installation once they determine the intersection merit signalization, which was a very generous offer from UDOT. Throughout this process both UDOT and Pleasant View City have been wonderful to work with, and I appreciate their willingness to help us find a solution that balances the needs of traffic and the needs of economic development in our city. I strongly recommend passage of this amended Agreement. Once the Agreement is completed, we will send it to Pleasant View and Farr West City for approval. The completed document will then be forwarded to UDOT.

Mayor Taylor reviewed his memo and reviewed maps identifying the location of current traffic signals and proposed future traffic signals that would facilitate commercial development expected on the south side of 2600 North and Washington Boulevard. The City has requested that Pleasant View City forego their request for a traffic signal at Hillsboro Drive near the golf course in favor of supporting the City's request for a traffic signal at 300 East on 2700 North. He presented the updated agreement between the cities and UDOT that makes the change that he has referenced and noted the signal would not be installed until there is an adequate traffic level making left turns in the area, as determined by UDOT, to warrant the signal. There was a brief general discussion regarding the configuration of traffic in the area of the requested signal, with Mayor Taylor noting UDOT will have the option to install a median in the area to control traffic and reduce danger at the intersection.

Council Member Urry motioned to approve amended Interlocal Agreement A4-2015 for SR-134/2700 North. Council Member Stoker seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

7. PUBLIC COMMENTS

Steve Rasmussen, 1092 E. 3250 N., asked for feedback from the Council regarding the traffic study at 2550 North to see if there is a recommendation to install turn arrows. Mayor Taylor stated he received an email this afternoon regarding the traffic study and UDOT has indicated the area meets traffic requirements for a left turn and the next step is a field inspection to be done by UDOT traffic engineers and that is scheduled for the first week in March. A final determination will be made following that field inspection. Mr. Rasmussen asked for the process to be sped up because the area is very dangerous.

8. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Swanson acknowledged the Kiwanis Club and all that they do for the City. He also recognized the Police Department for their great work that shows their great dedication to the City.

Council Member Urry echoed Council Member Swanson's comments regarding the Police Department and Kiwanis Club. He then reported yesterday on Washington Boulevard he noticed a white pick-up truck pulling a food trailer with the name Waffle Wagon on the side; it was

parked right on the grass near a sidewalk selling waffles. He sent an email to Mr. Kerr to check if the company has a business license and he returned today to see if they were in the same place, but they were not. He stated he is concerned about that kind of setup and would like to monitor it. Mayor Taylor stated the issue will be forwarded to the City's Code Enforcement Officer as well.

Council Member Satterthwaite echoed the comments made about the City's Police Department. He then noted that he appreciates all City staff and coordination efforts that have taken place relative to some big projects currently happening in the City or on the horizon.

Council Member Stoker thanked the Mayor and City staff for their work in pushing UDOT to address the traffic issues near the Smith's Marketplace development. She also echoed the comments made about the City's Police Department. She reported there was an incident near her home where someone was trespassing and he was apprehended and the situation was dealt with very well by the Police Department. She then added that she would like for the Mayor to include a reminder in the newsletter that it is dog owners' obligation to clean up after them when walking them on public sidewalks.

Council Member Satterthwaite added he received a comment of someone who recently had his vehicle stolen in the City; the same resident noticed someone on his property near his garbage can and it turned out that it was a City employee putting new numbers on the garbage can. The person did not have an identification identifying him as a City employee and he suggested that be corrected.

Council Member Bailey echoed the comments made by the Kiwanis Club and the Police Department. He then noted the most recent City newsletter included a section regarding household hazardous waste, but it does not provide people with information about where those materials could be disposed of and he suggested that be clarified in the next newsletter.

Mayor Taylor reported the City Council budget retreat will be held March 5 beginning at 8:00 a.m. The meeting will last the majority of the day; there will be additional meetings held to review the budget in order to be prepared for final action in June. He then stated he sent the entire City Council an email about the library and dog park and he asked for feedback from the Council regarding those two items. He then requested that the Council convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual.

Council Member Swanson moved to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual. Council Member Bailey 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 7:58 p.m.

The meeting reconvened at 8:50 p.m.

Council Member Satterthwaite moved to convene in a closed session to discuss pending or reasonably imminent litigation. Council Member Urry 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 8:53 p.m.

The meeting reconvened at 9:26 p.m.

9. ADJOURNMENT

Council Member Satterthwaite motioned to adjourn. Council Member Swanson 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 9:26 p.m.

Brent Taylor, Mayor

S. Annette Spendlove, MMC
City Recorder

Date Approved