

NORTH OGDEN CITY COUNCIL MEETING

June 10, 2014

The North Ogden City Council convened in an open meeting on June 10, 2014 at 6:37 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 March 20, 2014. Notice of the annual meeting schedule was published in the Standard-Examiner on January 24, 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:	Ronald F. Chandler	City Manager
	Jon Call	City Attorney
	Bryan Steele	Finance Director
	Gary Kerr	Building Official
	Nicole Smedley	Deputy City Recorder
VISITORS:	Joan Brown	Ryan Barker
	Marcie Gilgen	Jess Robinson
	Kevin Farnsworth	Ryan Farnsworth
	Dale G. Swenson	Bill Treadway
	Cindy Child	Dave Robinson
	Dan White	David White
	Aaron Christensen	Andrew Christensen
	Steve Rasmussen	Blake Welling
	Rachel Trotter	Tamara Briggs
	Tanya Cheal	Justin Scott
	April Welch	Jonathan Heeringa

Mayor Taylor welcomed those in attendance.

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

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

CONSENT AGENDA

- 1. Consideration to approve the minutes of the May 8, 2014 City Council Meeting.**
- 2. Consideration to approve the minutes of the May 27, 2014 City Council Meeting.**

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

ACTIVE AGENDA

1. PUBLIC COMMENTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. VENTURE ACADEMY PRESENTATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12-6-3 Streets

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

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

12-1-12: VARIANCES:

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

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

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

C. Procedures:

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

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

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

The memo provided the following summary OF CITY COUNCIL CONSIDERATIONS:

- Does the proposed variance meet the variance criteria of the subdivision ordinance?

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

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

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

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

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

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

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

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

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

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

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

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

Council Member Bailey then moved to suspend the rules to allow public comment regarding this topic. 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.

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

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

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

Council Member Bailey moved to grant the variance requested by Jess Robinson based on the criteria listed in North Ogden City Code 12-1-12. 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 AND/OR ACTION TO CONSIDER AN ORDINANCE ADOPTING FISCAL YEAR 2014-2015 FINAL BUDGET

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

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

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

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

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

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

Council Member Bailey moved to adopt Ordinance 2014-12 adopting the Fiscal Year 2014-2015 final budget. 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.

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

6. DISCUSSION AND/OR ACTION TO CONSIDER A RESOLUTION ADOPTING THE 2014-2015 CONSOLIDATED FEE SCHEDULE

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

Page 2 –

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

Page 4 –

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

Page 9-

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

Mr. Steele summarized his staff memo.

Council Member Urry asked if the \$170 fee for garbage receptacles covers the cost of both cans. Mr. Steele answered yes and noted the cost would provide a garbage can and a recycling can.

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

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

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

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

Council Member Swanson moved to adopt Resolution 9-2014 approving the 2014-2015 Consolidated Fee Schedule after striking the fee for administrative review of an annexation petition. 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. DISCUSSION AND/OR ACTION TO CONSIDER A RESOLUTION SETTING FORTH THE PROCEDURE FOR APPROVING CHANGE ORDERS FOR THE PUBLIC WORKS FACILITY

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

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

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

Council Member Bailey moved to adopt Resolution 10-2014 setting forth the procedure for approving change order(s) for the Public Works Facility project. 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.

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

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

Council Member Urry moved to reschedule the June 24 City Council meeting to June 26, 2014. 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.

9. PUBLIC COMMENTS

There were no public comments.

10. CITY COUNCIL, MAYOR, AND STAFF COMMENTS

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

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

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

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

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

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

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

11. ADJOURNMENT

Council Member Satterthwaite moved to adjourn the meeting. 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.

The meeting adjourned at 9:12 p.m.

RDA

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

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

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

Voting on the motion:

Board Member Bailey	aye
Board Member Satterthwaite	aye
Board Member Stoker	aye
Board Member Swanson	aye
Board Member Urry	aye

The motion passed unanimously.

2. ADJOURNMENT

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

Voting on the motion:

Board Member Bailey	aye
Board Member Satterthwaite	aye
Board Member Stoker	aye
Board Member Swanson	aye
Board Member Urry	aye

The motion passed unanimously.

The meeting adjourned at 9:15 p.m.

Brent Taylor, Mayor

S. Annette Spendlove, MMC
City Recorder

Date Approved