

NORTH OGDEN CITY COUNCIL WORK SESSION MEETING MINUTES

March 25, 2014

The North Ogden City Council convened in an open meeting on March 25, 2014 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 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
	Justin Fawson	Council Member
	Lynn Satterthwaite	Council Member
	Cheryl Stoker	Council Member
	James Urry	Council Member
STAFF PRESENT:	Ronald F. Chandler	City Manager
	S. Annette Spendlove	City Recorder/ H.R. Director
	Jon Call	City Attorney
VISITORS:	Frank Hare Jr.	Alan Zinz
	Harvey Galvez	Troy Herold
	Mike Carter	Joan Brown
	Hector J. Mercado	Dan Carter
	Chris Heiner	Phillip Swanson
	Don Colvin	Gunnar Langhos
	Neil Amaral	Dave Meents
	Roger Hepworth	Debbie Hepworth
	Blake Welling	Angie Francom
	Neil McIntosh	Kirk Chugg
	John Hansen	Susannah Burt
	David Burt	Jack Barrett
	Dawn Barrett	Aiden Barnett
	Jillian Barrett	Bob Bushwell
	Rachel Trotter	Gayle Harris
	Brian Crittenden	Milena Spaulding
	John Hansen	

Mayor Taylor welcomed those in attendance. Council Member Satterthwaite offered the invocation and led the audience in the Pledge of Allegiance.

CONSENT AGENDA

1. Consideration to approve the minutes of the February 20, 2014 City Council Meeting
2. Consideration to approve the minutes of the March 4, 2014 City Council Meeting

Mayor Taylor announced there was an error with the minutes and it is necessary to pull consideration of the minutes from the agenda; it may be possible to revisit this agenda item later in the meeting, time permitting.

AGENDA

1. PUBLIC COMMENTS

Matt Steadman, no address given, stated he is the coach of the Junior Midget football team consisting of eighth-grade boys from North Ogden; his team was successful in winning their spot in the Mini Bowl game this year and they won the game. The reason he is here this evening is because he wants the Council to be aware that it has been a long time since any team from North Ogden enjoyed that much success, and this year there were actually two teams that made it to the Mini Bowl. He stated this would not be possible without the support of the Council and the community and he noted the Mini Bowl trophy is now on display in the Recreation Department. He thanked the Council for their support of the Recreation Department; he had a conversation with Mayor Taylor during his campaign about the Recreation Department and he was pleased to hear that Mayor Taylor feels recreation is an important thing for the youth of the community and it is important to continue to grow the program. Most of the boys on his teams have been playing since they were seven years old and he is happy they had the opportunity to play in a championship game. He noted the sport of football has become somewhat controversial and he wanted the Council to understand how he feels about the sport; it provides young boys the opportunity to learn about emotional triumphs and failures. The sport is not about carnage, but the opportunity to face adversity and overcome it. He presented the Council with a photograph of his championship team as well as a copy of the tournament bracket that his team played through to make it to the Mini Bowl game.

Roger Hepworth, no address given, stated he and his wife Debbie represent RDGH Incorporated; they are part owners of the North Ogden Plaza, formerly known as the King's Plaza. He noted the signage and lighting at the Plaza has been upgraded and he wanted to highlight some of the great ways the Plaza can benefit the community. The King's store has been vacant for more than 20 years and it is very run-down and he would like the City to assist him in getting the building cleaned up before it continues to deteriorate and cause further negative impacts to the rest of the Plaza. He noted he is working with a financier that is hesitating to offer financing for the project because they are concerned about the condition of the King's building. Mayor Taylor stated there will be a discussion regarding economic development later in the meeting and Mr. Hepworth's concerns can be discussed at that time.

Item three was then moved ahead of item two on the agenda.

3. DISCUSSION AND/OR ACTION TO CONSIDER REVISING THE CONSULTING AGREEMENT WITH BETTER CITY, LLC

A memo from City Manager Chandler explained City Administration is proposing to modify Better City's consulting agreement. A summary of the changes to the agreement are as follows.

- 1) The amendments change this agreement from an hourly based contract to a project based contract.
- 2) The maximum annual sum is lowered from \$75,000 to \$60,000.

- 3) The City will pay a retainer fee of \$1,000 per month and a fee based on the completion of the projects listed in the scope of work.
- 4) Projects – We have identified 5 projects for Better City.
 - a) Smith’s Block Revitalization (this is the old Smiths building) – Midpoint payment = \$12,000; Final payment = \$20,000
 - b) Kings Block Revitalization = Midpoint payment = \$15,000; Final payment = \$25,000
 - c) Barker Property - Final payment = \$20,000
 - d) Washington Boulevard Redevelopment - Midpoint payment = \$15,000; Final payment = \$20,000
 - e) Public Works Building Reuse, (this is the old public works building location) - Midpoint payment = \$6,000; Final payment = \$15,000.

A portion of the Smiths Block Revitalization, the Kings Block Revitalization and the Washington Boulevard Redevelopment projects are within the City’s redevelopment area and are therefore eligible to use monies from the redevelopment fund.

Mr. Chandler reviewed his staff memo.

Council Member Satterthwaite inquired as to the amount of money that was paid to Better City and what was accomplished by the firm.

Matthew Godfrey, Owner of Better City, stated the biggest accomplishment last year was the finalization of the Smith’s Marketplace project. He has also been working over the past year to find a tenant to locate in the building that will be vacated by Smiths; this will provide a smooth and quick transition to keep the retail spaces of the City full. He noted he has also worked on a variety of plans for other smaller economic areas of the City, including the King’s Plaza; that project may be very complicated because there are many property owners at the Plaza. He noted much of his work has been invisible to date.

Mr. Chandler stated Mr. Godfrey has been paid approximately \$45,000 for his work this year; much of that money has come from the Redevelopment Agency budget since the Smith’s Marketplace project is located within a defined redevelopment area.

Council Member Stoker asked for additional information regarding the work that has been done at the King’s Plaza. Mr. Godfrey provided information about existing leases at the Plaza and noted he has tried to encourage the owner of the King’s building to sell it to allow for redevelopment. The area is blighted t and it may be time for the City to intervene because the market is not correcting the problem. That work is underway and he is hopeful to bring an action to the Council this year for consideration.

Mayor Taylor noted that he has always been skeptical of consultants and he was originally skeptical of the agreement with Mr. Godfrey, but he has been very impressed with the work that he has done for the City and the City is spending the same or less than was being spent when economic development was handled by an in-house employee, but the service being provided to

the community is better. He noted the proposal to amend the agreement ties the costs to success of economic development projects, which is a reason he is supportive of it.

Council Member Urry inquired as to how Mr. Godfrey interacts with businesses that currently lease space in the area surrounding the existing Smith's store. Mr. Godfrey stated he has direct contact with the owners of the properties as well as the tenants; he has been working directly with the owner of the strip mall to understand his plans for back-filling the space when it is vacated as well as his plans for renovating the façade and interior of the buildings. He offers help in those areas as well. He noted a new restaurant is seeking to locate in North Ogden and he worked hard to recruit that business to the area; he will also work to recruit new businesses to the vacant space around the Smith's development. Those types of things will help to create a vibrant, successful economy for the City. Council Member Urry stated he knows the owner of the dry-cleaning company quite well and they are in need of assistance relative to the terms of their lease or the potential for them to relocate to another area of the City. Mr. Godfrey stated he will make contact with those business owners.

Mayor Taylor identified some imminent economic development projects that will be of benefit to the City and many of those projects are the fruits of Mr. Godfrey's labor.

Council Member Fawson stated he is very pleased with the progress Mr. Godfrey has made in the City and he appreciates that the Council has a voice in the economic development process.

Council Member Fawson moved to approve Agreement A7-2014. Council Member Stoker seconded the motion.

Council Member Satterthwaite referenced a paragraph in the agreement that notes the firm reserves the right to negotiate a payment structure that will be generated from projects orchestrated by the firm on behalf of the City and the City will maintain the right to review and approve any such payment structures. He wondered if that leaves the potential for a conflict of interest if there are a few potential tenants for a project and one of the tenants may be more likely to submit to the payment structure. Mr. Godfrey stated there would be a tremendous opportunity for a conflict of interest if this issue surrounding tenant selection were not fully disclosed to ensure all parties are comfortable before moving forward. He added it is hard for him to make money on these kinds of agreements because there is limited City funding; he employs people that are highly professional and well educated and he cannot make money on his relationship with the City unless someone else is 'helping to pay the way'. He stated by packaging a project to a developer he is doing a lot of the leg work for the developer and the developers recognize that. Rather than passing the time and cost savings on to the developer, the clause referenced by Council Member Satterthwaite allows for the developer to be charged for the work that they would otherwise have to complete on their own. He noted most developers are willing to do that and it allows him to make financial sense of this type of contract. Council Member Satterthwaite thanked Mr. Godfrey for that answer and noted he has received three phone calls in the past week from people that are very pleased about the Smith's Marketplace project; he noted he has high regard for the work Mr. Godfrey has done in the community.

Mayor Taylor noted it is a good use of RDA funds to pay a consultant, like Mr. Godfrey, for the work he is doing in the City. There is currently a significant positive cash flow in the RDA budget and with the completion of the Smith's Marketplace project that balance will continue to grow.

Voting on the motion:

Council Member Bailey	aye
Council Member Fawson	aye
Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Urry	aye

The motion passed unanimously.

Council Member Fawson asked Mr. Godfrey to weigh in on agenda item six before excusing himself from the meeting. Mr. Godfrey stated an applicant is seeking approval of the rezoning of property in the City and the argument for that rezone is related to the current market conditions and how those conditions impact the property. He noted it is important to consider long term strategic planning and specific land uses for the City; he agrees there is not a sufficient commercial market to take up the entire property that is currently zoned commercial, but in the long term of the City he anticipates significant commercial development in the region and as the road to Ogden Valley is improved there will be an opportunity for the citizens of that area to travel through the commercial corridor of North Ogden. He noted the potential for needing significant commercial areas in the City in the long term is significant and it would be disadvantageous to downzone property that is currently zoned commercial because it will be impossible to get that back. He noted commercial property generates the greatest revenue stream for the community in the long term and he reiterated he would be very nervous about the downzone from an economic development point of view. He stated he cannot project a potential tenant for the property, but those things will unfold as the market continues to improve.

Mayor Taylor stated any time the Council contemplates spending tax payer dollars on any item, they take that very seriously. He noted the agreement with Mr. Godfrey has been very successful for the City and the revenues generated by the projects worked on by Mr. Godfrey will greatly benefit the City.

2. DISCUSSION ON THE PROCESS FOR THE GENERAL PLAN REVIEW

A memo from Mayor Taylor explained he has met with members of City Administration several times to develop a process for reviewing the General Plan. We are ready to begin this process, and would like to finalize an initial plan for moving forward during our next City Council meeting (March 25). Below is what we are proposing to start our discussion in this regard. Please bring your ideas and suggestions to the March 25 meeting. The memo reviewed the process and calendar for the General Plan review:

1. Joint Council---Planning Commission work session to brainstorm scope and refine plan (Mid---late April).
2. Select a General Plan consultant to facilitate process and write plan updates (May--- June).
3. Create a Steering Committee to guide process (a joint committee of elected officials, planning commissioners, residents, business community, and trails/parks representative). Steering committee refines City Council guidance into key areas for review (June---August).

4. Input from residents is gathered via surveys and highly publicized Open House events (August---September).
5. Consultant, Steering Committee, and Planning Commission work to create an updated General Plan Recommendation.
6. The recommendation comes to the City Council for further refining and approval (Spring 2015).

The memo then provided information regarding grant applications and additional details pertaining to the General Plan update. Two grant applications were submitted to the Wasatch Front Regional Council to help pay for the cost of the General Plan review and the development of a Downtown plan. Rob Scott has put a lot of thought and effort into developing these proposals and grant applications. We are really fortunate to have his expertise in the City and he will be an excellent asset during the review process.

The memo reviewed the proposed makeup of the Steering Committee, noting that based on previous discussions about the General Plan during the first Council work session, it sounded important that all elected officials be involved throughout the review process. The Mayor's recommendation is to create a Steering Committee to guide the process that would be made up of residents, elected and appointed officials, and staff to guide the consultant and the process. The proposed committee makeup is as follows:□

- Mayor (1) *Chairman*
- City Council (2)
- Planning Commission (3)
- Business Community/Economic Development Committee (2)
- Parks/Trails Representative (1)
- Residents (3---5)
- Staff (City Manager, Planner, and Attorney)
 - Total: 12---14 members

The purpose of this Committee would be to steer the process and to identify the key areas for review, provide recommendations for addressing the issues, and to help ensure resident input and involvement. The consultant would ultimately be responsible for the heavy lifting and for writing the plan updates. The updates would then go to the Planning Commission for a recommendation, and then make their way to the full City Council. The full Council would be involved in the outreach efforts and especially the Open House events. Also, the entire Council would be involved in recommending persons for the Committee.

Mayor Taylor reviewed his memo.

Council Member Fawson stated he is very supportive of the idea of involving the public in the process to update the General Plan. Council Member Bailey agreed and commended staff and the Mayor for their work on this proposal.

Council Member Satterthwaite indicated he would like to charge the Steering Committee with proposing a mechanism by which the General Plan would be updated on a regular basis to prevent it from becoming so out of date again in the future.

Council Member Stoker stated she is excited to get moving on this project and thanked staff and the Mayor for the work they have done so far. Council Member Urry agreed.

Mayor Taylor stated he will put the proposed schedule in motion.

4. DISCUSSION AND/OR ACTION TO CONSIDER AN INTERLOCAL AGREEMENT BETWEEN WEBER COUNTY AND NORTH OGDEN CITY CORPORATION REGARDING PROPERTY LOCATED AT 1850 N. WASHINGTON BLVD.

A memo from City Manager Chandler explained the property owner of 1850 N. Washington Boulevard is in the process of annexing the front portion of their property that used to house the Country Boy Dairy. They are leasing this ground to Sacco's Produce who is in the process of going through a site plan review, building permits, and business licensing. The property is currently in an unincorporated island in Weber County and is in the City's Annexation Boundary Declaration. Staff is working with the applicant to move this project forward while the annexation process is completed. Staff has drafted an Interlocal Agreement with Weber County that designates North Ogden City as the land use authority. Staff recommends approval of the proposed Interlocal Agreement with Weber County designating North Ogden City as the land use authority for the property located at 1850 North Washington Boulevard subject to Weber County's approval.

Mr. Chandler reviewed his staff memo.

Council Member Urry asked if the ownership of the subject property is changing. Mr. Chandler answered no and stated the owner will be leasing the property to Sacco's Produce.

Mayor Taylor inquired as to when the Planning Commission will consider this item. Mr. Chandler stated they will review the application at their April 2 meeting.

Council Member Fawson moved to approve agreement A8-2014. Council Member Bailey seconded the motion.

Voting on the motion:

Council Member Bailey	aye
Council Member Fawson	aye
Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Urry	aye

The motion passed unanimously.

5. PUBLIC HEARING TO CONSIDER REZONING THE PROPERTY LOCATED AT APPROXIMATELY 1825 N 100 E FROM COMMERCIAL C-2 TO RESIDENTIAL R-3 AND RESIDENTIAL R-4 FOR THE PURPOSE OF CONSTRUCTING A MULTI-FAMILY DEVELOPMENT

A memo from City Planner Scott explained that when the City Council is acting in a legislative capacity as the land use authority the City Council has wide discretion. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically the criteria for making a decision, related to a legislative matter, require compatibility with the general plan and existing codes. The memo provided a short background of the property indicating the applicant is requesting that a portion of the property located at 1700 North Washington Boulevard be rezoned from C-2 to R-3 and R-4. The property

extends 1700 feet to the west from Washington Boulevard. The frontage along Washington Boulevard is proposed to remain C-2 extending back approximately 300 feet and is about 4.42 acres. The second parcel being proposed to be rezoned to R-4 is approximately 20.4 acres, and the third parcel to be rezoned R-3 is approximately 2.5 acres.

The R-4 property is proposed to have a charter school (3-5 acres) and assisted living facility (8 acres) on the west end of the property as a buffer to the single family subdivisions known as Mystery Meadows. This will leave approximately 9-12 acres for multi-family in parcel 2 and the 2.5 acres in R-3. On April 30, 2013 the Economic Development Committee considered this request. The Committee unanimously recommended “that in an expeditious manner, begin General Plan evaluations including evaluations regarding economic development; to recommend that the Planning Commission, in conjunction with the economic development advisor, begin discussions regarding mixed-use zoning and analysis; and that the current zoning for the subject property remain unchanged until the other two discussions have taken place.” In the February 5, 2014 Planning Commission meeting, the applicant stipulated as part of any rezone approval to having a development agreement. The agreement will identify that the assisted living facility and charter school will provide a buffer to the single family subdivision to the west. If the City Council approves this rezone, a condition of approval will be to require a development agreement. The City Council will need to identify the items to be included with the agreement. Staff will then work with the applicant and Planning Commission to recommend a final agreement for approval by the City Council.

The Planning Commission considered four options regarding this application:

1. Approve the application as presented.
2. Deny the application.
3. Approve the rezone with the charter school and residential care facility abutting the commercial and rezoning the westerly portion single family residential.
4. Approve the application with conditions; subject to a development agreement.

The North Ogden General Plan calls for this property to be single family residential low density. The existing zoning and the proposal are not consistent with the General Plan. The Planning Commission reviewed the Zoning and Land-Use Policy that include guidelines for how zoning changes should be considered. The Planning Commission also reviewed the General Plan descriptions for residential and commercial development.

The memo provided the following summary of City Council considerations.

- Is the proposal consistent with the General Plan?
- How does the proposal relate to the Zoning and Land-Use Policy for evaluating zoning requests?
- How does the proposal relate to the General Plan residential and commercial development descriptions?
- What options are available for the City Council to consider?

The Planning Commission is recommending alternative 4; approve the application with conditions to include a development agreement that will locate the charter school and residential care facility on the westerly end of the property, to negotiate design standards for the R-3 and R-4 properties, and that if the applicant does not follow the development agreement the property will be rezoned back to C-2. Since the Planning Commission meeting the developer has been in negotiations to potentially relocate the charter school to the property to the north. This property has yet to be annexed into North Ogden and would require a separate application.

Mr. Chandler reviewed the staff memo and used the aid of a land use map to identify the location of the subject property and highlight the areas of the property that are subject to the proposed rezone actions. He noted the Planning Commission has recommended that the rezone application be approved subject to the execution of a development agreement that would require the developer to proceed with the draft development plan for the property; this agreement would be binding upon future property owners. He noted the City can dictate the order of the different components of the development of the property as identified in the development plan provided by the applicant. Mr. Chandler then concluded his report by noting the options available to the City Council this evening: deny the application; approve the application without conditions recommended by Planning Commission; modify the application; or table the application to direct staff to follow through with the recommendation of the Planning Commission to prepare a development agreement.

Council Member Fawson stated this is the fourth time that this body has heard the presentation from the applicant and he asked for brevity in the presentation this evening.

Mayor Taylor opened the public hearing at 7:40 p.m. and indicated the applicant will have 15 minutes to provide the Council with a presentation regarding their application.

Troy Herold approached the Council and stated that some of the housing density numbers in Mr. Chandler's presentation were inaccurate. He also noted that the Council is not considering a recommendation from the City Manager this evening; instead, they are considering a recommendation from the Planning Commission and they have had over a year to consider the application. He provided a brief background of the application and used the aid of a PowerPoint presentation to provide the Council with details of the application and he referenced some of the documents and other tools that have led his applicant to believe the current proposal is the best use for the property. Many commercial properties in the community and region are currently vacant or under redevelopment; there are other properties in the area that are better suited as a shopping center than the subject property. He then highlighted the facets of the Planning Commission's recommendation and identified the location on the property where the assisted living center would be constructed if the application is approved. He also identified the location of the proposed charter school. He then asked the architect for the assisted living center to provide the Council with some information about that aspect of the project.

Gunnar Langhos, architect for the project, provided some historical data for his architecture firm prior to providing the Council with information about the viability of the subject property for an assisted living center. He stated the cottages to be built around the center will provide a good buffer between the center and the existing single-family homes in the area. The construction costs of the facility are anticipated at \$15 to \$20 million and the project will be under construction for approximately 13 months. Once completed, the center will employ 75 full time employees, 15 of the employment positions will be managerial in nature. He then reviewed photographs of similar projects he has completed in other communities and noted the design of the center would fit with the architecture of North Ogden. He also identified some of the amenities that would be included in the center.

Mr. Herold reviewed the phasing plan for the project and noted the agreements relative to the assisted living center could be executed now; the charter school and multi-family housing components of the project are currently being designed. This is the reason the Planning Commission recommended the use of a development agreement to complete the project.

Mr. Chandler then stated the density numbers in his presentation were not inaccurate and he actually arrived at the data by using information provided by Mr. Herold; the Planning Commission has recommended no more than 12 units per acre and when considering there is 15.6 acres of land to be developed, the total number of units could be 176; on 20 acres the calculation would be 229. Mr. Herold stated he was referencing the density on the 12 acres of property to be zoned R-4; he reviewed the site plan for the project and stated his density calculations took into consideration the fact that the assisted care center will take up eight acres of property on the site.

Suzanna Burke, 1809 N. 650 E., stated that she lives across the street from the subject property; she has watched the changes that have taken place at Majestic Elementary as a result of the fact that it is fed by several multi-family developments in the area. The school is 'bursting at the seams'. She stated she is worried the same thing would happen to Green Acres Elementary School and the school may not have the capacity to teach all of the new children that could potentially locate to the area. She then stated she has heard regrets expressed by residents in Harrisville about the approval of so many multi-family housing units in their community; many of those units are rental units, which allows for more transition and mobility and that is not a positive thing for the community. She encouraged the Council to deny the rezone application.

Christopher Heiner, 681 E. 2600 N., stated he is representing his father and grandfather, who both live in North Ogden. He first referenced the assisted living center on the project and noted the City already has a sufficient amount of assisted living space in the community. He then noted he has seen many nice town home developments, but most of those units generally transition to rental or low-income housing units. He stated the City needs more single-family homes to keep growing families in North Ogden. He referenced the zoning and stated that the City currently has very little commercial zoning and he wondered where commercial zones would start popping up throughout the community if it is taken away from Washington Boulevard. He noted property taxes will eventually be increased to cover the cost of services provided by the City and to offset those costs or the need to increase taxes the City needs sales tax revenues. He stated it is important to look to the future and consider the best use of the property and, for that reason, he recommends denying the rezone application.

Mike Carter, 304 W. 1825 N., stated he lives a few blocks from the subject property. He then provided the Council with his own experience as an adult; he has lived in and managed apartments in Murray and the units were riddled with problems associated with drugs and other issues. He stated he does not want those problems close to his home in North Ogden; the community is currently beautiful and he would like for the area to be developed into a more walkable community. He stated there may not be a demand for commercial space now, but there will be a demand in the future. He referenced mixed use developments in other communities and stated that as the State continues to develop, people will be looking for neighborhoods within walkable communities with access to stores and restaurants. He stated he feels the requested zoning and subsequent project is premature and the General Plan for the City is outdated; those issues need to be addressed before any rezone application is considered. He encouraged the Council to heed the advice of Mr. Godfrey and have a greater focus on the future of the City.

Melina Spaulding, 1875 N. 390 W., stated the things she likes about the community is that it is a very sound community with single family home developments; there is an opportunity to keep the community the way it is in a responsible way and to keep it clean and taken care of. She stated she works for a financial institution and she has observed the manner in which multi-family housing units seem to change ownership so frequently, perhaps too fast. She stated the income of the occupants of the units is lower each time and she feels the same thing would happen to the subject property. She referenced similar developments in Harrisville and noted it is difficult to keep units in good condition. She moved to North Ogden to live in a City that has less crime and less development; even though she has family that lives in apartments she understands the constant problems associated with apartments or other types of high density developments.

Amy Steele, 1809 N. 400 W., stated she and her husband were drawn to North Ogden because of the great schools and the feel of the community; she has looked at the General Plan that was created in 1997 and she feels it is a great plan for the area, though she understands it needs to be updated. She stated it provides a plan that attracts families to the area. She has seen over the years the different high density developments that have been constructed around Majestic Elementary and those developments have brought kids that struggle to read at their grade level, among other problems. She stated that is a result of the transient nature of the families that live in those types of houses. She stated she wants to be welcoming, but she wondered if it is wise to invite more of that demographic to the City when schools are already struggling. The City has a lot of potential and can be attractive to families that will take care of their homes; if the Council makes a rash decision about this development at this time, the schools and community will ultimately suffer. She urged the Council to deny the rezone application.

Hector Hurgato, 1741 N. 350 W., stated he lives two blocks west of the subject property; if the application is approved, 1700 N. will be a major street and people that live in that area have families with young children and there will be major safety concerns. He moved to Utah from California, where he lived in apartment complexes. He stated those types of developments bring a bad element to a city and he relayed some experiences he had while living in apartments; he is not saying those things will happen in North Ogden, but it is possibility. He noted apartments increase traffic and crime, as well as accelerate the deterioration of schools. He encouraged the Council to deny the rezone application.

Frank Harrop, 1785 N. 225 W., stated while watching the presentation by the petitioner he noted the applicant wants to eliminate half of the available commercial property in the City because commercial developments are occurring in other cities, but not in North Ogden. He stated this is not about what is happening in other cities; all other cities are having problems, but if the commercial property is eliminated it will not be available again in the future when it is needed to serve the growing population. He also encouraged the Council to deny the rezone application.

Neil Amaral, 183 E. 1875 N., stated he agrees with many of the things that have been said, but he does believe there is an abundance of commercial property in the area. His recommendation would be to rezone the property to allow the construction of more single family homes on the western portion of the property and to maintain the commercial zoning along Washington Boulevard. He noted that commercial developments that are too far from a high traffic road are

not as successful. He stated the new single family homes would be more compatible with the existing single family homes in the area.

Jess Robertson, 1598 N. 200 W., stated that he agrees that the recommendation has been made by the Planning Commission, but the Council must also consider that as the elected officials of the City they represent the people and the people have spoken today. He stated there have been many good suggestions and he feels there are other options for the property. He stated when he moved to his home he reviewed the master plan for the subject property and it included future phases of single family home development and that was his idea of what he wanted to see in North Ogden. He stated the proposed development of apartments could bring another 300 to 400 people in the area and they would all have to drive through school zones to get to their dwellings. He stated that is not what he envisioned for the City of North Ogden and he hoped the Council would listen to North Ogden residents rather than an out-of-state developer that is seeking to better his bottom line.

Don Colvin, 566 E. 3050 N., stated he has served as a Planning Commissioner, City Council Member, and even Mayor of North Ogden; at that time there was a proposal to extend Wall Avenue to provide greater access to the western side of North Ogden and that is still a viable option to consider in order to handle the traffic generated by the development of the subject property. He stated that he feels the Planning Commission has put the Council in a difficult position and the rezoning of this large an area should not be considered without considering access to the western portion. He noted the General Plan should be updated, which will lead to additional discussions regarding transportation pertaining to commercial and residential development. He stated he would recommend tabling the application until such a time that the General Plan can be updated in order to determine what is best for the community.

John Call, 1895 N. 300 W., stated his biggest concern is the proposed increase in density, which would invite an increase in crime; it has been his experience that high density areas become run down as they age. He noted he lives in a twin home that is part of the development that has changed ownership several times. He has stayed in the area because he likes the family feel of the City and he hopes to raise his family here; he would like for the area to remain single-family in nature. He noted there are existing apartments on the east side of Washington Boulevard on 1700 North and many of them have been vacant for some time. He wondered if it is wise to increase the number of apartment units in the area based on that vacancy rate. He stated there are existing town homes in Harrisville as well and he noted the density of the area may be too high. He encouraged the Council to deny the rezone application.

Art Galvez, 110 E. 1875 N., stated that he would urge the Council to vote against making any changes to the subject property.

Sarah Eabe, 175 W. Hancock Circle, stated when she bought her home that she lives in with her small children, it was with the understanding that it would stay as it was; she is opposed to multi-family housing. She stated she understands there is a purpose for multi-family housing and she has lived in apartments herself, but she worked very hard to be able to move from an apartment. She came to North Ogden for the sense of community and she does not want to live in an area where she is close to multi-family housing because of the increased crime levels. She stated

another thing concerns her is the delayed construction of another elementary school to serve the area; Majestic Elementary is currently overcrowded and there is nowhere to send more children if they move to the area. She then stated she is not supportive of a charter school in the area because she believes in the public school system. She encourage the Council to listen to the citizens that have spoken this evening and vote against the proposed rezone.

Brian Crittenden, 1237 E. 2650 N., stated he would echo many of the comments that have been made; many people moved to North Ogden because it is a safe place to live, it is a single-family community, and it is family oriented. There is a time and place for multi-family housing and it is not here; there are existing multi-family opportunities in the City. He stated North Ogden will grow on its own and that growth should not be rushed; the growth will occur properly as directed by the General Plan. He stated that if the property is zoned residential at this time, it would be very difficult to go back to commercial zoning in the future if that were deemed necessary. He encouraged the Council to vote against the proposed rezone.

Jim Flinn, Farr West, stated that he would like to speak in favor of the assisted living center; he would like the Council to make a distinction between the center and the multi-family portion of the development. He stated that there is a great benefit of having this type of assisted living center in the community. He knows the applicants and they have only chosen communities that are progressive in nature and they are building their centers to serve the needs of the community in the future. He asked the Council to consider that this evening as they are deliberating. He stated that aspect of the development will not impact the schools and it is truly a community investment that will bring jobs to the City.

Dallin Ence, 187 E. 1875 N., stated he is very concerned about the multi-family units. He then noted that his property abuts the commercial area of the property and that is the last thing that he wants near his property. He stated he moved to the area because it is nice place to live, but it is not a good place to construct additional multi-family units that will eventually deteriorate. He encouraged the Council to vote in opposition to the proposal. He stated he would not be opposed to single-family homes, but he is opposed to multi-family units.

Jordan Bodily, 163 W. Hancock Circle, stated that he is a data driven person and he has researched many cities where high density housing is located to understand some of the improvements or negative impacts that such housing has caused. He stated he found an increase in pollution, crime, and an introduction of more low-income families. One thing the City needs to be cognizant of is the use of tax dollars to subsidize low-income families for addressing things like an increase in crime and pollution. That is not something North Ogden has in its General Plan. He stated that he has no problems with the assisted living center, but he is opposed to the multi-family housing.

John Hansen, 345 W. 1700 N., stated he has lived in North Ogden for 12 years and he loves the community. He agrees with many of the comments that have been made, but he noted the City does have a General Plan and if the City deviates from that plan it is essentially a “bait and switch” for the families that have already built in the area. He stated there is plenty of affordable housing in the area; there is not a lack of apartments or high density housing. He added there are three other assisted living facilities in the vicinity near the subject property. He stated the

proposed development could bring an increase in crime, drug activity, and gang activity. He added that if the commercial zoning is lost now it will never be recaptured. He noted Mr. Godfrey has done a lot of great things for the community and there are many companies that will locate in the area and they will need space to accommodate them. He stated property rights are important, but the developer purchased the property based on how it was zoned and the development that was called for in the General Plan. He stated it would be a huge impact to the schools in the area and would have a negative impact on the community feel. He asked the Council to deny the request.

Angie Francom, 361 W. 1700 N., stated she is new to the area and she picked this community for a purpose and to allow her children to attend the school they are allowed to attend. She stated she has also lived in high-density housing and worked hard to get out of it and she does not want it located near her existing home. She stated as she was listening to Mr. Herold's presentation she made a list of pros and cons and nothing was included on the pro list; she feels very strongly that the Council should deny the application.

Mark Mangum, 176 W. 1500 N., stated he wonders how many of the prospective buyers of the existing single family homes in the area of the subject property know that it may be rezoned. He stated he is not opposed to the assisted care center, but he would encourage the Council to revise the application to avoid high-density housing.

David Meents, 922 E. 3250 N., stated he has lived in North Ogden since 1980; he raised his three kids here and none of them, nor their friends, live in North Ogden because they cannot afford it. He is supportive of affordable housing if it is developed correctly and he is also supportive of the assisted living care center. He stated there have been many negative comments made this evening, but he suggested there are options for amending the application in a manner that is responsible and can accomplish the goals and meet the needs of the City.

Justin Southwick, 1819 N. 200 W., stated he is born and raised in North Ogden and it is interesting to see how the City has evolved over the years; it was previously a very small farming community and he longs for those days again. He is excited to see how the City is growing, but as that growth has occurred some poor decisions have been made. He stated with Mr. Godfrey's involvement there are better chances for the City to make wise choices. He added he can echo many of the comments that have been made about the negative aspects of apartments and high density housing and he does not want to see the community turn into a place that he is not proud to raise his family in.

Susannah Burt re-approached and stated that the idea of the assisted living center sounds wonderful, but she asked the Council to consider that the other existing assisted living facilities are not currently filled to capacity and she does not think it would be wise to build another center that will sit vacant.

Nick McIntosh, 2230 N. Fruitland Drive, stated he would like the Council Members to think about how they would feel about this situation in the future when they are no longer a member of the City Council and the City is considering an application to locate this type of development in their backyard.

Dan Carter, 113 W. Elberta Drive, stated that he wants to farm his property until he dies and he is concerned with his City considering this type of application when it should be denied. He stated his daughter works for a real estate agent that works on multi-family developments and she recently had to tell people they would need to move out of their homes because of the effect drug use had on the property. He stated that the assisted living center is fine, but he is not comfortable at all with the high density aspect of the development. He urged the Council to make a final decision on the application tonight and he reiterated he wants to see the best for the City.

Don Colvin re-approached and stated that he originally recommended tabling the application, but after listening to all the comments made this evening he would recommend denying the application to rezone and work on the future revision of the General Plan to determine what is best for the City in the long term.

Richard Steele, 1809 N. 400 W., stated that he moved to the neighborhood with the understanding of its future development for additional single-family homes and there was little to none multi-family housing development in the area. He noted he would like for the single-family development to continue.

Amy Steele re-approached and stated that as Mr. Herold presented the plan there was such a focus on the assisted living center portion for the project that he did not mention much about the apartment complexes. She stated that she would like for the Council to consider what is best for the entire City and move forward with that.

John Hansen, 1575 W. 4000 N., stated that he has brought many people to North Ogden and Harrisville over the last 40 years; he has raised his family here and it is a great place as many people have said tonight. He stated it is a bedroom community and the City has the option of maintaining that feeling. He noted he owned the Smith's property for 10 years and he was consistently told that big box stores will not locate in the area. He stated many businesses will not locate in the City because there are not enough rooftops and his feeling is that if the Council denies the assisted living care facility, that will be a huge mistake. He stated that the center would provide a boost to the local economy and would create many new jobs. He stated that he cannot speak for the other portion of the project, but he does not feel that the property will ever be a large commercial development. He stated there is much talk about the future, but the Council is responsible to consider the needs of the community now and to table the entire project will be a big mistake. He stated the applicant has been waiting for over a year to get an answer on his project and he deserves an answer about the assisted living center and charter school.

Mr. Herold stated there have been many comments about the desire for single family development of the property, but that is not on the table; his client is not interested in a single family development and the property is not zoned for that use at this time. He stated the question is between commercial and multi-family development. He reviewed a history of the property and noted the type of commercial development that has been discussed tonight would generate much higher traffic levels than the current proposal would generate.

Jack Barrett, owner and developer of the ground, stated that he has been working on this project for over 11 years; he provided a history of that work and stated that he started with the intention of developing a big-box commercial development, but upon the economic downturn he began focusing on other options for the property and the discussion of the type of development that is being discussed tonight has been on the table for the last three or four years. Times have been tough and many other commercial projects are run-down just as housing developments can become run-down. He stated he has a contract with the developer of the assisted living facility and they are a serious developer. He provided an example of how he maintains other developments that he has worked on in the past and noted he is not interested in allowing the condition of any of his developments to become degraded. He stated that he has been patiently waiting for an answer on his proposal and he is wondering how much longer he will be forced to wait, especially now that he has a great potential user of the property. He asked the Council to think about what they would be saying no to if they denied the multi-family portion of the project.

Mr. Langhos re-approached and stated the assisted living care facility would be in the project for the long term and they would maintain their facility well. He noted there is a need for this type of use in the community and he would not be here with an agreement in place if that need were not real. He referenced the opportunity for the City to consider a development agreement for the project and noted there are many issues and concerns regarding the multi-family aspect of the project that can be discussed and negotiated at a later date and the neighborhood and other residents could be involved in that. He noted the combination of an assisted living facility, high density housing, and a school is a great development and would be a good buffer against the existing single-family developments. He noted the traffic generated by the development is very low and it would also create a great economic benefit for the community.

Council Member Bailey moved to close the public hearing at 9:12 p.m. Council Member Satterthwaite seconded the motion.

Voting on the motion:

Council Member Bailey	aye
Council Member Fawson	aye
Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Urry	aye

The motion passed unanimously.

6. DISCUSSION AND/OR ACTION TO CONSIDER REZONING THE PROPERTY LOCATED AT APPROXIMATELY 1825 N 100 E FROM COMMERCIAL C-2 TO RESIDENTIAL R-3 AND RESIDENTIAL R-4 FOR THE PURPOSE OF CONSTRUCTING A MULTI-FAMILY DEVELOPMENT

Council Member Fawson thanked all residents that have spoken about this development. He stated he understands the concerns associated with the impact the proposed development could have on the existing single-family developments, but it is important for the Council to look into the future and try to determine what is going to be best for the City. He noted the City has a lot of area to grow into and it is important to consider traffic and other things that can impact the City; commercial areas will be needed to provide additional products and services to the citizens, especially at buildout. He referenced the assisted living center and the argument has been made that the rezone is needed to accommodate that component of the project, but he does not agree with that; the Council is the defining authority relative to the types of uses that are allowed in various zones of the City. He stated he believes the Council can facilitate an assisted living center in a residential zone. He then stated that a charter school could locate wherever it wants to and to hold that developer of the school hostage based on the current zoning of the property is unfair; he has received calls from the charter school and they feel the City is holding up the project and that is not the case. They should be allowed to build wherever they would like. He stated he would prefer more commercial development than is being proposed in the application, but he noted he likes the components of the assisted living center and the charter school and he feels work on those components can start immediately. He added he feels they are good buffers between residential and commercial land uses. He would support extending the commercial portion of the project and constructing the assisted living center and the school as a buffer between the commercial and existing residential land uses.

Mayor Taylor reviewed the annexation plan map for the City and noted that property located south of the subject property will ultimately be annexed into the City in the future and the plan is to zone that property for commercial use as well as to provide a traditionally shaped commercial area that fronts Washington Boulevard. He noted another thing the Council should be aware of is that there is much commercial development potential and one landowner in the City actually has four letters of intent from a big-box retailer and associated pad retailers; the trend to attract those types of developments will only continue and preserving commercial space is important.

Council Member Stoker stated she was not in favor of the plan when she originally heard about it and she is still not in favor of it. She feels it is contrary to the General Plan and it is not the type of plan that will bring people to the community. She stated the assisted living center portion of the plan is a needed component and it may be workable, but she is definitely opposed to the high density housing components of the development.

Council Member Bailey echoed the comments of Council Members Fawson and Stoker and noted he is not supportive of the high density housing component of the project; it is not the type of development that will attract more retailers to the community. He stated that he was also not in favor of the plan when he first saw it; the assisted living center may have merit, but he is unsure how best to consider that aspect of the proposal since it is coupled with a rezone of the entire parcel of property.

Council Member Satterthwaite stated he feels property owners have property rights and they should be allowed to develop their property as they choose, but the Council has the responsibility to keep the City intact and follow a General Plan that has been viewed by people that ultimately moved to the City because of the development projections included therein. He stated the City has the responsibility to update the General Plan and ensure it remains updated. He stated he previously believed that the City would not be able to attract big box retailers because of the lower number of rooftops, but he now believes that retailers are considering the higher average income rather than the actual number of rooftops when determining whether to locate here. He reiterated that though he is supportive of property rights, the Council is obligated to consider the General Plan and maintain the commercial zoning of the property to allow for different development options in the future.

Council Member Urry referenced some of the economic development work that Mr. Godfrey did as he was the Mayor of Ogden. He then explained his feelings about high density housing and apartments based on some of his own personal experiences and he noted he does not like that people that live in apartments are branded as lesser individuals; many people get ideas in their minds that are not accurate. He added that he does not feel it is possible to understand the feelings of the majority of the residents based on one public hearing and if the City wants to understand the true feelings of the majority they should commission a study from Weber State University on this subject. He then noted he is a proponent of property rights and he feels it is important to follow the General Plan of the City, even though it may be outdated. He stated this will be a tough decision for him. Mayor Taylor stated that this application was denied over a year ago because the City wanted to commission a study or work to update the General Plan.

Council Member Fawson addressed Council Member Urry and stated the residents at the meeting tonight may not be the majority of the residents in North Ogden, but they are the voices of the group of residents that would be the most impacted by the project. He stated that is a voice worth listening to. He then agreed with Council Member Urry's comments about the fact that many North Ogden residents may look down on those living in apartments; he noted North Ogden residents often have an elitist mentality and they should be careful when talking about who should be allowed to live in the City. He stated the appropriate thing to do is consider the actual, data driven impact the development could have on the City. He concluded it is most appropriate to consider the long-term needs of the City and he has little doubt that the City will need more commercial property in the future.

Mayor Taylor agreed it is important to consider the impact a development could have on neighboring property owners and that is where the General Plan comes into consideration; many people review the General Plan when trying to understand how vacant property near their property may develop in the future. He noted the current owners of the property purchased the property with a full understanding of the zoning of the property and the land use designation called for in the General Plan and neither of those things was multi-family development. He stated he feels the assisted living center may be needed and could be a good fit for the neighborhood. He suggested the City work together with the applicant to arrive at a proposed development that would work best for the entire community. He indicated he is aware the petitioner would like to make a change to their recommendation.

Council Member Urry revisited the issue of labeling people and stated the type of housing does not cause problems, but the deterioration of a family can cause problems.

Mr. Chandler stated of key importance to the applicant is the assisted living center and Mr. Herold is recommending only rezoning the portion of property that would house the center and working to negotiate a development agreement that would condition the R-4 zoning on the construction of the center; if the center is never built the zoning of the property would revert back to commercial. Mr. Herold noted the only zone in the City that permits an assisted living center is the R-4 zone; the other option would be to amend the City's zoning ordinance to permit the land use in other zones in the City. Mr. Barrett added that he has not been able to give a formal answer to the charter school until he understands what the zoning of the property would be; the charter school is very interested in the type of development that would occur around them. He then referenced the work that he has done on the subject property to improve it to date and to provide a benefit to the City and the immediate residents.

Council Member Satterthwaite asked to review a map highlighting the portions of the property that would be rezoned if the amended application were approved tonight. Mr. Herold referenced an exhibit in the Council packet that highlighted the acreage that would be taken by the assisted living center. He noted the charter school could locate anywhere on the property. There was then a general discussion regarding the way to proceed relative to the amended application, with Mr. Herold clarifying that the assisted living

center would consume eight acres of property, the charger school would consume five acres, leaving 11 acres of commercial property on the eastern portion of the subject property.

Council Member Stoker stated the City hired Mr. Godfrey to create an economic development plan for the City, but if the amended application is approved this evening, Mr. Godfrey's hands will be tied and the City will not get what it is paying for. Council Member Fawson noted there is no way to prohibit the charter school because it is allowed to locate in any zone of the City. Mayor Taylor agreed and stated that maintaining commercial zoning on the eastern portion of the subject property would prevent a loss for the City. Mr. Herold agreed and stated that property would be 1,850 feet deep, which is very large for a commercial development; Wal-Mart super centers are typically only 600 to 700 feet deep.

Council Member Fawson moved to suspend the rules and allow additional public input regarding the agenda item. Council Member Bailey seconded the motion.

Voting on the motion:

Council Member Bailey	aye
Council Member Fawson	aye
Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Urry	aye

The motion passed unanimously.

Susannah Burt, 1809 N. 650 E., referenced the map including the property broken into three parcels and she asked if the entire eight-acre parcel will be consumed by the assisted living center. Mr. Herold answered yes. Ms. Burke asked if the charter school has its charter. Mr. Barrett stated that they are three weeks away from receiving their charter.

Neil Amaral re-approached inquired as to the potential land use of the unincorporated property located directly to the north of the subject property. Mayor Taylor stated that is typically determined when a parcel of property is annexed into a City.

Council Member Fawson clarified that the applicant is now only asking for a zoning change for the parcel that would house the assisted living center and no other zoning changes are being considered; the development will also be subject to a development agreement.

Justin Southwick, 1819 N. 200 W., stated he wants to make sure the applicant is not opening a back door that would allow them to get what they were originally asking for.

Council Member Bailey reiterated that the development would be tied to a development agreement.

John Hansen, 345 W. 1700 N., stated when this issue was first raised the room was packed with people that were opposed to multi-family housing. He stated it will continue to come up and now the developer is tying it to an assisted living center. He stated he is concerned about the back door that may be available to the developer.

Council Member Urry stated the Council is considering rezoning one piece of property and the development of that property would be tied to a development agreement. Council Member Satterthwaite reiterated that the charter school can locate within any zone in the City.

Mr. Hansen asked if the developer would need to follow the application process again if they wished to get approval for development of any other portion of the property. Mayor Taylor answered yes.

Council Member Bailey addressed the concerned residents and stated that the property is currently zoned commercial and the current proposal is less intensive and would have a lesser impact on the existing single-family development. Mayor Taylor asked if the developer will construct single family housing on the remaining portion of property that would not be part of a future commercial development parcel to the east. Mr. Herold stated that question could be answered during the negotiation of the development agreement and he referenced the type of housing that he would be favorable of extending further to the west.

Phil Swanson, 1066 E. 3300 N., stated he is a member of the Planning Commission and he voted against this application because of the request to rezone the entire parcel of property. He stated he has asked the developer to amend their application to request a rezone of the eight acres only that would house the assisted living center; he feels that use would be a great addition to the City.

Chris Heiner, 681 E. 2600 N., inquired as to the ramifications of rezoning the property to accommodate the assisted living center; he asked if the action would set a future precedent when other developers seek approval of high density developments. City Attorney Call stated zoning decisions are legislative and precedent does not come into play. Mr. Heiner stated he feels the City would be on stronger legal footing if the zoning language were changed to allow an assisted living center in a commercial zone. Mr. Call agreed, but noted the amended petition is to rezone the eight acre parcel of property to R-4, which allows for an assisted living center.

Council Member Fawson moved to table the amended application to rezone an eight acre parcel and refer the issue to staff for negotiation of a development agreement; and to deny the portion of the application seeking approval of the construction of a multi-family development on a portion of the property. Council Member Bailey seconded the motion.

Council Member Urry commended the Council for working together to resolve this issue.

Voting on the motion:

Council Member Bailey	aye
Council Member Fawson	aye
Council Member Satterthwaite	aye
Council Member Stoker	nay
Council Member Urry	aye

The motion passed 4-1 in favor of the motion.

****The Council took a recess at 10:15 p.m. The meeting reconvened at 10:26 p.m.****

7. DISCUSSION AND/OR ACTION TO CONSIDER A RESOLUTION APPROVING ENTRY INTO AN EASEMENT AGREEMENT BETWEEN SMITHS FOOD & DRUG CENTERS, INC. AND NORTH OGDEN CITY CORPORATION FOR A NORTH OGDEN TRAIL

Mr. Chandler reviewed the site plan for the Smith's Marketplace project and identified the location of the proposed trail that is the subject of the proposed easement agreement. The agreement calls for a 12-foot

wide easement for the trail; it will eventually connect to a five foot sidewalk that will connect the trail to 2600 North. The canal easement is actually 30-feet, but the trail easement is only 12-feet inside of the 30-foot; Smith's Marketplace has agreed to maintain landscaping on either side of the 12-foot easement. He noted the trail will be a public trail and non-motorized and foot traffic will be permitted; Smith's will construct the trail of road base and the City will maintain it. The easement is perpetual. He noted the exhibits for this easement have been amended; a resolution has been drafted to accompany the easement agreement.

Council Member Fawson moved to approve Resolution 08-2014 and Agreement A9-2014. Council Member Stoker seconded the motion.

Voting on the motion:

Council Member Bailey	aye
Council Member Fawson	aye
Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Urry	aye

The motion passed unanimously.

8. DISCUSSION AND/OR ACTION TO CANCEL THE APRIL 8TH CITY COUNCIL MEETING

Mayor Taylor stated the recommendation is to cancel the April 8, 2014 Council Meeting to allow members of the Council the freedom to attend the Utah League of Cities and Towns (ULCT) conference to be held in St. George April 9-11, 2014.

Council Member Fawson moved to cancel the April 8, 2014 City Council meeting. Council Member Bailey seconded the motion.

Voting on the motion:

Council Member Bailey	aye
Council Member Fawson	aye
Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Urry	aye

The motion passed unanimously.

9. PUBLIC COMMENTS

Bob Buswell, 962 E. 3025 N., stated he feels the Council has communicated well with one another tonight.

10. CITY COUNCIL, MAYOR AND STAFF COMMENTS

Council Member Bailey stated he appreciates the opportunity to work with a Council that can deal with emotionally charged issues and still reach a good consensus and way forward. He then noticed he has received many phone calls from residents that are concerned about the condition of properties throughout the City and he asked how code enforcement is handled in the City. Mr. Chandler stated a police officer is assigned to nuisances and the building official is charged with other code violations. He stated the general nuisances will be addressed by the police department this spring. Mayor Taylor stated it is his opinion that these types of cases should be aggressively addressed and enforced. Council Member Bailey agreed.

Council Member Stoker stated there is a parcel of property on Mountain Road and 2600 North that is out of compliance and she asked staff to look into that property. She then stated she received an email from a resident that is concerned about the City's policy relating to water shut-offs and she asked the staff to look into that issue. She then thanked everyone that attended the meeting this evening and voiced their opinions; she sought office to be a voice for the people and that is why she voted no on the rezone application this evening. She then stated she appreciates the Mayor and staff.

Council Member Fawson stated that he is aware that the Mayor and Mr. Chandler responded to people personally about the fact that the green waste site was closed last weekend. Mr. Chandler stated that the site will be open next week and he noted the facility is manned by volunteers. Council Member Fawson suggested flexibility in the schedule of open dates for the facility, especially in times of good weather. He then noted that he sent an email recently about some decisions made by the Planning Commission; one point he wanted to follow up on is that he feels the economic development contractor is underutilized by the Planning Commission and the Planning Commissioners that responded said that they do not want to interfere with the decision making process in the City. He stated, however, that he would encourage the Planning Commission to use Mr. Godfrey as a consulting resource relative to the decisions they are making and he referenced imminent decisions that the Planning Commission will be making that may be better thought out with input from Mr. Godfrey. He then announced that he is running for the District Seven seat and he explained the process for the position appointment.

Council Member Satterthwaite asked if the City has a policy that would address the deterioration of the King's building. Mr. Chandler answered yes and noted staff will work to address the nuisances on the property. Council Member Satterthwaite then asked how the water shut-off issue will be addressed. There was a general discussion regarding the City's shut-off policy and Mayor Taylor stated that the issue can be discussed further in the upcoming budget meeting. Council Member Satterthwaite then stated he is pleased with the outcome of tonight's meeting and he thanked everyone for being civil and thanked the Mayor for keeping control of the meeting.

Council Member Urry stated he feels good about being on the City Council and he is very pleased with how the Mayor handled the meeting. He stated staff is doing a great job as well. He then reported on some calls he has received about the following: property nuisances and the green waste recycling program and he reported staff was very helpful in addressing those issues. He then expressed his concerns regarding the makeup of the agreement with the City's economic development consultant. Mr. Chandler stated the City has identified the projects they would like Mr. Godfrey to work on and he only gets paid for performance.

City Recorder Spendlove led a discussion about taking photographs of the City Council for the Cherry Days pamphlet.

Mr. Chandler reported on the progress of securing a contractor that will work on the overhaul of the City's website. Council Member Stoker stated a lot of the information about the City's trail system and park amenities has been updated and is now very user friendly on the City's website. Council Member Bailey stated his only recommendation would be that the website is built on a content management system so it is easy to update. Council Member Satterthwaite stated he has been contacted by a resident that was concerned about the City's website spreading a virus. Mayor Taylor stated that was correct and it has been fixed.

Mayor Taylor then reviewed the calendar of upcoming events the City Council should be aware of, with a focus on the upcoming open house meeting regarding the Monroe Boulevard extension project. He then reported that he and Mr. Chandler met with the City Managers and Mayors of surrounding cities and the meeting was very beneficial and something that he plans to continue moving forward. He then reported on the status of soliciting bids for a City-wide recycling program and information about the bids, once received, will be provided to the Council. He then led a discussion regarding the City's volunteer program and encouraged the Council to find residents that would be interested in serving on the volunteer committee. There was a discussion about volunteer projects currently underway as well as prospective volunteer projects that could be conducted in the City. He concluded his report by providing the Council with information regarding the sewer district project that is currently underway.

Council Member Bailey then asked about the fact that trucks are still driving down Elberta Drive. Ms. Spendlove stated she believes the issue has been addressed by Pleasant View City. Mayor Taylor stated the Police Department will pay attention to the issue as well.

CONSENT AGENDA

1. Consideration to approve the minutes of the February 20, 2014 City Council Meeting
2. Consideration to approve the minutes of the March 4, 2014 City Council Meeting

Council Member Bailey moved to approve the consent agenda. Council Member Stoker seconded the motion.

Voting on the motion:

Council Member Bailey	aye
Council Member Fawson	aye
Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Urry	aye

The motion passed unanimously.

11. ADJOURNMENT

Council Member Bailey moved to adjourn the meeting. Council Member Stoker seconded the motion.

The meeting adjourned at 11:09 p.m.

Brent Taylor, Mayor

S. Annette Spendlove, MMC
City Recorder

Date Approved