

## NORTH OGDEN CITY COUNCIL MINUTES

February 11, 2014

The North Ogden City Council convened in an open meeting on February 11, 2014 at 6:30 p.m. in the North Ogden City Council Chambers at 505 East 2600 North. Notice of time, place and agenda of the meeting was delivered to each member of the City Council, posted on the bulletin board at the municipal office and posted to the Utah State Website on February 6, 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
	Nicole Smedley	Deputy City Recorder
	Jon Call	City Attorney
	Bryan Steele	Finance Director
VISITORS:	Marc Edminster	Larry Florence
	Zach Hartmann	Joan Brown
	Neil Amaral	Danielle Carter
	Blake Welling	Rachel Trotter
	Jackson Trotter	Phil Clawson
	Don Mathewson	Tiffany Turner

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

### CONSENT AGENDA

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

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

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

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Fawson</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**Council Member Bailey moved to approve item number three on the consent agenda.  
Council Member Stoker seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Fawson</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**AGENDA**

**1. PUBLIC COMMENTS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Fawson</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

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

Council Member Bailey moved to approve agreement A04-2014 for the aquatic center refinancing of bonds. 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.

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

Council Member Fawson moved to approve escrow agreement A05-2014 for the aquatic center refinancing of bonds. 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.

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

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

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

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

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

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

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

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

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Fawson</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

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

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

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

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Fawson</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>

**Council Member Urry                      aye**

**The motion passed unanimously.**

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

**7. PUBLIC COMMENTS**

There were no public comments.

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

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

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

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

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

**9. ADJOURNMENT**

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

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Fawson</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

The meeting adjourned at 7:20 p.m.

**RDA AGENDA**

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

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

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

**Voting on the motion:**

<b>Board Member Bailey</b>	<b>aye</b>
<b>Board Member Fawson</b>	<b>aye</b>
<b>Board Member Satterthwaite</b>	<b>aye</b>
<b>Board Member Stoker</b>	<b>aye</b>
<b>Board Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**2. ADJOURNMENT**

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

**Voting on the motion:**

<b>Board Member Bailey</b>	<b>aye</b>
<b>Board Member Fawson</b>	<b>aye</b>
<b>Board Member Satterthwaite</b>	<b>aye</b>
<b>Board Member Stoker</b>	<b>aye</b>
<b>Board Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

The meeting adjourned at 7:21 p.m.



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Brent Taylor, Mayor

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S. Annette Spendlove, MMC  
City Recorder

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Date Approved