

## NORTH OGDEN CITY COUNCIL MINUTES

July 23, 2013

The North Ogden City Council convened in an open meeting on July 23, 2013 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 July 18, 2013. Notice of the annual meeting schedule was published in the Standard-Examiner on January 30, 2013.

PRESENT:	Richard G. Harris	Mayor
	Wade Bigler	Council Member
	Cheryl Stoker	Council Member
	Brent Taylor	Council Member
EXCUSED:	Kent Bailey	Council Member
	Justin Fawson	Council Member
STAFF PRESENT:	Ronald F. Chandler	City Manager
	Annette Spendlove	City Recorder/H.R. Director
	Gary Kerr	Building Official
VISITORS:	Steve Tobias	Cory Bach
	Phillip Swanson	Jim Urry
	Jim Suhr	Brian Russell
	Blake Welling	Terry Spicker
	Sherrie Gardner	Spencer Gardner

Mayor Harris welcomed those in attendance.

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

### CONSENT AGENDA

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

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

#### **Voting on the motion:**

<b>Council Member Bigler</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Taylor</b>	<b>aye</b>

**The motion passed unanimously**

## **AGENDA**

### **1. PUBLIC COMMENTS**

There were no public comments.

### **2. DISCUSSION TO CONSIDER THE BOWN ANNEXATION**

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

Ms. Spendlove reviewed her staff memo.

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

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

#### **Voting on the motion:**

<b>Council Member Bigler</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Taylor</b>	<b>aye</b>

**The motion passed unanimously**

### **3. PUBLIC COMMENTS**

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

City's utility system. He stated he believed the phone company has a franchise tax. Mr. Chandler stated franchise taxes are associated with phone companies, electric companies, natural gas companies, and cable companies. Mr. Urry stated he would like to know the amount generated by those taxes annually. Mayor Harris stated Mr. Urry is welcome to visit with Mr. Chandler to get the answers to his questions, but he noted the City's budget is available on the City website.

#### **4. CITY COUNCIL, MAYOR, AND STAFF COMMENTS**

There were no comments.

#### **5. ADJOURNMENT**

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

**Voting on the motion:**

<b>Council Member Bigler</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Taylor</b>	<b>aye</b>

**The motion passed unanimously**

**The meeting adjourned at 6:41 p.m.**

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Richard G. Harris, Mayor

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S. Annette Spendlove, MMC  
City Recorder

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Date Approved