

1 **NORTH OGDEN CITY COUNCIL MEETING MINUTES**

2
3 April 24, 2012

4
5 The North Ogden City Council convened in a regular meeting on April 24, 2012 at 6:30 pm in the North
6 Ogden City Council Chambers at 505 East 2600 North. Notice of time, place and agenda of the meeting
7 was delivered to each member of the City Council, posted on the bulletin board at the municipal office
8 and posted to the Utah State Website on April 19, 2012. Notice of the annual meeting schedule was
9 published in the Standard-Examiner on January 16, 2012.

10
11
12 PRESENT: Richard G. Harris Mayor
13 Wade Bigler Council Member
14 Kent Bailey Council Member
15 Justin Fawson Council Member
16 Dave Hulme Temporary Council Member
17 Cheryl Stoker Council Member
18

19
20 STAFF PRESENT: Annette Spendlove City Recorder/HR Director
21 Craig Barker Community Development Director
22 Dave Nordquist Community Services Director
23 Polo Afuvai Police Chief/Acting City Manager
24 Julia LaSeure Deputy City Recorder
25 Jennifer Thomas Deputy City Recorder
26 Tiffany Staheli Assistant Aquatic Center Manager
27

28
29 VISITORS: Bryan Steele Kory Cox Lorraine Reynolds
30 Patty Sundt Norma Bouy Jim Suhr
31 Ron Kirkbride Carl Turner Gina Kochendorfer
32 Clark Crowther Mike Mayhew Joan Vargas
33 Stacey Giatras Rachel Trotter Paul Huntsman
34 Paul Mackley Mason Clark Braden Hoffmann
35 Chandler Clark Michele Clark Dale G. Swenson
36 Ronald Chandler
37

38 Mayor Harris called the meeting to order at 6:30 pm and welcomed those in attendance.

39
40 Council Member Bigler offered the invocation and led the Council and audience in the Pledge of
41 Allegiance.
42

43 Mayor Harris introduced Bryan Steele, the new North Ogden City Finance Director.
44

45
46 **CONSENT AGENDA**

- 47
48 **1. Consideration and/or action to approve the minutes of the March 1, 2012 City Council budget**
49 **meeting.**
50 **2. Consideration and/or action to approve the minutes of the March 20, 2012 City Council special**
51 **budget meeting.**

- 52 **3. Consideration and/or action to approve the minutes of the March 27, 2012 City Council meeting.**
53 **4. Consideration and/or action to approve Business Licenses.**
54 **5. Consideration and/or action to set May 8, 2012 as the date for a public hearing to receive**
55 **comments regarding the 2012-2013 Tentative Budget.**
56 **6. Consideration and/or action to set May 8, 2012 as the date for a second public hearing to receive**
57 **comments regarding the scope of projects for the Community Development Block Grant.**
58

59 Mayor Harris suggested that item 4, Business Licenses, be pulled from the consent agenda for further
60 discussion.

61
62 **Council Member Bigler moved to approve items 1 through 3 and 5 and 6 of the Consent Agenda.**
63 **Council Member Bailey seconded the motion.**
64

65 **Voting on the motion:**

66 **Council Member Bigler** yes
67 **Council Member Bailey** yes
68 **Council Member Fawson** yes
69 **Council Member Hulme** yes
70 **Council Member Stoker** yes
71

72 **The motion passed unanimously.**
73

74 Mayor Harris explained that two home occupations, Mandy's Life Center and the Sunshine Preschool
75 have not received the fire marshal's inspection yet. Mayor Harris asked for Council to approve the
76 Business Licenses contingent on those two businesses receiving the Fire Marshal's approval.
77

78 **Council Member Bailey moved to approve the Business Licenses contingent on the Fire Marshal's**
79 **approval. Council Member Fawson seconded the motion.**
80

81 **Voting on the motion:**

82 **Council Member Bigler** yes
83 **Council Member Bailey** yes
84 **Council Member Fawson** yes
85 **Council Member Hulme** yes
86 **Council Member Stoker** yes
87

88 **The motion passed unanimously.**
89

90 **ACTIVE AGENDA**
91

92
93 **7. PUBLIC COMMENTS**
94

95 Norma Bouy, 2182 N 500 E, proposed that the City put in two street lights; the first one at 2175 N 550 E
96 and the other at 2175 N 500 E. She talked with Mr. Kerr, and he said the requirement is to put one every
97 600 ft. She said there are some apartments located in this area and it gets dark there. She explained that
98 she had a break in at her home. She contacted Black McDonald, a light store, and was told the
99 approximate cost for a street light would be around \$1,074.00.
100

101 Mayor Harris said the public development standards do require a light at every intersection and every 600
102 ft. He recommended the City follow those standards but added that it is always a matter of money.

103 Council Member Bigler stated he would like to have this addressed on the next agenda, because he would
104 like to talk about another street light also.

105
106 Ron Kirkbride, 2229 N 500 E, commented on how difficult it is for people to see the code on the entrance
107 gate located at 2175 N and 500 E. He would like to have a street light at 500 E.

108
109 Council Member Bailey asked whether the staff will provide additional information on the next agenda.
110 Mayor Harris said yes.

111
112 Joan Vargas, 2286 N 500 E, said there is a senior community in this area, and they like to walk and be
113 outdoors. She said it would be safer to have street lights.

114
115 Lorraine Reynolds said she is here as a spokesperson on behalf of Destination Home Community, Lewis
116 Peak Subdivision, located at 1700 N 775 E. Over the past few months, there has been an immense drop
117 off of foot traffic at their model homes. She said they are aware of the City's sign ordinance. She
118 explained that in other communities they have been successful with hiring a sign company that puts the
119 bootleg signs up early Saturday morning and then takes them down by Sunday morning. They pay \$3 to
120 \$4 for each sign and if any are missing, they have to pay for it. She asked whether the City would
121 consider allowing them to hire a professional company for North Ogden City to put these signs up early
122 Saturday morning and take them down by Sunday morning .

123
124 Paul Mackley, 730 E 1750 N said his family has been involved in the 4-H program and he is grateful to
125 have the pig issue addressed on the agenda.

126
127 Carl Turner, 2683 N 950 E, said he is the chairman of North Ogden's Parks, Trails and Open Lands
128 Committee. He reminded the Council that the Committee has filed with the IRS, and he promised to give
129 a report. He said they received a letter from the IRS and that within the next month they will receive their
130 501(c) (3) non-profit status. They have some projects coming up and are looking to put a bridge across
131 the stream in Barker Park. The trail has been completed in Lakeview Park; Wells Fargo had their
132 management team re-chip that trail. He stated that Weber Pathways is partnering with Weber County to
133 get a grant to do the Bonneville Shoreline Trail. He expressed his appreciation in working with North
134 Ogden City. He said their team is very active.

135
136 Paul Huntsman, 1642 N Mountain Road, said he has been a 4-H member for four years and he is grateful
137 that the Council is going to address the 4-H club on the agenda.

138
139
140 **8. PRESENTATION OF A 5-YEAR SERVICE PIN TO TIFFANY STAHELI**

141
142 Dave Nordquist introduced Tiffany Staheli, Assistant Aquatic Director. She runs all the programs and
143 activities at the pool. She has a dual degree in Nutrition and Fitness from Utah State University. Dave
144 Nordquist said he has known Tiffany for many years. He presented her with a 5-year Service Pin.

145
146
147 **9. DISCUSSION AND/OR ACTION TO CONSIDER A MUNICIPAL CLERK**
148 **PROCLAMATION**

149
150 Mayor Harris recognized April 29, 2012 - May 5, 2012 as Municipal Clerk's week. Mayor Harris read the
151 Municipal Clerk Proclamation and extended his appreciation to City Recorder, Annette Spendlove and
152 Deputy Recorders Jennifer Thomas and Julia LaSeure for all the services they provide.

154 **10. PUBLIC HEARING TO RECEIVE COMMENTS REGARDING PROPOSED**
155 **AMENDMENTS TO SECTION 11-7A-2 OF THE NORTH OGDEN CITY ZONING**
156 **ORDINANCE REGARDIN THE KEEPING OF SWINE FOR EDUCATIONAL**
157 **PURPOSES**

158
159 Craig Barker made references to the Staff report and the Planning Commission minutes. He mentioned
160 that in March 2012 there was a resident who wanted to raise a pig on her farm as part of her 4-H project.
161 North Ogden's Zoning Ordinance does not allow raising swine. There are only two zones that allows
162 animals by right in North Ogden; the RE-20 and the R-1-8AG zones. This resident does not live in either
163 of these zones. The Planning Commission reviewed this issue and recommended this section of code be
164 amended. They allowed a single exception to that. A pig can be raised for a 6 month temporary period for
165 a 4-H project under an exception clause in that ordinance.

166
167 Craig Barker said that he received a phone call from a resident who had neighbors who kept swine and
168 expressed complaints about the odors in the neighborhood.

169
170 Council Member Hulme asked why they didn't amend the R-1-8A zone and should this be considered.
171 He suggested amending the R-1-8AG zone as well and adding the same language in 11-7B-2 permitted
172 uses in the R-1-8AG. Craig Barker said that it can be done.

173
174 Council Member Bailey asked if there were any reason why the Council wouldn't want to amend this.
175 Craig Barker said there are more incidents of proximity; that would be the only problem.

176
177 Council Member Bigler expressed concern about the ordinance written as a minimum of an acre. Craig
178 Barker said there are more dwellings in proximity to a larger piece in the R-1-8 zone than in an RE-20
179 zone and they are still required to have a minimum of one acre.

180
181 Council Member Fawson said he didn't see anything about proximity to the animals. Craig Barker said
182 there is a requirement in the RE- 20 zone that animals must be kept at least 20 feet from the home on an
183 existing property, 75 feet from an adjacent property, and 100 feet from a public street. Council Member
184 Fawson said if animals are allowed in the similar zones, they'll have the same standard. Craig Barker said
185 he will check on the other zones.

186
187 Council Member Bigler said he was pleased with the Planning Commission's decision. Council Member
188 Bailey asked why the resident was allowed to raise two pigs instead of one. Council Member Bigler said
189 that 4-H allows two pigs in the show.

190
191 Mayor Harris opened the public hearing.

192
193 Rodney Rhoades, 1479 N 150 E, indicated that he lives to the west of that property. He said that it started
194 with one pig, and then it went up to five pigs. He said he doesn't like the smell of the pigs. He likes the
195 education of the 4-H program but wants to have a limit of how many pigs the City allows. He would like
196 to have the Council consider the neighbors who live on the street with those residents who have pigs.
197 Council Member Bailey asked where he lives and where the smell is coming from. Mr. Rhoades said the
198 smell is coming from the Marsh's. Craig Barker asked if it was on the north or south part of the road. Mr.
199 Rhoades said the pigs are on the south side of the road behind the houses.

200
201 Council Member Bigler said there is no control because these are swine that are in the unincorporated
202 property. Craig Barker said he doesn't know. Mayor Harris said the incorporated property is located
203 north of 2000 N. Council Member Bigler wanted to know if there was a noncompliant condition. Craig
204 Barker said they are on the south side of the road; if they were raising pigs on the south side, they are in

205 violation. Council Member Stoker asked why they have five pigs, for what reason. Mr. Rhoades said
206 that they have pigs possibly for the 4-H program.

207
208 Mr. Rhoades said he loves the 4-H program but there has to be a line drawn. He said in Farr West, in the
209 residential areas they can't bring sheep in. His friend built a place where they could place the sheep. Mr.
210 Rhoades suggested a similar idea, to build an area separately, somewhere to place the pigs.

211
212 Patty Sundt, 1962 N 150 E, said the pigs are her neighbors and there are also goats. She said the smell is
213 not pleasant. She wants to entertain guests in the summer, but the pigs produce smells that inhibit that.
214 She purchased her home five years ago with the mountains as her view, and there were no pigs. She said
215 she doesn't open her blinds anymore and she doesn't go outside. She said all you can hear is the livestock.
216 She asked the Council to consider looking at this from her point of view. She said that she is a product of
217 the 4-H program, but she doesn't want pigs for neighbors.

218
219 Shannon Hudson, 1642 N Mountain Road, said she loves showing pigs. She said she tries to keep her
220 pigs clean.

221
222 **Council Member Fawson moved to close the public hearing. Council Member Bailey seconded the**
223 **motion.**

224
225 **Voting on the motion:**

226 **Council Member Bigler** yes
227 **Council Member Bailey** yes
228 **Council Member Fawson** yes
229 **Council Member Hulme** yes
230 **Council Member Stoker** yes

231
232 **The motion passed unanimously.**

233
234 The public hearing closed at 7:20pm.

235
236
237 **11. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING**
238 **SECTION 11-7A-2 OF THE NORTH OGDEN CITY ZONING ORDINANCE**
239 **REGARDING THE KEEPING OF SWINE FOR EDUCATIONAL PURPOSES**

240
241 Craig Barker referred to the draft of the ordinance. It is only in regard to the RE-20 zone and says that
242 within that zone we have provided an exclusion; section 11-782-C. He said that subsection C prohibits all
243 other swine except for two pigs on a temporary basis on a one acre parcel for a 4-H project. He said that
244 it doesn't need to go to the Planning Commission. Craig Barker said that he can respond to this woman's
245 (Patty Sundt) issue. He spoke to her neighbor and said they are in violation of the City's Zoning
246 Ordinance.

247
248 Council Member Bailey said at the presentation when they first considered the 4-H project it was stated
249 that the pigs were being kept clean. He asked whether that is still the case. He expressed concern about
250 not wanting to create a problem. Craig Barker said that these five pigs could be located in our city, and if
251 they are they would be in violation.

252
253 Council Member Bailey wanted to know if the county had a 4-H program. Craig Barker replied that he
254 didn't think so. He said that between 1 and 5 acres they are limited to a certain number of animals.

255

256 Council Member Bigler said the Marshes have just arrived. He stated that he would like to hear from
257 them even though the public hearing is closed. Mayor Harris agreed to have them comment if they would
258 like.

259
260 Mayor Harris said for the record, that subsequent to the presentation that was presented to the Council by
261 Candice Marsh, the indications were positive, time was of the essence, and the pigs should be ready for
262 the fair. The project had to be started. He said with the agreement of the Council; he approached the
263 Marshes, letting them know they were considering changing the ordinance. He said they wouldn't enforce
264 keeping the 4-H project part of that until the ordinance was decided. He also said that if it didn't pass, the
265 Marsh's would have to comply immediately to whatever ordinance was in place. Mayor Harris said he
266 made it clear it was only two pigs, period. He explained that there have been comments about the odors,
267 and neighbors thinking of moving from the area and they are quite upset. He explained that the Council
268 was led to understand there would be no odor.

269
270 Dave Marsh, 173 E 2000 N, said he understood that there were two pigs per child. He said there may
271 have been a misunderstanding then with the number of pigs. He had two pigs per one acre parcel. He said
272 it is 15 feet away from the property. He said the odor was terrible last year because there was water leak,
273 and they were kept inside. He said since then the leak has been fixed and the kids have been taking care
274 of the pigs and keeping them clean every night.

275
276 Council Member Bailey mentioned that the pigs that were in place last year were in violation. Dave
277 Marsh said his daughter researched other counties and their ordinances. He said that other cities do allow
278 pigs, except for Ogden City. Council Member Stoker mentioned that she has dealt with chickens, and
279 how they stink. She said that she feels for the neighbors. Dave Marsh said he has lived in North Ogden
280 for 35 years and has had many livestock. He said that he has never had any neighbors in the past
281 complain. Council Member Bailey asked how many pigs they had. Dave Marsh replied four pigs total,
282 two for each child.

283
284 Council Member Hulme said that he would like to see some stipulation in the ordinance to suggest
285 program standards for cleanliness as a 4-H project. That would allow the City an opportunity to look
286 back and compare, to reference back to those standards and to address problems that happen in the future.
287 Dave Marsh asked if Code Enforcement could come and inspect weekly. Council Member Hulme said if
288 that was listed on the ordinance it could be done.

289
290 Council Member Bigler asked whether there was anything in the ordinance as far as standards go. Craig
291 Barker said only for distance measures.

292
293 Council Member Hulme asked about chickens. Craig Barker said that with chickens, they reduce those
294 standards. He said that he would go to the Agriculture Director and ask about standards. Council
295 Member Fawson said he was looking online for 4-H standards. Council Member Bigler suggested, if they
296 were looking for a balance, putting that reference in the ordinance, for future problems. He said it would
297 be appropriate to add these standards.

298
299 Council Member Bailey mentioned specifics on those standards. He said he would rather have no swine
300 in North Ogden at all, than to allow exceptions, regardless of educational purposes. Council Member
301 Bigler suggested that it not be open to every open land, but to keep it in the agriculture areas.

302
303 Council Member Fawson said he is not comfortable expanding it outside the RE-20 zone. He expressed
304 concern about the ordinance and how it states, "for up to 6 months for a 4-H project," but it doesn't say in
305 a lifetime, 6 months at a time, as a project, or calendar year. He said that they need to specify what the 6
306 months would indicate.

307 Craig Barker said there is a regulation in Weber County with the keeping of animals and the specifying
308 months. Council Member Hulme asked if it would be April to August. Council Member Bigler said they
309 can acquire the animal April 1st and show it at the fair August 10th.

310
311 Council Member Fawson said he would be uncomfortable specifying April to August. Dave Marsh said
312 the pigs are gone after they go to the fair. He suggested putting specifications allowing pigs only during
313 the 4-H season.

314
315 Council Member Hulme mentioned other restrictions about other animals. He likes the idea of including
316 restrictions and specifications.

317
318 Dave Marsh said he likes the idea of having weekly inspections to help educate the children about how to
319 keep animals clean.

320
321 The ordinance number is 2012-10. Mayor Harris cautioned the Council that there are too many changes
322 and suggested it would be wise to make a clean written copy. Council Member Fawson proposed keeping
323 it the same and changing the dates to April 1 - August 31, and tagging on the end that they would have to
324 meet the 4-H requirements, or be subject to the 4-H requirements. Council Member Bigler said that the
325 number of pigs is part of North Ogden's ordinance.

326
327 Craig Barker mentioned having separate parcels for the number of pigs. Council Member Hulme said
328 that Dave Marsh would move it over 15 feet. Council Member Bigler said he isn't comfortable with this;
329 it wouldn't solve the neighbors' problems. He would like to rethink some issues regarding this ordinance.
330 Council Member Hulme said that it's a separate parcel, and if someone built a house on that property, it
331 would still be the same situation. He said they run the risk of getting too much into a situation. Council
332 Member Bailey suggested not opening the door at all. Council Member Stoker said to keep it like it is.
333 Council Member Bailey suggested keeping the swine restricted. Council Member Stoker said she
334 supports education but doesn't know how this helps the residents. Council Member Bailey said the
335 presentation in the beginning was squeaky clean, with no issues, but that's not the reality.

336
337 Council Bigler clarified that a one parcel acre can hold one pig. Council Member Bailey asked how the
338 City can protect residents in adjoining zones. Craig Barker said that whenever you have agriculture land,
339 people choose to build businesses or homes by them. The problems don't go away easily. Council
340 Member Bailey expressed his concerns about the reality and what he was expecting from the situation
341 about people buying a home, and knowing that it is part of an agriculture area, but said they certainly
342 don't expect swine as being part of that. Craig Barker said that in Weber County swine are only allowed
343 on a five acre piece or larger.

344
345 Council Member Hulme said he thinks it's rare that they would add RE-20 to the City. He thinks it's rare
346 that they take an R-1-8 zone and consolidate into a RE-20 parcel zone. He said he lives in an RE-20
347 zone. He said had they had this ordinance last year, it would have taken care of this problem already. He
348 said that last year's ordinance wasn't in keeping with the 4-H requirements. He suggested passing the
349 ordinance and shutting it down if they aren't complying.

350
351 Council Member Bigler said that they need to have a clean copy.

352
353 **Council Member Fawson moved to approve ordinance 2012-10 with the following changes, in**
354 **paragraph C, "Except two pigs may be kept on a temporary basis on a one acre parcel or larger**
355 **between April 1 and August 31 as a 4-H project with the requirement of meeting and subject to 4-H**
356 **standards." Council Member Hulme seconded the motion.**

357

358 Mayor Harris asked Annette Spendlove to read it back exactly as it should be.
359
360 Annette Spendlove read the ordinance. "The keeping of swine of any species including pigs is not
361 permitted within corporate limits of the City, except two pigs may be kept on a temporary basis on a one
362 acre or larger parcel between April 1st and August 31st for 4-H projects subject to 4-H standards."
363
364 Annette Spendlove expressed concern of not having those 4-H standards present so everyone can know
365 what they are voting on. It would be best to have a clean copy so all the Council understands.
366
367 Council Member Bailey proposed moving the date from April 1 to August 15, or connecting it to the
368 Weber County Fair dates. He also said he wants to add something protecting neighbors. Council
369 Member Hulme said then they would be in violation. Council Member Stoker said if you are not in
370 compliance, you will be shut down.
371
372 Council Member Bigler mentioned tabling this item, and reviewing the 4-H standards in the meantime
373 between now and the next meeting.
374
375 Council Member Fawson withdrew his motion and Council Member Hulme withdrew his second.
376
377 **Council Member Bigler moved to table this item until May 8, 2012 and continue to allow an ok to**
378 **the residents to still do this. Council Member Stoker seconded the motion.**

379
380 **Voting on the motion:**
381 **Council Member Bigler** **yes**
382 **Council Member Bailey** **yes**
383 **Council Member Fawson** **yes**
384 **Council Member Hulme** **yes**
385 **Council Member Stoker** **yes**

386
387 **The motion passed unanimously.**
388
389

390 **12. PUBLIC HEARING TO RECEIVE COMMENTS REGARDING PROPOSED**
391 **AMENDMENTS TO SECTION 11-10-22 OF THE NORTH OGDEN CITY ZONING**
392 **ORDINANCE REGARDING RV PARKING**
393

394 Craig Barker referred to the staff report and the Planning Commission minutes. He said RVs can be
395 allowed for up to two days on a street for loading. He said the City Council asked the Planning
396 Commission to review, with allowance to the private driveway. He said that is included in the draft
397 ordinance, under number 4, it talks about motor homes, trailers, camp trailers shall not be located on
398 public streets or private driveways for more than two consecutive days, and not more than 10 days within
399 a month. The private driveway was added. He said there was an issue of how far the RV can stick out
400 from the front face of the home. The maximum is 10 feet. The Planning Commission questioned that
401 critically and found two issues of concern. First, the impact on the visual character of the neighborhood
402 and second, the public safety issue. The Planning Commission recommended keeping it at a distance of
403 10 feet.

404
405 Mayor Harris opened the public hearing at 8:12pm.
406

407 Mike Mayhew, 1991 N 450 E, said he has a trailer and he used to keep it in his driveway. He has it now
408 in storage. He said that his neighborhood has many visually impairing elements. He said that he has a

409 neighbor who doesn't mow his lawn, and he throws his garbage around. He thinks the resources could go
410 elsewhere, instead of focusing on unimportant things like trailers. Council Member Bailey asked Mr.
411 Mayhew if he has complained to the City about his neighbor. Mr. Mayhew said yes but he didn't know if
412 the City had responded.

413
414 Dale Swenson, 3593 N 575 E, said he agrees with the recommendation that the Planning Commission has
415 made. He thinks the trailers detract from the beauty of his neighborhood. He passed out a document
416 which is included as Attachment A.

417
418 **Council Member Hulme moved to close the public hearing. Council Member Stoker seconded the**
419 **motion.**

420
421 **Voting on the motion:**
422 **Council Member Bigler** **yes**
423 **Council Member Bailey** **yes**
424 **Council Member Fawson** **yes**
425 **Council Member Hulme** **yes**
426 **Council Member Stoker** **yes**

427
428 **The motion passed unanimously.**

429
430 The public hearing closed at 8:18pm.

431
432
433 **13. CONSIDERATION AND/OR ACTION TO GRANT FINAL ACCEPTANCE TO PHASES**
434 **I AND II OF THE SLEEPY HOLLOW SUBDIVISION**

435
436 Gary Kerr said they have finalized this subdivision. He asked the City Council for the final approval,
437 what this means is the developer keeps 10% of the escrow in the bank until a final is given. He said they
438 will release the 10% of escrow and the City will be responsible for the street improvements.

439
440 Mayor Harris asked whether it past the one year for sidewalks. Gary Kerr said they don't handle that and
441 it's past the one year mark. He said there are five lots that are not sold yet.

442
443 Council Member Bigler asked when they give the developer the escrow funds, is there any type of
444 protection for the City in case of damages. Gary Kerr said they have a \$500 bond; if they break
445 sidewalks, the money can be used for that.

446
447 Council Member Bigler asked regarding existing residents, if there are messes from a worker, is it the
448 City's responsibility to take care of that. Gary Kerr said that there is an ordinance, if someone or a worker
449 puts messes in our streets; they have the right to give them a citation to make them clean it. There are
450 laws that protect the residents.

451
452 Council Member Bailey asked how old the subdivision is. Gary Kerr said this subdivision is five years
453 old. Council Member Bailey commented on making sure that the water lines are good. Gary Kerr said
454 there was an instance where there was a water problem and they had to put another storm drain line in.
455 Council Member Bailey asked if there were any pending complaints. Gary Kerr said there have been
456 some flooding issues but that has been taken care of.

457
458 **Council Member Bailey moved to grant final acceptance to phases I and II of the Sleepy Hollow**
459 **Subdivision. Council Member Hulme seconded the motion.**

460 **Voting on the motion:**
461 **Council Member Bigler** yes
462 **Council Member Bailey** yes
463 **Council Member Fawson** yes
464 **Council Member Hulme** yes
465 **Council Member Stoker** yes

466
467 **The motion passed unanimously.**
468

469
470 **14. CONSIDERATION AND/OR ACTION TO HIRE A CITY MANAGER AND APPROVE**
471 **HIS CONTRACT**

472
473 Mayor Harris introduced Ron Chandler as the new City Manager.
474

475 **Council Member Bailey moved to pass Resolution 8-2012 and hire Ronald Chandler as the City**
476 **Manager. Council Member Fawson seconded the motion.**
477

478 **Voting on the motion:**
479 **Council Member Bigler** yes
480 **Council Member Bailey** yes
481 **Council Member Fawson** yes
482 **Council Member Hulme** yes
483 **Council Member Stoker** yes

484
485 **The motion passed unanimously.**
486

487
488 **15. PUBLIC COMMENTS**
489

490 Stace Giatras, 1116 E 3250 N, said she was relieved to hear the Marsh's side of the story. She said she
491 has lived by pigs and sheep before. She said she is happy to hear the City Council is moving in the right
492 direction in setting up standards.
493

494
495 **16. COUNCIL COMMENTS**
496

497 Council Member Bailey mentioned the ballot issue and the document that needs to be sent out. He
498 wanted to know if a person writing in favor of the proposition needs to make application to the legislative
499 body has ever been done. Annette Spendlove said it wasn't done that way. She said the Council decided
500 themselves that they would make that decision. She said the Council has the right to write the 'for' and
501 the 'against' at that time. She said she talked with Dave Carlson and Mark Thomas. She said no
502 application was made.
503

504 Council Member Bailey said they didn't vote to have this ballot. Annette Spendlove said certified letters
505 were sent to each of the sponsors of the referendum, and she received seven receipts back, on the
506 argument 'against' and one letter was refused. She read the Local Information pamphlet code. Annette
507 Spendlove said her understanding was that in October 2011 the Council asked Dave Carlson to write the
508 'for' argument. She was not involved so can't answer as to how that happened. She requested direction
509 from the Council on what they want her do, or who to send letters to. She explained that the City
510 Attorney indicated they didn't even need to have an 'against' on the voter information pamphlet. She said

511 that they voted to have a special election this time. Council Member Bailey said it needs to be updated.
512 He suggested sending it to the sponsors who are for it, to get the first opportunity, then to the current
513 Council, and then whoever else.

514
515 Council Member Bailey mentioned subsection 4A, which deals with referendum. For a referendum, a
516 person who is in favor of a law is referred to the voters and submits a request under this section. This
517 seems to indicate that anyone who is in favor of it can apply.

518
519 Council Member Bailey said there is no requirement to have a 'for' or 'against' argument. Annette
520 Spendlove said there is a legal requirement that there has to be a voter information pamphlet. She said
521 that a voter information pamphlet has to be sent out and the ballot still goes out regardless if there is no
522 'for' or 'against' argument.

523
524 Annette Spendlove said the deadline to apply is May 7th and the author has until May 14th to have it in
525 writing to her.

526
527 Council Member Fawson asked for clarification on the disproportionate fees and business licenses.
528 Mayor Harris said they have been waiting for a Finance Director.

529
530 Council Member Hulme asked about date and time for the photo shoot. Annette Spendlove said it will be
531 before the second week of May. The Council Member all agreed to meet at 6:15pm on May 1st.

532
533

534 **17. ADJOURNMENT**

535
536 **Council Member Bigler moved to adjourn. Council Member Fawson seconded the motion.**

537

538 **Voting on the motion:**

539 **Council Member Bigler** **yes**
540 **Council Member Bailey** **yes**
541 **Council Member Fawson** **yes**
542 **Council Member Hulme** **yes**
543 **Council Member Stoker** **yes**

544

545 **The motion passed unanimously.**

546

547 The meeting adjourned at 8:41pm.

548

549

550

551 _____
Richard G. Harris, Mayor

552

553

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555 _____
S. Annette Spendlove, MMC
556 City Recorder

557

558

559

560 _____
Date approved

561

ATTACHMENT A

29 February 2012

May I share some concerns many residents have expressed regarding a proposed change in an ordinance that would allow the front yards in our residential neighborhoods to be cluttered with any variety or combination of trailers and recreational vehicles such as camping trailers, 5th wheels, motor homes, truck campers, snowmobiles, boats, ATV's, motorcycles, horse trailers, etc.

As I understand it, such an ordinance would permit such trailers and RV's to be parked permanently within 10 feet of the sidewalk and/or any other areas in the front yard where a concrete pad might be poured – even abutting the neighbor's property.

Such a cluttering of yards in front of our homes would detract from the front-yard landscape and the character and beauty of our neighborhoods. The proposed two-day parking next to the sidewalk would also create a safety hazard as children play on driveways and sidewalks and as homeowners exit their driveways onto the street.

Every person I have spoken to has voiced opposition to this ordinance. Revising the existing ordinance to accommodate a few individuals would be a mistake. My personal RV's are stored at a commercial storage facility within the city when not in use.

I therefore respectfully request that you not change this existing ordinance.

Dale G. Swenson
3593 N 575 E
801-782-6372

NOT