

1 NORTH OGDEN CITY COUNCIL MINUTES

2  
3 January 22, 2013

4  
5 The North Ogden City Council convened in an open meeting on January 22, 2013 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 January 4, 2013. Notice of the annual meeting schedule was  
9 published in the Standard-Examiner on December 30, 2012.

10  
11 PRESENT: Richard G. Harris Mayor  
12 Kent Bailey Council Member  
13 Wade Bigler Council Member (arrived at 6:32pm)  
14 Justin Fawson Council Member  
15 Cheryl Stoker Council Member  
16 Brent Taylor Council Member

17  
18 STAFF PRESENT: Ron Chandler City Manager  
19 Bryan Steele Finance Director  
20 Jon Call City Attorney  
21 Gary Kerr Building Official  
22 Craig Barker Community Development Director  
23 Mel Blanchard Public Works Director  
24 Polo Afuvai Chief of Police  
25 Stacie Cain Community Development Coord./Deputy City Recorder  
26 Clark Crowther Detective

27  
28 VISITORS: Karen Stokes Susannah Burt  
29 Kimberly Randell Dwaine Parker  
30 Donna Parker Naomi Trammell  
31 Joan Brown Kelly Hadley  
32 Lyle Adams Kathryn Warren  
33 Kelly Johnson Alex Johnson  
34 Joyce Matlock Wendy Monson  
35 Brian Russell Rich Beus  
36 Phillip Swanson Eileen Truscott  
37 Donald Manley Gyle Hollingsworth  
38 Myrl Slater Kay Slater  
39 Kevin Orme Matt Smoot  
40 Cindy Smoot Mary Beus  
41 Eleanor Jensen Aaron Farr  
42 Vickie Winn Blake Welling  
43 Trevor Broughton Rachel Trotter  
44 Stacey Giatras Jeff Hardy  
45 Brent Chugg Sheri Gardner  
46 Lyman Barker Rebecca Keyes  
47 Dale Randall

48  
49  
50 Mayor Harris welcomed those in attendance.  
51

52 Councilmember Bailey offered the invocation and led the audience in the Pledge of Allegiance.

53

54

55 **CONSENT AGENDA**

56

57 **1. Consideration to approve the amended minutes of the September 4, 2012 City Council**  
58 **meeting.**

59 **2. Consideration to approve the minutes of December 11, 2012 City Council meeting.**

60 **3. Consideration to approve the minutes of the January 8, 2013 City Council meeting.**

61 **4. Consideration to approve the business licenses.**

62

63 Council Member Bigler stated that he sent an email and asked that the approval of the minutes of  
64 January 8, 2013 be delayed until the next meeting; he has some questions about the minutes he would  
65 like to have answered. Mayor Harris declared the minutes of January 8, 2013 (item 3) pulled from  
66 the consent agenda.

67

68 **Council Member Bailey moved to approve items 1, 2, and 4 of the Consent Agenda. Council**  
69 **Member Taylor seconded the motion.**

70

71 **Voting on the motion:**

72

73 **Council Member Bailey aye**

74 **Council Member Bigler aye**

75 **Council Member Fawson aye**

76 **Council Member Stoker aye**

77 **Council Member Taylor aye**

78

79 **The motion passed unanimously.**

80

81 **Council Member Bailey moved to table item 3 of the Consent Agenda. Council Member Bigler**  
82 **seconded the motion.**

83

84 **Voting on the motion:**

85

86 **Council Member Bailey aye**

87 **Council Member Bigler aye**

88 **Council Member Fawson aye**

89 **Council Member Stoker aye**

90 **Council Member Taylor aye**

91

92

93 **ACTIVE AGENDA**

94

95 **1. PUBLIC COMMENTS:**

96

97 Larry McDougall stated he is the owner of the new Pizza Pie Café, which is located near Kirt's Drive-In.  
98 He stated that he wanted to introduce himself to the Council and publicly thank those from the City that  
99 have helped him through the permitting and inspection process; it was a very smooth process. He stated

100 his intent is for his business to be in the City for the “long haul”. He wants to be a part of the community.  
101 Mayor Harris welcomed Mr. McDougall and wished him great success in the City.

102  
103 **2. PUBLIC HEARING TO CONSIDER POTENTIAL PROJECTS FOR WHICH FUNDING**  
104 **MAY BE APPLIED UNDER THE 2013 COMMUNITY DEVELOPMENT BLOCK**  
105 **GRANT PROGRAM.**  
106

107 City Manager Chandler explained that CDBG applications are being accepted until the end of the month  
108 and as part of the application process, cities are required to give residents the opportunity to make  
109 suggestions regarding how the grant proceeds could be used in the City. He noted the City is required to  
110 hold a public hearing to allow those suggestions and that is the purpose of this agenda item.

111  
112 Council Member Bailey asked who the City will be making application to for the CDBG funds. Mr.  
113 Chandler explained applications are submitted to the Wasatch Front Regional Council (WFRC).

114  
115 Mayor Harris convened the public hearing. Seeing no persons appearing to be heard, he called for a  
116 motion.

117  
118 **Council Member Bigler moved to close the public hearing. Council Member Stoker seconded the**  
119 **motion.**

120  
121 **Voting on the motion:**

122  
123 **Council Member Bailey            aye**  
124 **Council Member Bigler            aye**  
125 **Council Member Fawson           aye**  
126 **Council Member Stoker           aye**  
127 **Council Member Taylor           aye**

128  
129 **The motion passed unanimously.**  
130  
131

132 **3. DISCUSSION AND COMMENTS ON MONROE BOULEVARD.**  
133

134 A memo from Mayor Harris regarding this item was included in the Council packet. The memo  
135 explained the extension of Monroe Boulevard has been included in North Ogden’s General Plan and  
136 Transportation Plan for many years. It is also on the Wasatch Front Regional Council’s Regional  
137 Transportation Plan (RTP). Monroe Boulevard is classified as a major collector route and is critical to  
138 moving future traffic through the City in an effective manner. Up until now portions of this extension  
139 have been constructed to major collector standard as various and sundry subdivisions have been  
140 developed, but this has been a “piecemeal” process. Because of the high cost of street construction this  
141 will probably continue to be the way Monroe Boulevard is built into the foreseeable future, however,  
142 construction funds may become available at some future date. A portion of the sales taxes that Weber  
143 County collects is dedicated to “corridor preservation”. North Ogden City has applied for and received  
144 \$2,064,000 of these funds to purchase the right-of-way for Monroe Boulevard. Since most of the  
145 alignment is over yet undeveloped lands within the city, this is a great opportunity for North Ogden to  
146 reserve the needed right-of-way pending future construction.

147  
148 Mayor Harris reviewed his staff memo and provided a PowerPoint presentation regarding the subject. He  
149 noted the first slide includes a map of the City’s Transportation Plan; it is the result of decades of careful,  
150 thoughtful planning about how to move traffic through the City. He stated that the map may be somewhat

151 hard to see so he explained the red roads on the map represent arterial roads; the green are major  
152 collectors; the purple are collectors; and the black are local roads. He stated those are the four  
153 classifications of streets in North Ogden while other cities may have more and different classifications.  
154 He highlighted some points of reference on the map and explained the extension of Monroe Boulevard  
155 was included in the 1980 General Plan as well as the 1997 General Plan update. He stated the City hired  
156 a professional transportation planning firm from Murray, Interplan, to create the City's Transportation  
157 Plan in 2008 and that plan also included the extension. He stated in 1980 the General Plan stated, among  
158 a lot of other things, that the major collector streets proposed include the extension of Monroe Boulevard  
159 from the south City limits to the intersection of the proposed Skyline Boulevard. He stated the 1987  
160 General Plan said there is a lack of adequate arterial streets that run both east/west and north/south; the  
161 only major through street that connects North Ogden to southern destinations is Washington Boulevard.  
162 The Plan also said that proposed street additions and modifications that would alleviate much of this  
163 problem are described (that description includes the extension of Monroe Boulevard from the south City  
164 limits to the intersection with the proposed Mountain Road). He referenced the Transportation Plan  
165 created by Interplan in 2008 and stated that it identifies the major north/south routes as Washington  
166 Boulevard, Monroe Boulevard, 1050 East, Fruitland Drive, Mountain Road, and eventually 150 East (the  
167 extension of Wall Avenue). He stated he would like to take a minute to talk about population trends. He  
168 stated he has lived in the City since 1981 and he has seen a lot of growth for himself. He noted that in  
169 1970 the population, according to the census, was 5,257; in 1980 the population was 9,309; in 1990 the  
170 population was 11,668; in 2000 the population was 15,026; in 2010 it was 17,357. He stated it is  
171 interesting to note that since 1970 the City's population has nearly quadrupled. He stated that the City's  
172 projected population at build out is 38,000, which is more than double the current population. He then  
173 reviewed the next slide in his presentation and stated that it contains a traffic analysis zone. He stated that  
174 the analysis is a representation of where development is or will be concentrated in the City; the darker the  
175 color, the higher the concentration of single family dwellings. He reviewed the analysis for 2007 and  
176 noted that the density of single family housing in the core of the City is quite heavy; the next slide  
177 included a similar analysis for the year 2040 and he noted a good share of the City is much more dense  
178 with respect to single family housing and Monroe Boulevard would run right through the middle of the  
179 most dense area. He reviewed the next slide and stated that he would talk about road standards; he  
180 reiterated that the City includes arterial, major collector, collector, and local roads. He stated the arterials  
181 are the wider roads that are built to move traffic smoothly and efficiently and at a good speed through the  
182 City. He stated that local roads are made for the opposite purposes and they are meant to give access to  
183 the neighborhoods. He stated that major collector and collector streets are somewhere in the middle. He  
184 stated that the proposal is for Monroe to be a major collector; there will be an 80 foot right-of-way that  
185 takes into account the sidewalk, curb and gutter, parking, and a 50 foot pavement width. He noted he  
186 wanted to provide a point of reference and explain that arterials require a 108 foot right-of-way width,  
187 which includes 86 feet of pavement width while collector roads have a 66 foot right-of-way with a 44 foot  
188 pavement width and local roads have a 60 foot right-of-way with 38 feet of pavement width. He  
189 reviewed the next slide and explained it is a representation of the traffic level of service during peak hours  
190 of the day. He stated it is mostly a comparison of how traffic moves through the City during peak hours  
191 as opposed to during off-peak hours. He stated that grades A through F can be assigned to the level of  
192 service, F being the worst grade. He stated the areas shaded green have a grade of A through C and that is  
193 a representation of traffic meeting free flow to relatively easy flow. He stated the yellow shaded areas  
194 have a grade of D and E, which means that the roads are more congested and travel in those areas takes  
195 more time. He stated the red shaded areas have a grade of F, which is essentially close to grid-lock traffic  
196 conditions. He stated that in 2007 Washington Boulevard from 2600 North to 3100 North was assigned a  
197 grade F during "rush hour". He stated the numbers on the representation are traffic counts, or the number  
198 of vehicles per day. He then compared the level of service in 2007, which shows relatively easy  
199 movement through the City with the exception of Washington Boulevard. . . which is on the  
200 Transportation Plan for widening in the future, though he does not know when that will happen because it  
201 is an extremely expensive project. He provided a representation of what the City will look like if nothing

202 is done to improvement transportation over the next 20 years; there will be virtual grid-lock throughout  
203 the entire City. He stated that the stretch of road on 2600 North is likely to no longer be yellow and  
204 would probably be assigned an F grade for the congestion during “rush hour”. He stated that the increase  
205 in traffic at the intersection of 2600 North and Washington Boulevard without proposed improvements  
206 would be 79 percent. He stated the current daily traffic volume is 23,000 and it would increase to 41,000.  
207 He stated the travel time would also increase by 72 percent. He then reviewed a slide that shows how  
208 traffic conditions would improve if the recommended projects, including Monroe Boulevard, are  
209 completed. He stated that even with those best efforts accomplished, there will still be some congested  
210 areas during “rush hour” traffic, but if the City is able to move forward with plans the City will  
211 experience a fairly free-flowing or smooth flowing traffic pattern. He used the intersection of 2600 North  
212 and Washington Boulevard as an example again and explained that the traffic volume there will increase  
213 from 23,000 to 30,000, rather than 41,000, if the proposed projects are completed. He stated the next  
214 slide is somewhat hard to see, but he pointed out that Monroe Boulevard has actually been in the  
215 construction phase for the past 45 years. He reviewed the proposed alignment from the Ogden City limits  
216 to the intersection with Skyline Drive. He stated the red areas indicate the areas of the road that are  
217 already constructed to the 80 foot right-of-way standard. He pointed out there are seven subdivisions that  
218 have been built around the road and as those have been built the developer has been required to build the  
219 road to the standards that are in the City’s Transportation Plan. He referenced some of the subdivisions  
220 that are included in the seven. He stated that the problem is that it has been done “piecemeal” and it is  
221 unknown when the City will reach build out and it will become necessary to complete Monroe Boulevard  
222 in order to move traffic. He stated that he wanted to point out that the Green Acres Subdivision was built  
223 in 1968, 45 years ago, and he pointed out the construction of Monroe Boulevard that has been completed  
224 to that point. He stated that all subdivision plats for subdivisions near the road have been filed with  
225 Weber County and they all refer to the road as Monroe Boulevard. He stated the City applied for and  
226 received a \$2,064,000.00 grant to purchase the Monroe Boulevard right-of-way last winter; the money  
227 comes from sales taxes collected in Weber County. He stated a portion of sales tax goes to what is called  
228 corridor preservation funding. He added that residents also pay a \$10 corridor preservation fee when  
229 renewing their vehicle’s registration and that money is contributed to that funding as well. He stated the  
230 money cannot be used for any type of construction and is strictly to be used for corridor preservation. He  
231 stated that the City competed with other cities for the funding. He stated it will be many years before  
232 Monroe Boulevard is completely finished, but there will come a time when it must be finished in order to  
233 move traffic through the City. He stated he thinks residents will actually insist on it. He stated the City  
234 will continue to construct Monroe Boulevard in the same manner as the past; as developers propose  
235 subdivisions in the areas that have not been developed they will be required to build the road to the City’s  
236 standard. He stated that much of what is left to be constructed of the road is over raw land and this is the  
237 prime time to preserve the corridor. He stated the next slide is a summary of the phasing of the major  
238 street construction projects over the next 30 years and the Monroe Boulevard project is not slated for any  
239 construction until the end of that time period. He stated at this time the City simply has an opportunity to  
240 preserve the Monroe Boulevard corridor. He stated there is a need for the road, though the need is not  
241 present right this minute. He reiterated the City has been discussing this issue for many, many years and  
242 it has been mentioned at several City Council meetings and those discussions are on record. He then  
243 asked the Council if they have any questions.

244  
245 Council Member Bigler stated that he has many questions and he wondered if the Council would hear  
246 from the public.

247  
248 Mayor Harris invited any residents to address the Council regarding this subject. He asked that any  
249 person wishing to speak limit their comments to two minutes and avoid personal attacks of any kind.

250  
251 Julie Malan stated that she lives on 725 East, which is the potential future Monroe Boulevard. She stated  
252 she knew of that project when she moved to the area. She stated that she does not think her neighborhood



253 questions that there is a need for another road going through North Ogden and they are not here to argue  
254 that point; there will need to be some sort of traffic solution. She stated that she does not need to tell the  
255 City about the fields located next to her house and the 80 year old lady that has owned them for her entire  
256 life; she will probably be upset if the road ever goes through. She added that her neighborhood is full of  
257 small children and they do not want it to change. She stated that she knows that the needs of North  
258 Ogden City often come before the needs of a little neighborhood, but her bigger concern is the logistics.  
259 She stated she is a mother of five kids and she would bet that she drives through North Ogden as much as  
260 anybody. She stated she has tried to travel the different roads and she agrees that the traffic problems on  
261 2600 North and Washington Boulevard are real. She stated that the City build a sidewalk on 2600 North  
262 to accommodate children walking to and from school, but what the City failed to foresee is that none of  
263 the parents allow their kids to walk along that busy road whether there is a sidewalk there or not. She  
264 stated that the project took a lot of work and effort, but it did not seem to alleviate the problem. She  
265 stated that she thinks it makes better sense to only use the main roads to access Wall Avenue or the actual  
266 City Center where business goes on and, quite frankly, if she is travelling Washington Boulevard she is  
267 only doing so to get to the businesses. She stated she wondered if Monroe Boulevard would alleviate that  
268 kind of congestion. She stated that her husband works at the end of Monroe Boulevard and she does not  
269 think that he will travel that road unless the speed increases and there are less traffic stops. She stated that  
270 when she is looking for a quick route she is looking for one with higher speed limits with a low number of  
271 stops. She stated that Monroe Boulevard will have many stops if it is going to travel through all the  
272 subdivisions that Mayor Harris mentioned. She stated that she questions whether the road will actually  
273 alleviate the problem. She stated she does not see that happening and she would like the City to consider  
274 that.

275  
276 Dwayne Parker stated he has lived in North Ogden for 78 years. He stated that the section of Monroe  
277 Boulevard between 2750 and 2850 North is already constructed, but the section from 2850 to 3100 North  
278 is not. He stated the Mayor talked about the subdivisions that are going to be implemented to pay for the  
279 road, but in that section there will not be any subdivisions because there is not enough room to put in an  
280 80 foot road and allow for subdividing after. He stated that means that there will not be subdivision  
281 contribution for that road and the City will need to pay for the road construction in that area. He stated  
282 the property owners will not participate in that and the City should think about that. Mayor Harris stated  
283 that the City recognizes that and that is why there is the desire to acquire the right-of-way. He stated that  
284 if the entire road was going to be built by a developer, there would be no need to preserve the corridor.  
285 Mr. Parker asked who will pay for upkeep of the land while it sits vacant after the City purchases it.

286  
287 Dale Randall stated he does not live in North Ogden, but he thinks that the idea of Monroe Boulevard  
288 being a collector street is a farce. He stated that Monroe Boulevard, as it travels through Ogden, is not a  
289 collector street. He referred to it as a “hit and miss” road and stated there is very little traffic in Ogden  
290 that uses it today. He stated that all traffic uses Harrison Boulevard, Washington Boulevard, and Wall  
291 Avenue. He stated that his opinion is that trying to make Monroe Boulevard a collector street will never  
292 happen. He stated that patches of the road have been plotted out and widened while part of it is still  
293 narrow going through certain subdivisions. He then stated that he looked at the map for North Ogden for  
294 the intended use of Monroe Boulevard. He stated that from 2100 North to 2400 North the entire 80 foot  
295 right-of-way would come from his property; no consideration has been given to splitting the width of road  
296 between his property and the property to the east, which is owned by a different owner. He stated that he  
297 thinks those property owners east of the central point of the 80 foot road need to put up their land in  
298 addition to his land. He stated that includes the LDS Church, Lyman Barker, and the Barkers that own  
299 another portion of land. He stated that he objects very strongly to having 80 feet of his land taken and  
300 other land owners should be impacted as well.

301  
302 Naomi Trammell, 797 East 3000 North, stated that in Mayor Harris’s presentation he mentioned that  
303 Monroe Boulevard has always been in the City’s plan, but she was curious if there have been any studies

304 regarding any possible alternative routes or if the City has always thought that Monroe Boulevard is the  
305 solution. She stated that Mayor Harris's presentation included references to population growth. She  
306 stated the City's population has grown, but that growth has slowed down considerably. She stated there  
307 are some other major main roads near Monroe Boulevard, such as 750 East, and she is not sure it makes  
308 sense to have two large roads so close to each other. Mayor Harris stated that alternative routes have been  
309 studied by the City.

310  
311 Rebecca Keyes, 1938 North 700 East, stated 700 East dead ends and her house is directly behind Green  
312 Acres Elementary School. She stated she has a huge concern about the children living in the subdivision  
313 near the school. She stated they currently cross the street where it dead ends to get to school and knowing  
314 that Monroe Boulevard will be such a main road really concerns her. She stated she knows there will be  
315 crossing guards on the street, but she cannot count how many times children have kicked balls out of the  
316 school grounds into her yard or into the street. She stated that sometimes the children run out to get them  
317 and sometimes they are just left there. She stated that will continue and balls will be kicked onto Monroe  
318 Boulevard. Council Member Bigler clarified that the area that Ms. Keyes is referencing is the playground  
319 at Green Acres Elementary School. Ms. Keyes stated that is correct and she stated she lives on the east  
320 side of the street and she still has balls in her yard or the gutter all the time. She stated she can see that  
321 having the busy street so close to the school could be very dangerous. She then stated that when she built  
322 her home she was aware that the road would come through and it was always part of the plan to include  
323 sidewalk and parks trips. She stated she remembered being told that it would be the homeowner's  
324 responsibility to pay for half of the sidewalk and curb and gutter and she wondered if that is correct. She  
325 stated it would be very difficult for her to pay for that cost and she would like to be aware if she is going  
326 to be required to pay for that sometime in the future. Mayor Harris stated he cannot answer that right  
327 now, but the staff will take that into consideration. Dwayne Parker interjected and stated "tell her the  
328 truth". He stated that the City knows whether Ms. Keyes will be required to pay for those improvements.  
329 Mayor Harris stated that the City does not know the answer to that question now and it depends on how  
330 the road is constructed and what occurs. He noted, however, that ordinarily citizens do pay for their own  
331 sidewalks, but there are a number of factors that will need to be considered. He then stated he would  
332 appreciate the residents avoiding any further outbursts during the meeting.

333  
334 Judy Porter, 746 East 1675 North stated that she has a friend that lives on Monroe Boulevard in Ogden;  
335 she and her children have lived there for over 20 years and it is horrendous to her some of the things that  
336 she deals with. She stated that it is not becoming of a community; her friend is a wonderful woman and  
337 very accepting, but she has dealt with drive-by shootings, people knocking on her door, etc. She stated  
338 that she has another friend that lives near Monroe Boulevard and there was a gunman on the loose that  
339 went through his backyard and shot his garage and the police refused to recompense them for their  
340 damages. She stated that his wife lost her job at the City. She stated that she does not think the City  
341 needs the street; she does not see any benefit to it. She stated that she does not see any point in having a  
342 major street coming through the middle of an area that is "off the beaten path". She stated that she thinks  
343 the City needs to reconsider.

344  
345 Kathy Aragon, 681 East 1700 North, stated that Monroe Boulevard would go right to the side of her  
346 home. She stated that she did not hear everything that everyone has had to say so she wanted to share her  
347 concerns, even if she is repeating some of what has already been said. She stated she has lived in North  
348 Ogden for 27 years and she has appreciated the fact that it has been kept a very close community and a  
349 beautiful place to live. She stated it is hard for her to think that anyone would think of bringing this road  
350 through the middle of the community. She stated it is going to disrupt schools and neighborhoods and she  
351 fears for the schools on Monroe Boulevard, especially Green Acres Elementary School. She stated she  
352 worries about the little kids crossing the street to get to school. She stated she lives on 1700 North and  
353 she does not know how Monroe Boulevard will affect that street, but there are four bus stops on the street  
354 right now and if Monroe Boulevard will push more people to travel on 1700 North, she worries about the

355 kids. She stated that she has heard that 80 percent of the crime in North Ogden comes from Ron Claire.  
356 She stated she cannot understand why “we” would provide “them” a roadway or walking path into the  
357 community.  
358

359 Kathy Warren, 720 East 2550 North, stated that when her family built their home in 1987 they knew that  
360 Monroe Boulevard would go through, but they were told that it was so far down the road that they may  
361 not even be around when it happens. She stated that she loves her neighborhood and one of her big  
362 concerns is that she drives across Monroe Boulevard in Ogden near the Lowe’s store and the road is not  
363 that crowded and not many cars use it. She stated that the road is like a race track and it is fun for the kids  
364 to race on it. She stated that a couple of years back there was an older couple that was travelling on the  
365 road and there were two cars racing on the road and they broadsided the car with the older couple and  
366 killed the grandfather and his grandchild. She stated that she is worried about what kind of people the  
367 road will bring into the neighborhood. She stated she there were some kids a couple of years ago that she  
368 is sure came from Ron Claire and they were going house to house trying to break into homes in her  
369 neighborhood. She stated that she thinks it is scary and she is against it. She stated she does not see the  
370 benefits of it. She stated that she does not think it will be heavily used.  
371

372 Susannah Burt, 1809 North 650 East, stated that she is the PTA President for Green Acres Elementary;  
373 she is representing the PTA as well as her community. She stated that one of the issues that Ms. Aragon  
374 raised was school safety; right now the east side of Green Acres is open so there is an entrance from that  
375 direction; currently without Monroe Boulevard being in use there has been an increase in traffic and  
376 speed. She stated that her husband grew up in North Ogden and they chose their home here 15 years ago.  
377 She stated they chose their location based on the schools and safety of the area. She stated that when she  
378 first moved to the area she lived on Monroe Boulevard in Ogden next to Ben Lomond High School and it  
379 is a very busy street and though it may not seem like there is a lot of traffic, there are high speeds and that  
380 is why she is so concerned about the students. She stated that when there is a wide street like that and it is  
381 not a thoroughfare there are a lot of drivers that speed along the street. She stated that forces the  
382 homeowners to build fences to keep their kids and their toys in their yards. She stated that is not  
383 something she wants to do.  
384

385 Trevor Broughton, 730 North 700 East, stated he is wondering if there have been any crime data projects  
386 in conjunction with the traffic projections for the road. He stated he would love to review those as he has  
387 a background in planning and he understands that traffic flow is always of utmost importance. He then  
388 asked if property value projections have been done. Mayor Harris stated he does not know the answer  
389 that question, but he recommended that Mr. Broughton talk to the Assistant Chief of Police who is in the  
390 audience.  
391

392 Mary Beus, 1996 N. 700 E., stated that she lives where the road dead-ends near Green Acres Elementary  
393 School. She stated she works at Green Acres, North Ogden, and Bates Elementary schools. She stated  
394 that as she travels back and forth to those schools every week she has never had a problem crossing the  
395 road getting to her home. She stated that she has lived here for 34 years; she came here to raise her kids  
396 and she knew the City had a good reputation for families. She stated that she feels that the end where  
397 Monroe Boulevard is now is a big enough divide to divide the crime. She stated she can see North Ogden  
398 turning into a whole different community if Monroe Boulevard is continued. She stated she can also see  
399 residents that have lived here as long as she has wanting to move farther north because of the crime rate.  
400 She stated she also travels to the schools in South Ogden and she uses Mountain Road and Washington  
401 Boulevard and she does not see traffic congestion at any time of the day. She stated that she experiences  
402 good traffic flow getting there and coming home. She stated that she has a lot of concerns about the  
403 schools, the neighborhoods, and the crime rate increase that will change the whole appearance of North  
404 Ogden. She stated that she looks at what was said about getting to the businesses. She stated that no  
405 matter what way someone travels, whether they use Monroe Boulevard, Mountain Road, or Washington



406 Boulevard they must go up or down to get to the businesses. She stated that it does not make any sense to  
407 her to put Monroe Boulevard in and she is very against it. She stated she hopes it does not happen.  
408

409 Phil Swanson, 1066 East 3300 North, stated that he is a transplant to the City; he has lived her for seven  
410 and a half years and he does not have an opinion on either side of the issue. He stated that he feels for the  
411 folks that will live along what could be Monroe Boulevard, but he also understands the need for  
412 infrastructure. He stated that he did grow up in the Phoenix metropolitan area and in the late 1960's and  
413 70's up until the 80's the attitude regarding infrastructure was "if we don't build it, they won't come". He  
414 stated that was incorrect and people came in droves. He stated that a word of caution to the Council now  
415 or in the future would be that he has not seen a place where that has not happened. He stated North  
416 Ogden is a beautiful place and not building the necessary infrastructure will not necessarily keep North  
417 Ogden the small community that everyone loves and that people moved here for. He stated it will  
418 actually make it a worse place to live with worse traffic congestion. He stated that he is not sure that  
419 Monroe Boulevard is the answer, but he has personal experience of living in a place where infrastructure  
420 was not put in place and it became necessary to raze and bulldoze neighborhoods to make way for the  
421 necessary infrastructure.  
422

423 Meryl Slater, 827 East 3100 North, stated that he has more questions than comments; he has been told by  
424 several prior administrations that if Monroe Boulevard is developed it will be paid for by the property  
425 owners and the City would not be involved in that. He stated if the City were to buy the right-of-way  
426 now he wondered if the developers would buy it back from the City in the future. He stated that if the  
427 City buys the land now it will be taken off the tax rolls, which will decrease the property tax revenue the  
428 City gets. He added that as he looks at Monroe Boulevard as it travels through the City now, it appears to  
429 be different widths and he asked if the City has conducted a study to see how many houses will be taken  
430 out if they adhere to the plan for the road. He stated he does not believe the road above 3100 North meets  
431 the standards of the rest of the City. He stated that he also wondered if 1050 East has been considered an  
432 alternative extension of Monroe Boulevard. He asked if it could be extended down through the City  
433 without impacting so many houses. Mayor Harris stated that he would be willing to visit with Mr. Slater  
434 at his convenience and provide answers to most of his questions.  
435

436 Wendy Monson, 682 East 1700 North, stated that she does not know where any of the members of the  
437 Council live, but she is at the crossroads of where Monroe Boulevard would be. She stated that she knew  
438 when she bought the house that the road could eventually go through, but she got a good deal on the  
439 house and needed a place to live at the time. She stated that trying to make improvements to her house so  
440 that she can move before the road comes through is next to impossible for herself as a single parent, and it  
441 would also be difficult for a family with dual income. She stated that once the upgrades are made to her  
442 house it will still be difficult to sell her house because other people will know about the road coming  
443 through. She stated that she agreed with the comments about the increased crime. She stated that she  
444 moved here from North Ogden and the crime is slowly following her out here. She stated that extending  
445 Monroe Boulevard would provide an open gate for the crime. She stated that the area will get ugly.  
446

447 Sheri Gardner, 722 East 1700 North, stated that she walks her children to Green Acres Elementary and  
448 there have been times that it has been deadly to do that because of parents rushing to get their kids to  
449 school and they round the corner at a high rate of speed. She stated it is a busy intersection even without  
450 a main boulevard. She stated that she hoped that sidewalks would be put in if the road comes through,  
451 but 1700 North is much busier than it used to be and adding a main thoroughfare to the area would make  
452 her reconsider allowing her children to play outside in her yard. She stated that there are different  
453 neighbors with different lifestyles and they may choose to bring in drugs. She stated that she already  
454 fears that and she worries that it would increase if there is easier access to the community. She stated that  
455 her father lives on 1700 North also, at 827 East, and he had a break-in at his house and the person was

456 from the Ron Claire area. She stated her main concern is the schools and the access and safety for the  
457 children.

458  
459 Mayor Harris stated that it is time to move the meeting along if there are no additional comments.  
460

461 Council Member Bigler stated that he would like the City to look at potential options for outlets  
462 and inlets and so forth. He stated it was mentioned that some of that has been studied and it  
463 would be good for the Council to hear that information. He added that in the past discussions, in  
464 the three years he has been on the City Council and a couple of meetings ago; not saying it was  
465 presented this way, but he has been under the impression that the construction of this road is not  
466 just a City decision, but that it is a regional decision. Mayor Harris stated that is not the case and  
467 it has always been a City decision. Council Member Bigler stated that he was made aware of that  
468 two meetings ago. He stated he isn't saying this is a negative way, he is trying to express what he  
469 thought and why the things he is saying tonight might be different than a few weeks ago. He  
470 stated that the Mayor has confirmed and stated that the road is on the regional transportation plan,  
471 not just a City plan and he stated that "they" were starting the process. He stated that he  
472 interpreted that differently than it was intended; he has since called the County and so forth and  
473 had it verified that the road is completely the City's decision. He then stated that he wanted to  
474 read a statement (Attachment A) to be included in the minutes; these are his thoughts regarding  
475 the issue: This will not only effect those on Monroe Boulevard, it will affect the entire City.  
476 Crime from the south, that is an issue. This direct corridor will not just affect North Ogden  
477 including those who live in the north part of town. There is a reason many of us chose to live  
478 here. It is a little out of the way from the rat race and that is the way many residents want it.  
479 That's why we live here. Monroe will go right by two elementary schools, where many of our  
480 children walk five days a week. These are elementary age kids, not older kids they are very  
481 young. What would the speed limit be on this Monroe Boulevard? If it is fast it would be very  
482 dangerous for the kids. If it is slow, no one will use it to travel in and out of town. They'll use  
483 faster roads. Where would the stop lights and stop signs be? I know the plan has some on there.  
484 If the lights are on Monroe Boulevard, it would slow this road down, so who would want to take  
485 it in and out of town instead of taking one of the other main roads out of town. If the stop lights  
486 and stop signs are not going to be on Monroe they would then have to be on the roads that go east  
487 and west; such as 3100, 2600, 2100 and 1700, which would substantially slow that traffic and  
488 cause a bottleneck east to west throughout our city in our residential zones. No businesses are on  
489 Monroe Boulevard. Where would these people be going they are not going to be going to work  
490 because there aren't any businesses on Monroe. There's not shopping because there's no  
491 shopping stores on Monroe. At some point they'd have to turn on to Washington, Wall, or  
492 Harrison to get to work or shop to get where ever they are going, because there is nothing on  
493 Monroe Blvd. other than Ogden City homes. Unless of course someone's going to grandma's  
494 house who just happens to live on Monroe Boulevard. Whereas, you said your friend lives there.  
495 I don't see; if you work on Wall or Harrison or Washington; if you are trying to speed up to leave  
496 North Ogden, then at some point you will have to turn off to these roads anyway. What we  
497 would be doing is creating a direct corridor from the neighborhoods in Ogden City, right into and  
498 through the heart of North Ogden City. In fact, right into and through the heart of our residential  
499 zone. Do we really want that? While making decisions that will affect our City for years to  
500 come, we often speak of unforeseen consequences. I think this applies with this project. I think  
501 there would be more negative consequences than positive consequences. There's more important  
502 things other than traffic. We could maybe hopefully find some other ways to do that. Through  
503 the years, I've tried to teach my children and many other youth, that in life, if you're going to get  
504 on a road and start to go down that road, you better know where that road is going to take you.  
505 You better know where that road ends up, and you better LIKE where that road will take you.  
506 Monroe Boulevard, in his opinion, is the road to nowhere. It ends on 30<sup>th</sup> Street. It just abruptly

507 ends into houses. If you kept going you would run into houses and then a cemetery that's on 36<sup>th</sup>  
508 street. So essentially, we would be building this road through Ogden City's neighborhoods and  
509 connecting it with North Ogden City's neighborhoods, as if we were one city. I don't think the  
510 majority of North Ogden residents would like what that would do to our beautiful City. We'd  
511 have people leaving the City on this road perhaps for good. How many outlets does South Ogden  
512 have? I went this week and I drove Monroe Boulevard twice. From here, clear up to 30<sup>th</sup> and  
513 beyond that to South Ogden and back. In fact I even recorded it if any of you want to see the  
514 traffic that is on that road. I was wondering how many outlets does South Ogden City have?  
515 Monroe will never connect South Ogden with Ogden City through their residential zones. He  
516 thinks they did this on purpose. There are sections on Monroe, but for a block. He doesn't care if  
517 they call it Monroe Boulevard here and there in North Ogden as long as it doesn't go all the way  
518 through that is fine. Also, just to mention the plats for many years have said Monroe Boulevard  
519 and that not what's on the street signs. It says Monroe Boulevard on the plats and that doesn't  
520 mean that's it going to go all the way through. There are multiple places that are called Monroe  
521 Boulevard in the south area of town that does not go through. So where are we trying to go with  
522 this road? I don't leave my house, get in my car, and start driving, just for the sake of leaving my  
523 house. When I leave my house and get in my car and start driving, I have a purpose. I have  
524 someplace to go. Where would Monroe take us? Nowhere! I would imagine the completion of  
525 this road would cost North Ogden residents millions of dollars and for what? An outlet to  
526 nowhere! Our other three main outlets all have destinations so there's a purpose for taking one of  
527 those roads. I drove it all the way to its south end and back. Someone alluded to this, one or two  
528 people I think, and no one was driving that road. I did it on Saturday and I drove again at night  
529 on rush hour traffic. There were hardly any cars on it. Why? Because there's nothing on that  
530 road except Ogden City neighborhoods. Would we build this road in North Ogden just for the  
531 sake of having another outlet, and INLET I might importantly add. If we build this road, it will  
532 forever change North Ogden City, and not in a good way." I would like us to look at other  
533 options. I'd like to hear the other options that were mentioned you said were looked at and I'd  
534 like us to look at other options Mayor. Even though this project is years down the road we do  
535 need to look ahead. He stated the City has not grown very much in a lot of years; the census  
536 population in 1990 was 11,000 and the City now has 17,000 residents. He stated, that the City  
537 will grow, there is no question about it. The question is what type of growth is wanted and what  
538 kinds of homes, what kind of people do we want here. That will affect future residents and what  
539 type of people come to this City. The other outlets are major roads located in the proper places  
540 while this road would go right through our residential zone. He thinks that the negative  
541 consequences in his opinion, would far outweigh the benefits of putting the road through the  
542 beautiful City. He stated he does not want the neighborhoods of Ogden and North Ogden to be  
543 connected as if they are one city. He stated that Washington Boulevard and Harrison Boulevard  
544 already connects us, but to go right through our neighborhoods to their neighborhoods...he does  
545 not want that. He thinks there could be better options if we really took a look at it. He stated that  
546 is what he would like to see happen. He stated he thinks there are a lot of unforeseen  
547 consequences besides traffic that are even more important to him. He stated he would rather  
548 spend an extra few minutes getting out of the City than see what this road will do to residential  
549 zones and neighborhoods. Safety wise and other things.

550  
551 Council Member Fawson stated he appreciates the residents that have spoken out. He stated that it means  
552 a lot for the Council to hear their comments. He stated that he does not live in that area, but he has a lot  
553 of friends that live there and it is good to hear from everyone. He stated that he would be interested in  
554 seeing some usage studies from Ogden City regarding Monroe Boulevard. He stated that he is also  
555 concerned about infrastructure and he thinks the City needs to look at it, but at this point he would tend to  
556 lean towards improvements to existing arterial roads, such as improving some of the major roads that run  
557 north/south through the City. He stated he is also concerned about creating the artery of potentially low

558 income housing along the major proposed road. He stated he understands that this is far in the future, but  
559 he does not want to be a Council Member that suggests kicking it down the road and he thinks the  
560 Council should deal with it now.

561  
562 Council Member Taylor thanked everyone that is in attendance tonight; many of the Council Members  
563 have been taking notes while the residents were commenting and they appreciate the comments. He  
564 stated that even one person saying something and offering an idea that the Council may not have thought  
565 of is a great help. He thanked everyone again for coming to the meeting. He stated that on a personal  
566 level he can sympathize with a lot of what has been said. He stated that in December his family got a  
567 letter from the City and it was from the Planning Commission informing them there will be a large  
568 subdivision going in near the old Johnny's Dairy. He stated that one of the things he loves about his road  
569 right now is that it is a dead end; he has five young children and can sympathize with a lot of the exact  
570 things that have been said. He stated that the road that will be expanded in his neighborhood is not the  
571 size that Monroe Boulevard would be, so he is not saying it is the same thing, but he can sympathize  
572 because his first response as well was that he likes the quiet street and the fact that the kids can play  
573 outside in the dead end of the street. He stated that he has a couple of suggestions for the Mayor and  
574 Administration. He stated he thinks it is important that the Council is discussing the issue this far in  
575 advance so that public input can be gathered. He stated that he knows the project is projected for many  
576 years in the future, but he agreed with Council Member Fawson that the Council should be addressing it  
577 now in hopes of reaching a resolution so that it is not passed on to future Councils. He asked the Mayor  
578 to tell the Council a little bit more about what an 80 foot road would look like in terms of how many lanes  
579 there would be in each direction and whether there would be a turn lane. He stated that he also wanted to  
580 know if there is a normal speed designation on this type of collector street.

581  
582 Mayor Harris stated that those are things that would be studied and determined, but the speed would  
583 likely be in the 40 mile per hour range. He stated that on an 80 foot road, 58 feet of the road is actually  
584 pavement. He stated the 80 foot measurement takes into account parking, sidewalks, and curb and gutter.  
585 He stated the 58 foot pavement width consists of two 12 foot travel lanes, a 14 foot center lane, and two  
586 10 foot shoulders. He stated he suspects those dimensions can vary depending on traffic. Council  
587 Member Taylor stated he thinks it is important for everyone in attendance to understand that the road, at  
588 its widest, could only contain a travel lane in each direction and one center lane. Mayor Harris stated that  
589 is correct, but he reiterated that there is some flexibility.

590  
591 Council Member Bigler asked if flexibility means that the road could be a four-lane road. Mayor Harris  
592 stated that would depend on if the shoulder space is used for lanes, but there is only 58 feet of pavement  
593 and travel lanes are required to be a certain width.

594  
595 Council Member Stoker stated that she also appreciates the resident that have made comments tonight.  
596 She stated that she lives on Mountain Road and when she first moved there 34 years ago the gravel pit  
597 was open and there were dump trucks going up and down the road all the time and it was pretty scary.  
598 She stated there are huge safety concerns. She stated that recently a subdivision was built behind her  
599 house and that would have made her lot a corner lot and all the traffic from Oaklawn Park would have  
600 come out onto Mountain Road. She stated there was a blind curve in that area and the trucks were a huge  
601 issue. She stated that in coming up with other solutions the City decided to straighten that curve out and  
602 that has made a big difference on Mountain Road. She stated she would also like to see other options and  
603 consider working on existing roads to make them better rather than putting money into something that is  
604 not needed. She stated she does think the City needs to look ahead at what is coming, but she does not  
605 know that Monroe Boulevard is the answer either.

606  
607 Council Member Taylor stated he wanted to pass a few recommendations on to the Mayor and  
608 Administration based on a lot of the comments that have been made. He stated the big concerns are



609 crime, traffic, and the amount of cars that will use the road. He asked if the Administration can look at  
610 not opening Monroe Boulevard into Ogden and instead only completing it internally in the City. He  
611 stated that there was a lot of discussion about whether people would take the road further to the south and  
612 he does not foresee a lot of traffic coming in and out of the City on that road and if the road continues to  
613 be blocked and used only internally for North Ogden traffic the City could consider making the road a  
614 regular street size that is only 60 feet in width. He stated that if the road would only be used for internal  
615 traffic it may be possible to taper it down to a lesser width in the areas further to the south, such as in the  
616 Green Acres area. He stated that he would like the Administration to consider those options and possibly  
617 conduct traffic studies to see how that would address traffic issues in the City.

618  
619 Council Member Fawson asked if the funds are contingent on the road connecting Ogden to North Ogden.  
620 Mayor Harris answered yes.

621  
622 Council Member Bigler asked if the City is planning to review the Master Plan in 2014. Mayor Harris  
623 stated that revisions to the General Plan are way past due. Council Member Bigler asked if revisions are  
624 to be made every seven years. Mayor Harris stated the Plan should be reviewed every five to seven years.  
625 Council Member Bigler stated he thought it was reviewed in 2008. Mayor Harris stated the  
626 Transportation Master Plan was updated in 2008. Community Development Director Barker stated that  
627 the last complete review was in 1998, though some areas on Washington Boulevard were addressed in  
628 2002. Council Member Bigler stated that the Council packet states that the last review as done in 2008.  
629 Mayor Harris stated that is in reference to the Transportation Master Plan, but the General Plan was not  
630 updated at that time. He stated the intent is to incorporate the Master Transportation Plan into the General  
631 Plan, but that was not done due to revenue shortfalls. Council Member Bigler stated that maybe he  
632 misspoke; he meant that part of the City's Master Plan is the Master Transportation Plan and that is what  
633 the Council is being talked about tonight. Mr. Barker stated that it can either be incorporated into the  
634 Master Plan, or the General Plan, for the City. Council Member Bigler asked if 2008 was the last time the  
635 Monroe Boulevard project was updated. Mr. Barker answered yes. Council Member Bigler stated that  
636 means the City is about due to take a look at the Plan again and he would think that there has got to be a  
637 way to address the issues; if a big road is put through the middle of the City there needs to be some  
638 consideration given to what types of homes will be developed along that road in the areas of the City that  
639 are currently undeveloped. He stated that will affect every part of the City as the corridor runs right down  
640 the middle of the City. He stated there will be a certain type of person that will choose to build their  
641 homes on a road that big. He stated he is thinking that "they" probably did not look at a lot of other  
642 options seriously if Monroe Boulevard has been on the plan for so many years; "they" probably just  
643 thought it was a done deal so they did not look very closely at many other options. He stated he would  
644 like that to happen. He stated he would like a review to be done as though Monroe Boulevard is no  
645 longer an option. He then stated he has a couple of questions. He asked Mayor Harris to tell everyone  
646 where the stop lights would be on Monroe Boulevard. Mayor Harris stated that a lot of that still needs to  
647 be designed. He stated that some of those factors are included in the plan, but it is fluid. Council  
648 Member Bigler stated that Monroe Boulevard may alleviate some bottlenecks, but it will definitely create  
649 others by the addition of stop lights. He stated that if a stop light is located on 2600 North in the middle  
650 of the road, there will be a line of cars at rush hour and people will be prevented from getting out of their  
651 driveways. He stated he did not mean to put the Mayor on the spot and he no longer wanted an answer to  
652 the question about the stop lights. He then stated that down the road, if there was a property owner that  
653 did not want to sell their property, would the City use eminent domain to get the property. Mayor Harris  
654 stated the City would avoid that at all costs, but the City does have eminent domain authority. Council  
655 Member Bigler reiterated that he would like additional study to be done with the thought that Monroe  
656 Boulevard is not an option. He asked for studies to be done regarding what other roads could be widened  
657 or improved to address the issues. He stated the last question he has is regarding the Transportation Plan;  
658 it shows Wall Avenue running along the west part of the City and he asked if that idea has been  
659 "scrapped". Mayor Harris stated that it is 150 East, which is the logical extension of Wall Avenue.



660 Council Member Bigler stated he is wondering if the City will have direct outlets onto Wall Avenue in  
661 the future. Mayor Harris stated that he thinks that will happen eventually. Council Member Bigler stated  
662 that means there will be opportunities for major outlets onto Wall Avenue.

663  
664 Mayor Harris stated that he wants to move the meeting along and he asked if there are any additional  
665 questions from the Council.

666  
667 Council Member Bailey stated that the conversation took place earlier regarding the funding for corridor  
668 preservation being contingent on connection of North Ogden to Ogden City. He asked what would  
669 happen to the funds if this project were put on hold. He asked if the City has a time frame it is working  
670 within. Mayor Harris stated there is not a time frame; however, if the City does not do the project as  
671 outlined the funding will be lost. He stated that this is a regional planning effort and that is one of the  
672 reasons it is on the WFRC Transportation Plan and the City cannot just take \$2 million and use it in North  
673 Ogden without considering the other contingencies. Council Member Bailey stated that he wanted to  
674 thank all the residents for attending and making comments. He stated this was new information to him;  
675 he has lived about eight houses away from the Monroe Boulevard corridor for about 40 years and has  
676 walked by the 80 foot wide street that goes for one block in his neighborhood and he expected that  
677 someday the construction of the road would come to pass, but he never thought through all of the issues  
678 that have been raised tonight.

679

680

#### 681 **4. PRESENTATION ON GOVERNMENT FINANCES OPTIONS.**

682

683 City Manager Chandler stated that a couple of weeks ago the Council and Administration discussed the  
684 idea of inviting a government finance expert to a Council meeting to talk about how communities finance  
685 various types of construction. He stated that he has invited Jonathan Ward, the Vice President of Zion's  
686 Bank Public Finance, who has worked with nearly every city in Utah regarding financing for various  
687 infrastructure projects. He stated that it has been a great pleasure to work with him and he has found him  
688 to be exceptionally competent and very much in tune with cities and what they go through in the  
689 financing processes.

690

691 Jonathan Ward thanked Mr. Chandler for the introduction and stated that he has not worked with every  
692 city in the State, but he has worked with many. He stated it has been a pleasure to be in this line of work;  
693 he can drive down the street and see a building that he helped finance, drive on a road that he helped  
694 finance, or drink water that is coming from water lines that he helped finance. He provided a booklet for  
695 note taking to each member of the Council. He stated he would refer to his presentation as Bonds 101;  
696 bonds because the local governments in Utah are not eligible to walk into a bank or credit union and ask  
697 for a loan as a resident is able to do. He stated the governing laws and constitution of the State spell out  
698 how government entities can approach financing; more often than not, any financing for capital projects  
699 throughout the state will be channeled through the various financing options called out in the statutes. He  
700 referenced page three of his presentation, which outlines more common ways of financing projects; first is  
701 saving up and setting aside funds to build a building, construct a road, install utility infrastructure, or  
702 build a park, etc. He stated that every one of the financing options available to government entities comes  
703 with its own set of pros and cons. He stated that saving up and setting aside money is a less expensive  
704 financing option because it does not include interest expense and other costs of issuance, but there are  
705 some potential costs associated with that option if inflation drives the cost of the project up while the  
706 entity is in the process of saving to pay for it. He stated that if the project is sizeable, it is not always  
707 possible to save money over time in order to accomplish what the entity wants to accomplish.

708

709 Council Member Taylor asked Mr. Ward if his presentation is available in electronic format. Mr. Ward  
710 stated that he does not have an electronic version with him this evening, but he can send an electronic

711 version to the City tomorrow. He then continued his presentation and stated that pay as you go is another  
712 alternative for financing projects and it is particularly helpful when the entity does not need to complete a  
713 project all at once. He stated that an example of the type of project this type of financing would work for  
714 is a road project where it may be acceptable to complete 100 lineal feet of road at a time. He then stated  
715 grant financing is an option and he referenced the earlier agenda item regarding the CDBG grant  
716 application the City is currently working on. He stated that is one of the most common grant programs  
717 available in Utah, though grant funding is limited and comes with strings attached. He stated that CDBG  
718 grant funds can only be used for specific projects. He stated the last financing option is debt financing,  
719 which comes at a cost due to interest expenses associated with the financing as well as the cost of  
720 utilizing professionals to help the City navigate through the process. He stated that what he has seen  
721 work best for most communities is a combination of all of the options. He stated that the Zion's Bank  
722 Public Finance department specializes in debt financing, specifically in municipal bonds. He stated that a  
723 municipal bond is an IOU and it is the evidence of the loan. He stated that many people have used  
724 lending institutions to purchase homes or cars and the mortgage document or the promissory note for the  
725 car is the evidence of the loan. He stated that the municipal bond is no different; it is the evidence of  
726 debt. He stated that the municipal bond is the agreement that says the borrower will pay the lender back a  
727 certain amount of money by a certain time with a certain interest rate associated. He stated the amount of  
728 the loan is called principal amount or par amount, the repayment date is the maturity date, and there is  
729 usually more than one interest rate associated with the bond – one for every year that bonds are paid off.  
730 He stated the interest rate is called the nominal or coupon rate, which is sometimes different than the  
731 yield. He stated what an investor receives is their yield and what the City pays is the coupon rate. He  
732 stated that of great importance to a municipality in municipal bond financing is that they are tax exempt  
733 and that is what makes them unique from other types of securities and loan obligations. He stated that he  
734 knows there are a lot of high net worth individuals in North Ogden who are trying to shelter income from  
735 taxation; individuals who want to do so can invest their money in municipal bonds sold by any city and  
736 that income, when received, is not taxed by the federal government as normal or ordinary income is. He  
737 provided a brief history of the doctrine of the tax exemption and he noted it stems from an early case in  
738 1819; the US Supreme Court heard a case called McCulloch versus Maryland. He stated James  
739 McCulloch was a branch manager of the Second US Bank in Maryland. He stated that Maryland did not  
740 like the idea of banks that were started outside of the state moving into their state, so they decided to tax  
741 every lending institution chartered outside of Maryland. He stated that Mr. McCulloch refused to pay that  
742 tax. He stated the two parties sued each other and the case went to the Supreme Court and Chief Justice  
743 John Marshall said that the power to tax is the power to destroy and that states could not tax the federal  
744 government and vice versa. He stated that created an intergovernmental reciprocal immunity. He stated  
745 there have been subsequent legal challenges regarding whether government entities have the right to tax  
746 one another and in recent history there has been a lot of discussion about the repeal of tax exemption. He  
747 stated that President Obama has emphasized that he would like to repeal tax exemption, or at the least  
748 minimize the value of tax exemption and cap it at 28 percent, meaning that if someone receives tax  
749 exempt income of \$1,000 and they are in the highest tax bracket of 35 percent, the \$1,000 of tax exempt  
750 income would be valued at about \$350. He stated that President Obama wants to put the cap at 28  
751 percent, meaning that same \$1,000 would only be worth \$280. He stated there is a lot of discussion about  
752 whether municipalities need tax exemption and the National League of Cities and Towns are pushing very  
753 hard against these types of congressional regulations because government entities need to borrow on  
754 occasion and when they do he hopes there would be a cheap way to do it. He then stated that interest on  
755 bonds is paid semi-annually as opposed to mortgages that are paid monthly and the payment is a  
756 component of principal and interest. He stated that for bonds, there are semi-annual interest payments  
757 and one annual principal payment. He stated that every year that bonds mature there is a different interest  
758 rate or coupon. He stated that he likes mortgages that everyone is familiar with and there is the ability to  
759 prepay a mortgage whenever the borrow wants to without a prepayment penalty. He stated municipal  
760 bonds usually come with some protection, such as a 10-year lockout or prepayment protection, which is  
761 referred to as a call protection. He stated that allows investors to know that they will have the knowledge

762 and comfort that the income they expected to receive in the nine years of the life of the bond is going to  
763 be there. He stated that investors that buy bonds that mature after 10 years do not have that same  
764 protection; if they buy a bond that matures 15 years from now they have the potential of having their  
765 investment paid back to them 10 years into the financing and they lose five years' worth of interest  
766 because of the prepayment ability. He stated that the interest rates are oftentimes raised somewhat  
767 because of that feature; they are expecting the municipality to prepay the bond. He stated that if the  
768 interest rate is raised and the municipality does not pay the bond off early, the investor will get a windfall  
769 of income because they were expecting to be paid in year 10 and instead they will receive five extra years  
770 of interest. He stated that in a historically low interest rate environment, he sees inventors doing this all  
771 the time because they are expecting to be paid early. He then referenced page eight of his presentation  
772 and stated that it illustrates the bond buyer index, which is simply a comparison of interest rates over the  
773 past two decades. He stated that the current interest rate is remarkably low; rates have been as low as  
774 they are today only .46 percent of the time over the last two decades. He stated page nine shows the same  
775 data with a different perspective; it shows different maturities and key benchmark maturities ranging from  
776 three months out to 30 year and the different colored lines illustrated the same municipal bond and where  
777 it would have priced over the past four years. He then moved to page 11 of the presentation, which  
778 covers types of bonds and the more common financing tools that government entities use. He asked if the  
779 Council has any questions before he proceeds. Council Member Bigler stated that he is interested in the  
780 types of bonds and the differences between those bonds.

781  
782 Council Member Taylor asked about the prepayment penalty that Mr. Ward referenced earlier. He asked  
783 if the City would be allowed to prepay a bond in the first 10 years or if that is strictly prohibited. Mr.  
784 Ward stated that generally there is not a penalty; in the past the City would be charged an extra three  
785 percent on whatever was pre-paid. He stated that now if the City has money, they would put it in an  
786 interest bearing account and leave it there until the 10 year period comes to an end. Council Member  
787 Taylor asked if it is true that the bond cannot be prepaid in the 10 year period legally. Mr. Ward  
788 answered yes and stated that the City can get rid of its debt; if it puts money in an interest bearing escrow  
789 that comes with US Government securities and those sit in the escrow until year 10 and they are fully  
790 redeemed and all the cash is used to pay off the bonds that mature in years 11 through 20. He stated that  
791 from an accounting perspective, if the City did that the debt would be gone and it would not be present in  
792 auditor's financial statements; the City would essentially be out of debt. He stated the reality is that the  
793 investor would still be getting paid for the bond they invested in for the City, it would just be the escrow  
794 making the payment rather than the City. He stated the escrow trustee would still charge the City for their  
795 trustee services until year 10.

796  
797 Council Member Bigler stated he understood there is a pre-determined amount and if the bond is paid off  
798 early, the investor will get that pre-determined amount. Mr. Ward stated that anyone investing in the first  
799 10 years of the bond will get the pre-determined amount, but anyone after 10 years will get all of their  
800 principal back but could lose 10 years of interest income that they thought they were going to get.  
801 Council Member Bigler stated that is why the investors raise the interest rate to build in a safety net in the  
802 event that happens. Mr. Ward stated that is correct.

803  
804 Mr. Ward then reviewed the different bond types that are generally used for governmental projects. He  
805 stated he did not include two types of bonds that are used for hybrid government/private financed projects  
806 and those are tax increment financing and special assessment bonds. He stated that special assessment  
807 bonds are paid for by private residents and he used projects in Farmington City as an example. He stated  
808 the projects only benefitted certain pockets of the city so they created special assessment areas and took  
809 out bonds that were paid for by the residents that benefitted from the projects. He stated that he has only  
810 included project financing tools that would benefit municipalities. He stated that general obligation (GO)  
811 bonds are the most conservative bonds and the security for those types of bonds are the property tax and  
812 the property taxing authority of the City; if someone were to default on a GO bond, bond investors from

813 all over the country would be able to sue the City and the courts would force the City to raise property  
814 taxes to whatever level is necessary to repay the obligation. He stated any other user impact fees that are  
815 available can be used to pay back GO bonds.

816  
817 Council Member Bigler stated that Mr. Ward noted GO bonds are the most conservative and the safest  
818 and he asked if that is from the bank's perspective rather than the City's perspective. Mr. Ward stated  
819 that from a City perspective, they are the cheapest of the financing tools because investors foresee them as  
820 the least risky financing option. He then stated lease revenue bonds are secured by annual budget  
821 appropriations by the City Council. He used Syracuse City as an example and explained they financed a  
822 bunch of governmental buildings using lease revenue bonds and they pledged to pay every year on an  
823 annual basis and if the payments were not paid they would forfeit the buildings that were built using the  
824 bond proceeds. He stated the buildings were the source of collateral. He stated that technically a city  
825 could use a 20 year bond issue with a one year commitment to pay and if the city decided they did not  
826 want to make the next payment, they would legally be under their rights and would not have to make the  
827 payment, but from a credit standpoint the city would have defaulted and it would be a black eye. He  
828 stated that there are entities in Texas that have done that; they had an AA bond rating and after defaulting  
829 they fall to CCC rating.

830  
831 Council Member Bigler asked if the interest rate on lease revenue bonds are typically higher. He stated  
832 he did not know what an investor would want to do with a Police Station if they took it over after a  
833 default. Mr. Ward answered yes, the interest rates are typically higher and it is more difficult to find  
834 buyers for those bonds. He then stated that the government entity using a lease revenue bond can use  
835 taxes and other impact fees or user fees to make the payments. He then stated that sales tax bonds are a  
836 very wide group of bonds; the City would be able to legally pledge excise taxes for the debt service on the  
837 bond. He stated that user fees and impact fees can also be used for repayment of these types of bonds.  
838 He asked the Council to keep in mind the difference between security and collateral for financing and the  
839 payment source because they are not always the same. He stated that there can be a different revenue  
840 source making the payments on the bond though sales tax was pledged. He then stated that enterprise  
841 revenue bonds are another type of bond and an example of that type of bond would be a utility revenue  
842 bond and the security is the enterprise system revenue and if there were a default the investor could  
843 demand the water or sewer revenues of the entity. He stated that an entity cannot use general fund  
844 revenue to pay for an enterprise revenue bond because doing so would violate State Code. He stated that  
845 sometimes governments are anticipating a property tax increase, but they do not have the money they  
846 currently need to operate their budget so they proceed with tax anticipation notes, which are very short  
847 term and are paid off within 12-months of the origination date. He then stated capital leases are very  
848 similar to lease revenue bonds; the financed improvements are the collateral and these types of loans are  
849 very common for purchases such as fire trucks, ambulances, other fleet vehicles, etc. He stated that this  
850 type of loan looks a lot like an auto loan and the transaction takes place through a lease purchase  
851 agreement. He then stated he would review the pros and cons of the different types of bonds. He  
852 reiterated that GO bonds are the least costly financing tool because they are the most secure from a credit  
853 standpoint. He stated that the con is that the voters would need to approve a property tax increase to  
854 secure the GO bonds via an election. He stated that may not be a con depending on the City's  
855 perspective, but it does cost money to hold and sponsor an election and educate the public about what  
856 they are voting on. He stated that it also decreases the timing options available to the City because there  
857 are only two eligible election dates and those may not always coincide with construction season. He  
858 stated it is nice to have the revenue source identified and the City does not need to come up with the debt  
859 service from other funds. He stated these types of bond are not always politically palatable, but having an  
860 identified revenue source is a positive aspect. He added that these types of bonds can be used for various  
861 project: roads, parks, pipes, sewer, street lights, or anything that is a municipal purpose. He stated that the  
862 City would not need to borrow additional reserves, which is one drawback of some of the other bonds.  
863 He stated that for other bonds, the bond amount may be \$1 million and the borrower would be required to



864 borrow an additional \$250,000 and interest is charged on that extra money as well. He then referred to  
865 lease revenue bonds; lease revenue bonds can be issued any time of the year so they are perfect for land  
866 and building. He stated a Municipal Building Authority (MBA) can be set up as a non-profit entity of the  
867 City whose purpose is buying and selling real estate. He stated these types of bonds are horrible for water  
868 and sewer projects because the financed improvements are the collateral. He stated the drawback of this  
869 type of bond is that it is the fourth lowest cost of the four types of bonds available. He stated there is an  
870 annual appropriation risk to the investors, which is why there is a higher rate associated with it. He stated  
871 these types of bonds usually required the borrowing of reserve funds as well, which has interest attached.  
872

873 Council Member Bailey inquired as to the definition of annual appropriation risk. Mr. Ward stated it is  
874 the legal ability of the City Council to not make next year's payment. He stated it is not a con to the City,  
875 it is the con to the investor, but in the end it ends up being a con to the City because it impacts credit  
876 ratings. He then referred to sales tax revenue bonds and stated this is a very flexible type of bond as well  
877 that can be used for all sorts of projects and it does not require an election. He stated that in most cases  
878 the borrowing entity can get away from a debt reserve fund. He stated that this is listed as the bond type  
879 with the third lowest cost because over the last five years sales tax revenues have been volatile and  
880 investors look at that and can be somewhat skittish. He stated that the entity would need to identify an  
881 alternative payment source because cities can be so reliant on sales tax to cover regular expenses. He  
882 stated the borrowing entity can use impact fees if available or other general revenues. He stated there is  
883 usually a coverage covenant on this type of bond as well, meaning the sales taxes should exceed the  
884 annual payments by two times in order to get the best ratings and eliminate debt service reserve funds.  
885 He stated that, lastly, depending on the project the city is doing, utility revenue bonds are an option. He  
886 noted that because of the demand for utility services these types of bonds are second only to GO bonds  
887 regarding financing options. He stated investors know that people will pay their water bill so the city  
888 should always have money to serve the bond debt. He stated that the borrowing entity typically needs to  
889 have 50 percent more revenue than the annual payment in order to get a good solid coverage ratio. He  
890 stated that cities are not legally limited to how many utility revenue bonds they can issue, whereas there is  
891 a legal limitation for sales tax revenue bonds; the city could not drop below 1.25 times coverage on a  
892 sales tax revenue bond. He stated there is a legal limitation for GO bonds as well and for North Ogden  
893 City that would be about \$52 million.  
894

895 Council Member Fawson asked Mr. Ward to explain which types of bonds actually impact all residents or  
896 anyone living within North Ogden City limits versus anyone living in unincorporated areas of North  
897 Ogden. Mr. Ward stated that for the most part all bond types will be constrained by the revenues the City  
898 collects. He stated that if the City is collecting utility revenues from everyone that benefits from the  
899 service, they are serving the debt. He stated that otherwise, sales tax received by the City – the City does  
900 not get any sales tax revenue for the population living outside of the City limits, so residents living  
901 outside the City are not contributing unless they are coming into the City to buy things. He stated that  
902 50% of every dollar they spend in the City actually stays in the City and the rest is redistributed based on  
903 population. He stated that people living in unincorporated areas that still pay for utilities through North  
904 Ogden City are paying for and participating in the financing. He stated that for a GO bond the City  
905 cannot raise the taxes of someone living in unincorporated North Ogden City; they may benefit from the  
906 service but they are not paying for it. He then stated that lease revenue bonds are paid for with any  
907 revenues the City collects and if the payment source is utility revenues the City would be pulling from  
908 everybody.  
909

910 Council Member Bigler stated that is one of the reasons the City opted for a utility bond last year; people  
911 that use the services but are not in the City are not paying their bill to the City and that causes a great  
912 impact for actual residents. Mr. Ward stated he is in favor of including everyone.  
913



914 Council Member Bigler stated he had a question about the least expensive GO second utility and he asked  
915 Mr. Ward to give the Council an idea on the difference in costs and rates. Mr. Ward stated that interest  
916 rates change every day; what he is seeing right now is compression because rates are so low and the  
917 difference between one credit and the other is a little smaller than it would be in a higher interest rate  
918 environment. He stated that right now there is anything between 10 to 20 basis points difference between  
919 credit steps. He stated that if the average interest rate for a GO bond is three percent, that would be the  
920 base and 10 to 20 basis points could be added to that. He stated that a utility revenue bond would be  
921 about 10 basis points higher and a sales tax revenue bond would be about 20 basis points higher than the  
922 GO bond. He stated that for a lease revenue bond he would project adding about 40 basis points. Council  
923 Member Bigler asked the difference in the interest rate between GO bonds and utility bonds. Mr. Ward  
924 stated it would probably amount to about \$500 difference per year per million dollars borrowed. He  
925 stated that a \$1 million GO bond with a 20 year term issued today would have a three percent interest rate  
926 on average. He stated the estimated payment for that type of bond issue would be around \$67,200. He  
927 stated that a utility revenue bond payment would be around \$67,800. Council Member Bigler stated that  
928 difference would be made up due to the fact that everyone that uses the service will be paying for it. Mr.  
929 Ward stated that is likely correct, but the City would need to consider what that difference would actually  
930 be depending on how many millions of dollars the City is borrowing and what the term of the bond is.  
931

932 Council Member Bailey asked if bonds are typically written for 20 years. Mr. Ward stated that the bond  
933 length could be whatever the City wanted, though State law limits the bond term to 40 years. He stated he  
934 has never seen anyone issue a 40 year bond. He stated that the rationale is that the improvements will last  
935 longer than 10 years and if residents are going to benefit from the project over 20 years, why not have the  
936 residents for the next 20 years pay for it rather than just charging the residents living in the City today.  
937 He stated that concept is referred to as intergenerational equity and he reiterated that he is a fan of  
938 including everyone in the repayment of the bond. He stated that he has advised some clients to opt for a  
939 bond term of 20 to 30 years depending on the bond market climate; right now 30 year financing is as  
940 cheap as it has ever been. He stated there are many factors to consider when determining the appropriate  
941 bond term.  
942

943 Council Member Bigler stated he knows it is not possible to provide exact figures, but he referred to a  
944 utility bond with a 30 year term and he asked what the interest rate would be for an entity with an A+  
945 credit rating. Mr. Ward stated that he would assume the interest rate would be approximately four  
946 percent. Council Member Bigler asked for an answer to the same question considering a 20 year bond  
947 term. Mr. Ward stated that the interest rate would be three percent, and possibly less. He stated that  
948 between years 19 and 30 the slope is very negligible so the borrowing costs for bonds of 20 or 30 year  
949 terms may not be as wide.  
950

951 Mr. Ward then stated he would review the process for issuing bonds; generally speaking it takes  
952 approximately three months from the start of the process to the end when the funds are actually available  
953 for use by the entity. He stated that the process is driven by the legal steps the entity would need to  
954 follow as well as marketing the bonds to be sold. He stated that historically he has followed legal process  
955 number one, which starts with a parameters resolution that includes a reimbursement clause; it outlines all  
956 the 'not to exceed' figures, such as the bond amount will not exceed a certain amount and the interest rate  
957 will not exceed a certain percentage. He stated that he generally advises that the entity create parameters  
958 that are as broad as possible within reason to provide the entity with some flexibility. He stated that after  
959 the parameters resolution has been adopted, the Council would hold a public hearing to entertain resident  
960 comments. He stated the comments made at the hearing do not prevent the entity from moving forward  
961 with financing, but it is an opportunity for the public to be heard. He stated that the public hearing was  
962 added to the process to prevent competition with the private sector, such as competition between a  
963 municipal recreation center and a local private gym or workout facility. He stated that following the  
964 hearings, the Council could adopt an authorizing resolution, which authorizes the sale of the bonds; the

965 next step is to close on the bonds a couple of weeks later. He stated that process does not need to take  
966 longer than a month and a half, but it can take more time to market the bonds to be sold. He reviewed the  
967 alternative legal process included on page 18 of his presentation. He stated that is the process he usually  
968 likes to use because it is more streamlined and provides a little more flexibility for the governmental  
969 entity to sell bonds on a day other than a City Council date. He stated the authorizing resolution is  
970 adopted on the front end of the process and it includes the parameters and a reimbursement clause. He  
971 stated it then delegates authority to the Mayor, City Manager, or Finance Director of the entity to lock in  
972 place terms and conditions so long as they do not exceed the parameters that the Council approved. He  
973 stated the other process requires adoption of an authorizing resolution, which occurs when the Council is  
974 in session, and that means the bonds are sold the morning of the Council meeting no matter what the  
975 markets are like. He stated he does not like that factor because Tuesday is the busiest day in the bond  
976 market and it is the most common night for a City Council meeting. He stated selling bonds on a  
977 Wednesday or Thursday gives the entity more visibility and attention in the market place, which can drive  
978 rates lower. He stated that is the main reason he likes the alternative process, though in some  
979 circumstances it is not appropriate. He stated that some Councils do not want to delegate authority to  
980 anyone. He stated the Council would still need to hold a hearing before closing on the bonds. He stated  
981 that adopting the authorizing resolution does not preclude the entity from changing its mind after a  
982 hearing or any time before bonds are actually sold. He stated that when selling bonds they are sold in  
983 public capital markets that include investors from all over the country and sometimes the world, but for  
984 tax exempt bonds it is usually just United States investors that benefit from the tax exemption so they are  
985 usually only sold here. He stated that when bonds are sold in the public capital market there is oversight  
986 from the securities and exchange commission, so there are a lot more rules and regulations on the process.  
987 He stated that bonds are usually rated by a rating agency, which is a third party credit evaluator who  
988 assigns entities a certain credit risk. He stated they do not recommend whether investors choose to buy or  
989 not buy bonds, but they give their odds on the cities likelihood to default. He stated that bonds may often  
990 be insured and an insurance company could enhance the rating by bumping it from AAA to AA for  
991 example. He stated there would be some costs associated with that, but the intent of that insurance is to  
992 decrease interest costs. He stated that interest rates could be reduced by as much as a quarter point. He  
993 stated that if it costs more to buy the insurance than the City would receive in a benefit, then it would not  
994 be smart to buy the insurance. He stated that there used to be seven big insurers, but in 2007 and 2008  
995 many of them went bankrupt. He stated there are now two insurers, one that has a license to do work in  
996 Utah and their credit rating was recently downgraded. He then stated that when selling bonds on the  
997 public market, an underwriter is hired who is an intermediary that works with the city to find investors;  
998 they buy the bonds and end up turning around and selling them to any other investor that wants to take a  
999 piece of them. He stated they take a percentage of the transaction and their fee is usually half a percent of  
1000 whatever is sold. He stated that if the entity wants to sell over \$2 million in bonds they will be sold on  
1001 the public capital markets. He stated that generally speaking, if the term is 10 years or longer, and the  
1002 entity wants to avoid variable rates, the bond should be sold on the public capital market. He stated the  
1003 other markets where bonds can be sold are the direct purchase markets and that limits the number of  
1004 investors that the bonds can be sold to. He stated that under the securities and exchange rules, if there are  
1005 less than 35 investors, the same regulations do not apply that have been set up to protect investors. He  
1006 stated in that case the entity would not buy bond insurance and would pick the investor through an  
1007 underwriter through a competitive bid process or through a negotiation process. He stated that generally  
1008 if the bond is less than \$2 million and the term is less than 10 years, he would recommend the entity go  
1009 this route and find a private direct purchaser. He stated that in this area Bank of Utah is a very big  
1010 purchaser of tax exempt securities. He stated Wells Fargo, Zion's Bank, and Key Bank are also investors  
1011 that want to invest in their communities where they have a presence. He stated there are also some out of  
1012 state investors that get involved in this realm. He stated there are usually better prepayment options  
1013 associated with selling bonds in this manner. He added that state agencies are also a good source of direct  
1014 purchase financing and there are four that he has worked with for different types of projects in the past;  
1015 they usually buy bonds for utility infrastructure projects. He asked if there are any questions about the

1016 process. He apologized that his presentation is so lengthy and he was not sure if it would be necessary to  
1017 talk about bond ratings. He stated that much of this information can be provided to City staff, who could  
1018 then bring further information to the Council regarding ways to raise the City's credit rating, etc.

1019  
1020 Council Member Bigler stated the information has been very helpful. Mr. Ward stated that markets  
1021 change all the time and there are always new financing nuances, but he tried to make the information as  
1022 applicable as possible for the next couple of years.

1023  
1024 Mayor Harris thanked Mr. Ward for his presentation.

1025  
1026 **6. DISCUSSION REGARDING ROAD CONCERNS WITH KEVIN ORME.**

1027  
1028 Mayor Harris requested that the Council make a motion to hear item six ahead of item five because the  
1029 applicant, Kevin Orme, is present and he did not want to make him wait any longer for his agenda item.

1030  
1031 **Council Member Taylor moved to amend the order of the agenda by hearing item six prior to**  
1032 **item five. Council Member Bailey seconded the motion.**

1033  
1034 **Voting on the motion:**

1035  
1036 **Council Member Bailey        aye**  
1037 **Council Member Bigler        aye**  
1038 **Council Member Fawson       aye**  
1039 **Council Member Stoker       aye**  
1040 **Council Member Taylor       aye**

1041  
1042 **The motion passed unanimously.**

1043  
1044 The following memo from City Manager Chandler was included in the Council packet:

1045  
1046 Mr. Kevin Orme lives at 123 West Weber Drive and owns the property shown on Map A. There is  
1047 currently a temporary cul-de-sac on his property that serves 100 West. Mr. Orme wants to develop  
1048 the south part of his property and will request that the City assist him in extending 100 West Street to  
1049 3100 North as shown on Map B. I suggested that he make his request to you during your Council  
1050 meeting so you can consider his request during the budget process. We have not acquired a price for  
1051 extending the road.

1052  
1053 City Manager Chandler explained Mr. Orme came to him a couple of weeks ago to discuss the area  
1054 where he lives on 3100 North. He referenced the map displayed on the screen and stated that Mr.  
1055 Orme owns the property highlighted in red. He stated that he is concerned about the temporary turn  
1056 around in the area and his proposed use for the property and ultimately the idea that 100 West could  
1057 be constructed to a point that it would intersect with 3100 North. He then turned the time over to Mr.  
1058 Orme.

1059  
1060 Mr. Orme stated that he wanted to see if there is any interest in the City in putting the street through;  
1061 he is a rural guy, so the extra land is good for him, but he is open minded to the idea of putting the  
1062 street through if the City is interested. He stated there are a couple of dilemmas that he sees; he is  
1063 not a developer and he does not have the money to do the project and in his discussions with others  
1064 he has found there are only a couple of lots that could be added to the area and the money that it

1065 would take to put the street through would eat up the lots. He stated there would be no gain or  
1066 interest from his standpoint to do that. He stated that if the City has an interest in the street going  
1067 through, he would possibly be interested in donating the land to the City as long as there is the  
1068 budget to put the street through.

1069  
1070 Mr. Chandler stated that when Mr. Orme talked to him about this issue, he mentioned to him that the  
1071 City is approaching the beginning of the budget preparation season and it would be a good idea to  
1072 introduce this request now so that the Council can discuss it at they proceed with developing the  
1073 budget for the next fiscal year. He stated he informed Mr. Orme that the Council would not make a  
1074 decision tonight, but that it can be discussed further at a future date.

1075  
1076 Council Member Bigler asked Mr. Orme if he wanted to develop the lots that would front the road.  
1077 He asked Mr. Orme if he would sell any lots in the area. Mr. Orme stated he is indifferent on the  
1078 issue; he has had a friendly dispute with the City to this point. He stated the turnaround at the end of  
1079 the street it in his backyard and if it remains as is there are a few other things that the City needs to  
1080 hear from his point of view; he is concerned about teenagers that turn around in the area and flip  
1081 rocks into his yard. He stated he has young kids – his youngest is two years old – and they play  
1082 outside a lot. He stated there have been people that have dumped concrete in the turnaround as well.  
1083 He stated that this is likely a one-time offer on his part and if the City does not accept it he will be  
1084 forced to install a permanent fence around the area to contain his young family and provide for their  
1085 safety. He stated that if the street does go through and the City were to pay for the street and he were  
1086 to get some money for the two lots, he would have a gain and the City would realize a gain from  
1087 having a through street. He reiterated that he is indifferent and is opening the idea up to the City. He  
1088 stated he would prefer that the City choose to act on the option now, otherwise he will make other  
1089 plans.

1090  
1091 Mayor Harris asked for a brief history of the property. Mr. Orme stated the property outlined in red  
1092 was owned by an uncle of his and he got too old to maintain it; the subdivision below it should have  
1093 had the turnaround in it, but there was a dispute between the person that subdivided the property and  
1094 his uncle and to avoid going to court his uncle allowed the developer to put the turnaround where it is  
1095 now. Mayor Harris stated that there is a reason the turnaround is located where it is; it is temporary,  
1096 but someone benefited from the development of the land and the road was going to be developed in  
1097 the future and that is why there is a turnaround there now. Mr. Orme agreed and stated that the  
1098 reason the temporary turnaround is on the property it is on was for religious reasons; the person that  
1099 owned the land was the stake patriarch and he did not want to go to court over the issue and he  
1100 accepted the turnaround being put on his land.

1101  
1102 Council Member Bigler stated the reason he was asking the preference of the property owner is that it  
1103 looks like on the east and the west there are already roads that go all the way through and to spend  
1104 money on this road, he does not think that is necessary. Mr. Orme stated that his personal opinion is  
1105 that traffic throughput is easy.

1106  
1107 Council Member Bailey asked if the cul-de-sac is necessary for snow removal or other City services.  
1108 Mayor Harris stated it is required for snow removal, fire truck turnaround, and other reasons.

1109 Council Member Bailey asked if Mr. Orme could legally fence the area. Mayor Harris stated Mr.  
1110 Orme would need to leave a certain width of property accessible. Mr. Orme stated that leaves other  
1111 loose ends because right now the City and he jointly own it, so if an individual were to get hurt on  
1112 that property he would share liability with the City. He stated that the quitclaim deed instrument that

1113 was used to deed the property to the City was not done properly. He stated he is still listed as the  
1114 owner and the City has an easement; he is paying taxes on the property and it is not usable to him.

1115  
1116 Council Member Bigler stated that is interesting and asked how the transaction worked.

1117  
1118 Council Member Taylor asked for a rough estimate as to what the road would cost the City. Mr.  
1119 Chandler stated that the City Engineer is working on preparing that information and it will be  
1120 available for discussion during the upcoming budget retreat. Mr. Orme stated that he got an  
1121 independent quote from Post Paving; during the construction off-season they could build the road for  
1122 approximately \$80,000.

1123  
1124 Council Member Bigler stated that it is interesting that the area is required for City equipment and  
1125 trucks to turn around and he asked how that works when Mr. Orme is paying the taxes for it. Mr.  
1126 Chandler stated that the issue would need to be looked at from the perspective of when the  
1127 development happened. He stated that whenever there is a stub street that could eventually go  
1128 through, the City requires a temporary turnaround and there are many of them throughout the City.  
1129 He stated that they must be constructed of road base, but they do not need to be paved. He stated the  
1130 idea is that the road will eventually go through at the time that the rest of the property is developed.  
1131 Council Member Bigler asked if it was the idea for the road to go through even though there are two  
1132 other through streets so close by. Mr. Chandler answered yes. He stated the difference between this  
1133 and other developments is the agreement that was made by the previous owner and the developer to  
1134 put the turnaround on land that did not belong to the developer. He stated that was recorded as an  
1135 easement on the plat, which gives the City the right to use it, but Mr. Orme is right that he is the  
1136 owner of the property. He reiterated the big difference between this and other developments in the  
1137 City is that there were two property owners that made an agreement to put the turnaround on property  
1138 that was not originally part of the development.

1139  
1140 Council Member Bailey asked if the property is left the way it is, will it become a defacto or  
1141 permanent cul-de-sac. Mr. Chandler stated that if the property were left the way it is and Mr. Orme  
1142 decides to develop his property in the future, it would be possible to subdivide the property into two  
1143 lots and Mr. Orme would need to build the road as any other developer would be required to do. He  
1144 stated that from that standpoint, if the City decides to do nothing, it would be in Mr. Orme's ballpark  
1145 and if and when he ever decides to develop the cul-de-sac will go away and a road will take its place.  
1146 Mr. Orme stated that financially that will be difficult.

1147  
1148 Council Member Bigler asked if Mr. Orme would be at liberty to make the temporary cul-de-sac  
1149 permanent. Mr. Chandler stated that has not been discussed, but Mr. Orme could make that request  
1150 and in that event the property would be turned over to the City and it could be left as a cul-de-sac.  
1151 He noted the City already handles maintenance of the cul-de-sac.

1152  
1153 Council Member Fawson stated it seems to him that there are many property owners in the City that  
1154 could benefit from this type of arrangement; if the City put a road through for them, they would then  
1155 be able to subdivide their property. He stated to him it does not make sense. He stated he cannot  
1156 remember the City doing anything like this in the past.

1157  
1158 Craig Barker stated that there are usually agreements in place when things like this happen. He  
1159 stated that there must have been an agreement between the two property owners, though the City  
1160 does not know what that agreement is.

1161



1162 Council Member Bigler stated he gets the feeling that Mr. Orme is in limbo; earlier he said he would  
1163 like for the City to put the road through and if the City declines that offer he wants to do something  
1164 with the property. Mr. Orme stated he would appreciate the City making a decision; if the City wants  
1165 the road he will talk about options, but if not he wants to make some changes because he has no  
1166 intention of leaving the property and he wants to fence it for his kids. He stated the area is dusty in  
1167 the summer and muddy in the spring and fall and there are always vehicles driving through it. He  
1168 stated he considers it a 'loose end' that needs to be tied up. He stated that the other part of his  
1169 argument regarding the temporary turnaround ordinance is that it is a 100 foot diameter and a regular  
1170 cul-de-sac is a 100 foot diameter with the sidewalks, so there is really only 80 feet that is needed to  
1171 allow for safe turnaround of larger vehicles. He stated that reducing that size and paving it would be  
1172 nice. He stated that he would simply like the Council to discuss that. Council Member Bigler stated  
1173 he feels that is a fair request.

1174  
1175 Mayor Harris thanked Mr. Orme for the information he presented and he noted Mr. Orme has given  
1176 the Council something to think about.

1177  
1178 Mr. Orme inquired as to the next step in the process. Council Member Bigler asked Mr. Chandler if  
1179 he will check on the price for constructing the road so that this item can be added to a future agenda  
1180 for discussion. He stated he thinks Mr. Orme's request is fair. Mr. Chandler stated that he will check  
1181 on pricing and he explained the next budget meeting is on January 31 and this item is built into the  
1182 agenda for discussion.

1183  
1184 Council Member Fawson asked for pricing for both options – a cul-de-sac and a through street. Mr.  
1185 Chandler stated he can obtain pricing for both options.

1186  
1187 Mr. Orme then provided a handout to the Council identifying the different options for the area.  
1188 Mayor Harris stated the item needs to be taken under advisement by the Council. Mr. Orme stated  
1189 that he would also like to point out that there are a few other streets east of Washington Boulevard  
1190 that have a similar length, but there is not a turnaround at the end of them.

1191  
1192  
1193 **5. DISCUSSION AND/OR ACTION REGARDING A STREET LIGHT ISSUE BROUGHT**  
1194 **UP BY JARED OLSEN.**

1195  
1196 The following staff memo was provided by City Manager Chandler:

1197  
1198 Until two years ago the City paid Rocky Mountain Power an extra fee per light to maintain and repair  
1199 street lights. At that time, we took over the maintenance of the lights. We received 233 calls for street  
1200 light repair in 2012 and our contractor repaired 228. The remaining 5 lights required us to work with  
1201 RMP to complete the repair. We call RMP when the repair requires access to their equipment to  
1202 disconnect the service or when we are within proximity of their overhead neutral line. We've been  
1203 working with RMP to develop a plan to streamline this process and will present this to you during the  
1204 meeting.

1205  
1206 Council Member Bigler stated that he asked for this item to be added to the agenda and he thinks that Mr.  
1207 Chandler has come up with a good solution to the issues that were concerning him. He asked that the  
1208 time be turned over to Mr. Chandler.  
1209

1210 Mr. Chandler reviewed his memo. He stated that he asked Public Works Director Blanchard to provide  
1211 further detailed information about the lighting issues and that information has been provided to each  
1212 Council Member. He noted that Mr. Blanchard is also present to answer any questions the Council may  
1213 have tonight. He then explained the light at 2450 North has been repaired and it was repaired  
1214 implementing a solution that he hopes can be implemented throughout the City. He stated that the  
1215 problem that the City had was a process problem and he reviewed three diagrams that were included in  
1216 his PowerPoint presentation. He stated the first diagram is a typical pole diagram; there is a transformer  
1217 box that runs to the power pole and the line goes up the pole to the light fixture. He stated that of the 233  
1218 lights that the City has repaired, all but five of them were repaired at the light fixture itself. He stated  
1219 those types of repairs do not require the power to be disconnected at the transformer box. He stated the  
1220 other five has required the ability to gain access to the transformer box to disconnect the power; the work  
1221 could then be done somewhere between the light fixture and the transformer box. He stated that the  
1222 electrician that the City uses is not qualified to do that work; it requires a Rocky Mountain Power certified  
1223 lineman to work in the transformer box and there are very few that actually do that. He then moved to the  
1224 next slide in his presentation and noted that the City receives a phone call that the light is out; a contractor  
1225 is then dispatched to address the issue, but not until there are about 15 lights to be worked on at one time.  
1226 He stated that this year that has been about every two weeks. He stated that if the power does not need to  
1227 be disconnected, the contractor simply takes care of the repair. He stated that if the power does need to be  
1228 disconnected the contractor notifies the City, the City then calls Rocky Mountain Power, Rocky Mountain  
1229 Power calls their contractor to disconnect the transformer, and the City can then return and make the  
1230 repairs. He stated after repairs are made the City notifies Rocky Mountain Power and they reconnect the  
1231 power. He stated that the problem is that there are too many steps in the process and too many people  
1232 involved that can slow down the process. He stated the City has been working with Rocky Mountain  
1233 Power to devise a solution; the City has asked if they can bypass Rocky Mountain Power by accessing a  
1234 list of contractors that Rocky Mountain Power uses. He stated that is what was done for the light on 2450  
1235 North; the City knew one of the Rocky Mountain Power contractors so they were contacted and the work  
1236 was completed within three or four days of contact being made. He stated that he received word from  
1237 Rocky Mountain Power today that they are comfortable with that process. He stated the City has  
1238 contacted Black and McDonald, a contractor that Rocky Mountain Power has used in the past, and asked  
1239 them to repair an additional four lights in the City. He stated there is one other step that the City would  
1240 like to implement; it is an expensive step so the proposal is to implement it over time. He noted that  
1241 Rocky Mountain Power is actually insisting that it be done; when the City repairs the line they will put a  
1242 disconnect box between the transformer and the pole. He stated that the City's electrician could access  
1243 that disconnect box and shut off power so that the only time the City would need to contact Rocky  
1244 Mountain Power for assistance is if there is a problem between their transformer box and the pole, which  
1245 covers about 10 feet of line. He stated the disconnect box would cost about \$200 per light and there are  
1246 approximately 530 lights in the City. He stated the installation of the boxes will be done over time, most  
1247 likely when the City is making other repairs to the lights. He then stated there is one other thing that he  
1248 wanted to bring up for the Council to consider; it has been necessary to replace nearly half of the lights in  
1249 the City and staff would like the Council to consider providing funding to change the lights from sodium  
1250 lights to LED lights. He stated LED lights have longer life, but they are more expensive to purchase up  
1251 front.

1252  
1253 Council Member Fawson asked if the disconnect boxes will only be installed when the City is shutting off  
1254 power at the transformer. Mr. Chandler stated that is the plan, but it is a budgetary question. He stated  
1255 that if the Council wants the City to proactively install the boxes now, it will be necessary to have a  
1256 discussion about that project during the budget retreat.

1257  
1258 Council Member Fawson asked how many of the lights that required replacement were broken instead of  
1259 just burned out. Mr. Chandler asked Mr. Blanchard to address that question. Mr. Blanchard asked what  
1260 Council Member Fawson means by broken. Council Member Fawson stated that some of the lights may

1261 be broken as a result of vandalism. Mr. Blanchard stated he would need to gather that information. He  
1262 stated there is some vandalism of lights, but it is not widespread. Council Member Fawson stated that he  
1263 asks the question because if the City wants to invest in LED lights he would be interested to know if there  
1264 is a way to protect those lights from being broken by vandals. He stated that if it is small percentage that  
1265 is being broken, he may not be worried about it. Mr. Blanchard stated that he is sure there are multiple  
1266 devices on the market that can be used to protect lights, but he is not sure how they work and what they  
1267 cost. He stated he can check into that and get back to the Council. He stated that most of the lights that  
1268 are broken by vandals are done by pellet or BB guns, but there are some that are broken with rocks and it  
1269 is easy to tell the difference between the two.

1270  
1271 Council Member Bailey asked if the City incurs a cost when they call Rocky Mountain Power's  
1272 contractor for assistance. Mr. Chandler stated that if the contractor responds to provide service, there is a  
1273 charge. He stated that when the City sends its own electrician to make repairs, he charges \$50 per hour.  
1274 He stated that the Rocky Mountain Power contractor charges \$120 per hour. Council Member Bailey  
1275 stated that means that installing the disconnect box that can be accessed by the City's contractor will pay  
1276 for itself over time. Council Member Bigler agreed. Council Member Bailey stated that if the City can  
1277 come up with a way of budgeting for that project, there is a financial incentive to do so.

1278  
1279 Council Member Fawson asked if the City has implemented any measures for tracking response time  
1280 when burned out lights are reported. He stated his biggest concern is the impact to the residents. Mr.  
1281 Blanchard stated that now that he knows he can bypass Rocky Mountain Power and go right to the  
1282 contractor, the response time will be greatly reduced. Council Member Fawson asked if that means that  
1283 the City can tell residents that their lights will be fixed within three to four days. Mr. Blanchard stated  
1284 that the City is at the mercy of the contractor, but he thinks that they understand the predicament the City  
1285 is in and he thinks their response time will be better. Council Member Bigler stated they have an  
1286 incentive to respond, whereas Rocky Mountain Power does not. Mr. Blanchard noted that today there  
1287 were 30 lights repaired, but it took from 8:00 a.m. to 8:30 p.m. to make the repairs.

1288  
1289 Mayor Harris stated he wanted to follow up on Council Member Fawson's comments. He stated he  
1290 understood that the staff is in the process of adding all street lights to the City's GIS system, which will  
1291 have the potential of making it easier to identify all the lights and generating an automatic work order for  
1292 any repairs that need to be done to the lights.

1293  
1294 Council Member Taylor stated that he wanted to follow-up on Council Member Fawson's comments and  
1295 he stated that something he thinks would help in this process is adding a step to inform the residents of  
1296 what is happening, particularly if the repairs will take more than a week. He stated that he thinks that was  
1297 the cause of some of the frustration; the repairs took so long and the resident got some updates, but not all  
1298 of them. He stated it gives residents peace of mind to know what is happening. He stated that his work  
1299 they just put a new ordering system in place and in the flowchart for the system there is a step for the  
1300 employee to get back to the customer to confirm their order. He stated that may not be practical in every  
1301 case, especially if the repairs are being made quickly, but if the repairs will take longer than a week or  
1302 two it might be good for the City to give residents an update.

1303  
1304 Council Member Bigler stated that he informed the Council of the reason that he put this item on the  
1305 agenda. He stated that he has talked with Mr. Chandler several times and has seen the work he has been  
1306 doing and he is very satisfied that this will be taken care of. He stated that Council Members hear from  
1307 residents and staff sometimes and they pass information along; it may sound like the staff is being  
1308 pressured or come down on, but the process worked the way it should and Mr. Chandler and Mr.  
1309 Blanchard have worked on developing a long term fix for the problem and he thanked them for that. He  
1310 stated that the whole problem was due to Rocky Mountain Power and that has now been fixed and he  
1311 thinks that the process will work out beautifully.

1312  
1313 Mayor Harris thanked Mr. Blanchard for attending the meeting to provide information. He thanked Mr.  
1314 Chandler for his input as well.

1315  
1316  
1317 **7. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING THE**  
1318 **ACCESSORY BUILDING SETBACK IN THE RE-20 ZONE.**  
1319

1320 The following memo from Community Development Director Barker was included in the Council packet:  
1321

1322 The City Council had requested that the Planning Commission review and recommend any changes for  
1323 the property line setbacks for accessory buildings in the Residential RE-20 Zone. The Planning  
1324 Commission discussed this and held a Public Hearing to receive comments from any interested persons.  
1325 This zone is quite different from any other zone in the city. Lot requirements are almost twice as large as  
1326 any residential zone in the city. The RE- 20 Zone requires 20,000 square feet of area and 100 feet of lot  
1327 width. The next largest zone in area is the R-1-12.5 which requires 12,500 square feet. The RE-20 Zone  
1328 also allows a significant number of domestic animals and livestock which in most other residential zones  
1329 are not allowed to any great degree. The depth of the minimum lot for this zone is essentially 200 feet  
1330 back form the street frontage. Because of the significant land area of the lots and parcels in this zone, the  
1331 Planning Commission believed that the crowding of structures in an area is significantly less and  
1332 therefore, less intrusive both visually and physically. The staff prepared three different proposals for the  
1333 Planning Commission. They held a Public Hearing where two citizens spoke. After the hearing, the  
1334 Planning Commission discussed the different proposals and selected the proposal which is reflected in the  
1335 proposed zoning ordinance before the City Council. This proposal is quite simple. It does away with the  
1336 two categories of accessory buildings and only uses height as the setback determining factor. The  
1337 ordinance provides for a setback of three (3) feet from property line if the building is 15 feet high or less.  
1338 If the building is to be higher than 15 feet, the setback from property line shall be 10 feet which is the  
1339 same setback for a dwelling next to a side yard.

1340  
1341 The minutes of the Planning Commission meeting where this item was discussed were also included in  
1342 the Council packet.

1343  
1344 Mr. Barker approached the Council and summarized his staff memo. He stated that the information that  
1345 he is presenting tonight is essentially the same as the information that was presented at the last meeting.  
1346 He stated that what transpired at the last meeting was the Council received a draft ordinance that had been  
1347 presented to the Planning Commission rather than the ordinance that should have been considered a final  
1348 draft. He stated that tonight the Council has before them the final draft that can be considered for  
1349 adoption. He stated that he provided in his staff report a preamble about the RE-20 zone and how unique  
1350 it was to the City. He stated that the minimum lot size of 20,000 square feet is almost twice as large as  
1351 the size required in any other zone in the City, except for the Hillside Protection Zone, which requires 2.5  
1352 acre minimum lot size. He stated that the zone is also unique in that it gives owners the ability to have  
1353 domestic animals and livestock where very little of that is allowed in other zones of the City except for in  
1354 the R-1-8A. He stated that the Planning Commission studied this issue and they had a lot of discussion  
1355 about height as opposed to bulk of the building. He stated the staff proposed three different alternatives  
1356 for the Planning Commission to consider; one alternative was that as the building increased in height, it  
1357 would also need to step back on a periodic step. He stated that the Planning Commission looked at the  
1358 most simplistic alternative, which was that if there is an accessory building that is 15 feet in height or less  
1359 it can be three feet from the property line; if the building is taller than 15 feet it must be the same distance  
1360 as the house setback, which is 10 feet. He stated that is how the ordinance that has been presented to the  
1361 Council for consideration reads. He added that the building height is capped at 25 feet.  
1362

1363 Council Member Bailey stated he did not see anything in the ordinance that deals with RE-20 property  
1364 that adjoins property with different zoning. Mr. Barker stated there is no distinction like that included in  
1365 the ordinance. He stated staff has talked about that issue as there is a developer that is interesting in  
1366 developing a subdivision with 8,000 to 10,000 square foot lots and the subdivision will be located next to  
1367 an RE-20 zone and there have been discussions about entering into a development agreement to step  
1368 down for the first two lots in the subdivision, meaning that the lot closest to the RE-20 zone would be  
1369 15,000 square feet and the next lot would be 12,500 square feet before the lots transition to 10,000 square  
1370 feet. He reiterated that would be done by development agreement so there is no need to make changes to  
1371 the zoning regulations and the developer seemed amenable to those suggestions.  
1372

1373 Council Member Bigler stated this is a good start. Mr. Barker agreed and stated staff has been talking to  
1374 the Planning Commission about reviewing some of the other zones to try to simplify them. Council  
1375 Member Bigler stated that he was going to ask if the Commission is working on some of the other zones.  
1376 Mr. Barker stated that they have been focused on signage regulations because there is a meeting coming  
1377 up with all the businesses to talk about their needs in terms of signs.  
1378

1379 Council Member Bailey stated that he does have a concern about RE-20 property adjacent to properties  
1380 zoned for much smaller lot sizes. He stated that he wondered if future problems may be forestalled if the  
1381 issue were addressed sooner rather than later. He stated that it is always the possibility that in three weeks  
1382 there could be someone in a RE-20 zone building a large building next to another person's house and the  
1383 City will not be able to do anything about that because it is permitted by this ordinance. Mr. Barker  
1384 stated that he will map out the areas where something like that can happen; he does not know off the top  
1385 of his head all the areas of the City where RE-20 property may abut against R-1-8 property. He stated the  
1386 only part where he thought that may be the case is on the southeast part of town between 1700 North and  
1387 2100 North. Council Member Bailey asked if it would make sense to limit the ordinance as applicable  
1388 only to RE-20 zones that abut other RE-20 properties. He asked if it may be better to send it back to the  
1389 Planning Commission for further consideration. Mr. Barker stated that he does not think there will be a  
1390 rush to do any immediate building, so his recommendation would be to pass the ordinance and the staff  
1391 can continue to consider the issues the Council is concerned about.  
1392

1393 Council Member Bigler stated that he wanted to make sure that items are added to future agendas to  
1394 address the conflict between this ordinance and the minutes of when the ordinance was originally crafted  
1395 in 2011. He stated he does not want another resident to have the same problem that Mr. Stowers had as a  
1396 result of him reading the ordinance, which calls out the height of the building, but not the square footage.  
1397 He stated that it appears that in any zone a resident can build any size accessory building on their property  
1398 as long as it is 15 feet in height or less. He stated that is the way it reads and the language needs to be  
1399 changed sooner rather than later. Mr. Barker stated that the language will be clarified by the Planning  
1400 Commission. He stated he has tried to clarify the language in the ordinance the Council is considering  
1401 tonight. Council Member Bigler asked if the Planning Commission has a list of items that will be added  
1402 to their agenda so they make sure these issues get forwarded on to them. Mr. Barker stated that he does  
1403 not have a formal list. Council Member Bigler stated that the City Council will forget about this issue  
1404 and he wants to make sure that the staff and Planning Commission do not forget about it. Mr. Barker  
1405 stated that staff has changed over the last few years and he will work out an improved process for getting  
1406 items to the Planning Commission. Council Member Bigler stated he simply wanted to make sure  
1407 someone is responsible for following up on the issues that the Council is concerned about that. Mr.  
1408 Barker stated he will do that.  
1409

1410 **Council Member Bailey moved to adopt Ordinance 2013-01 amending the North Ogden City**  
1411 **Zoning ordinances by amending the setbacks for accessory buildings in the RE-20 zone. Council**  
1412 **Member Taylor seconded the motion.**  
1413



1414 **Voting on the motion:**  
1415  
1416 **Council Member Bailey** aye  
1417 **Council Member Bigler** aye  
1418 **Council Member Fawson** aye  
1419 **Council Member Stoker** aye  
1420 **Council Member Taylor** aye

1421  
1422 **The motion passed unanimously.**  
1423

1424  
1425 **8. DISCUSSION REGARDING NORTH OGDEN CITY EMPLOYEE DEPARTURE AND**  
1426 **WORKING CLIMATE.**  
1427

1428 Council Member Taylor stated that he raised this issue at the first Council meeting in December and he  
1429 asked that an item be added to an agenda for a Council meeting close to the budget retreat. He stated he  
1430 did not know this meeting would be so long, so he will be brief in his presentation. He stated he wants  
1431 the Council to be thinking about a few issues in advance of the budget retreat. He stated that he asked for  
1432 this item to be on the agenda back in December because he was struck by the number of employees that  
1433 left their employment with the City in 2012; the City lost about 20 percent of its total full time work  
1434 force. He stated that it stuck him as an opportunity to take a look at why that is happening and more  
1435 importantly see and determine ways the City can work within the budget constraints to incentivize the  
1436 good employees the City has that are now, in many cases, looking for employment with other cities and  
1437 how can we make them stay. He stated that he knows the Employee Compensation Committee is looking  
1438 at some facets that relate to this issue so he is not putting forth any proposals tonight; rather he wanted to  
1439 express some concerns he had to set the stage for this discussion during the budget retreat. He asked if  
1440 the Employee Compensation Committee will make a report to the Council during the budget retreat.

1441  
1442 Mr. Chandler stated that the Employee Compensation Committee will be making two reports during the  
1443 retreat; the first will be a preliminary report during the budget retreat and the second will be a more  
1444 formal report at the February 26 Council meeting.  
1445

1446 Council Member Taylor stated that at the end of the day, this issue does impact the services that are  
1447 delivered to the residents of the City; some of the impacts are the additional training that the City must  
1448 provide to new employees and the increased time in Human Resources (HR) functions. He stated the City  
1449 does not have a full time HR Manager – there is a split HR position with other duties – and when there are  
1450 this many hiring’s and HR functions to carry, he thinks that creates an inefficiency as well here. He  
1451 stated that a particular concern he wanted to raise during this meeting; hopefully creating some discussion  
1452 either now or in the budget retreat is with the Police Department and he mentions that as well as one of  
1453 the things he wanted to bring up tonight. He stated he thinks the City has one of the absolute finest Police  
1454 Departments in the State, here in North Ogden. Excellent Chief, excellent Officers, and excellent  
1455 leadership all around. Council Member Bigler agreed. Council Member Taylor stated that an example of  
1456 this is that the North Ogden Police Department, in all the years that we’ve had Chief Polo, has never had a  
1457 civil lawsuit against the Police Department. Compare that to many other cities, which have these lawsuits  
1458 and spent hundreds of thousands of dollars or having to raise their insurance rates. He stated, the  
1459 Department is very well run. A lot of that is due to the longevity of the officers that have worked for the  
1460 Department and the leadership. He stated that in the last few months there have been three officers  
1461 depart; one sergeant and two officers. He stated the Sergeant had 12 years of employment with the City  
1462 and the other two officers each had five to eight years of employment with the City. He stated they had  
1463 both come straight from the academy to the City and had been with the City ever since. He stated that  
1464 seeing those three go in a period of just a couple of months. . .we’re losing 20 years of experience

1465 patrolling North Ogden streets; awareness of many different situations. He stated that he went on a ride-  
1466 along with two different Police Officers last weekend, as he has done before as a Councilman to get a  
1467 firsthand view of what the Police are doing. He had some very interesting experiences. What impressed  
1468 him the most was seeing how well our Police Officers he road with, he went with two of them, knew our  
1469 City. This house is this; this road; they just knew it inside and out. He stated one of the officers has been  
1470 with the City for 17 years and the other for six or seven. What also concerns him is generally when we  
1471 have policeman depart, because of the pay that we offer our Officers, especially starting. We are  
1472 generally getting brand new recruits out of the Police Academy. There are some benefits from 'new  
1473 blood' as well. He stated that he is not saying that turn over or there should be no new employees but his  
1474 concern is for example in the case we have now. We are going to have three officers and if the trend  
1475 continues and we can only attract brand new officers because of the low pay. We will have three brand  
1476 new officers to be trained simultaneously. Three brand new officers, who can't go out on their own for a  
1477 month or two during their field training. Who have to go in double shifts which is not normally how we  
1478 run it because we don't have a large department. He stated that the patrol department is only nine officers  
1479 to begin with so if three of them are rookies, straight out of the academy, that is at least one or two of our  
1480 officers during shifts at all times are brand new. He stated that he thinks it would make more sense, after  
1481 we get the reports and the recommendations from the Employee Compensation Committee, if the Council  
1482 can look for ways to offer a better package to all employees based on what the findings are but, especially  
1483 he is concerned with the Police Department. He wants to be able to attract at times some more  
1484 experienced officers and then retain those more experienced officers as well. He wanted to read one  
1485 quick quote as well. He stated there are a lot of cities that are looking at this same kind of stuff. There  
1486 are a couple of articles from Roy City in the last few weeks about the exact same thing. He stated that  
1487 Roy City will be looking at employee salaries. They are going to be looking at the compensation because  
1488 they are losing employees. He stated he wanted to read a quote from one of Roy City's Councilmen,  
1489 Councilman Tafoya, as follows:

1490 "If the city needs to pay employees more, it will at some point have to raise taxes. It is just that  
1491 simple. He is not an advocate of that, but it is something the city will have to look at."

1492 Council Member Taylor stated that if he was an employee in Roy and he read that statement he would  
1493 feel valued. He stated he would like us to look at this. He stated that he knows the Council will be  
1494 receiving the report from the committee soon. He stated this is not about employees that are complaining  
1495 or whining or anything like that; the City is just losing good employees. He stated that some turnover is  
1496 healthy, but he thinks the City has had too much and he would like to find ways to look at ensuring that  
1497 we can retain long term, valued employees in ways also. Especially in the Police Department so that we  
1498 can give the Chief some more resources so that he is able to attract experience and then be able to retain  
1499 that experience, so that at the end of the day, we can deliver a better service to our residents. He stated  
1500 these are just some thoughts he wanted to put out there to the Council in advance of the budget retreat  
1501 scheduled for next week.

1502  
1503 Council Member Fawson stated that he has a few comments; he thinks it is premature to say that the City  
1504 may or may not have a problem. He stated that is something the committee is looking at, the  
1505 compensation committee. He stated that with major management changes over the past year coupled with  
1506 some other changes that have occurred in the City, it is hard to say that attrition is bad. He stated the City  
1507 has not used any attrition method to determine whether the attrition the City has had is good or bad. He  
1508 stated he wanted to share a couple of thoughts from Neal Berube, who is the compensation committee  
1509 chair. He stated Mr. Berube said the committee will deliver some conclusive results soon and the  
1510 turnover rate in Utah is averaging between 15 and 16 percent across all industries. He stated Mr. Berube  
1511 also said the reduction in unemployment means an increase in job opportunities, also referred to as post-  
1512 recession attrition. He stated that there are have been some divisive issues within the City and in addition  
1513 to that he wanted to point out that, according to the Society for Human Resource Management, which  
1514 completes a human capital benchmark study annually, the US average turnover for state and local

1515 government is about nine percent. He stated that the cost per hire is also the third lowest; it averages just  
1516 over \$2,000 for state and local governments.

1517  
1518 Council Member Bailey stated that he wanted to add to some of Council Member Fawson's comments.  
1519 He stated it is a little silly to look at a number and say 20 percent of the City's employees are 'turning  
1520 over'. He stated that only represents 11 employees. He stated that it would be simple to sit down with  
1521 Department Heads and find out why people are leaving. He stated that questions can be asked without  
1522 conducting a study and having long meetings about this issue. He stated that as he recalls, when this was  
1523 first brought up by Council Member Taylor last month, it was all aired out in the newspaper before it was  
1524 brought before the Council. He stated there were some rather silly allegations lying at the feet of the City  
1525 Council, which he does not understand because the Council does not deal in administrative matters. He  
1526 stated that he sat down with Mr. Chandler and talked about every employee that have left through the year  
1527 and there were two or three that had anything to do with the fact that the City Council had created the  
1528 Employee Compensation Committee to look at benefit and compensation packages. He stated that in  
1529 most instances there were employees that left because they were fired, or they had great employment  
1530 opportunities elsewhere, because of family reasons, and all kinds of reasons. There was nothing to  
1531 indicate that the City Council has created some kind of hostile atmosphere for City employees. He stated  
1532 he has never detected anything from this Council other than the greatest respect for City employees. He  
1533 stated that not all turn over is bad, in fact it can be a very good thing. He stated that in small cities such as  
1534 North Ogden there can be very few opportunities for advancement so when someone leave someone else  
1535 gets an opportunity. He stated there are some really good things that can take place; built in attrition  
1536 allows the City to evaluate whether someone needs to be replaced when they leave. He stated that has  
1537 been the case in a number of instances as well. He stated he does not know that there was anything  
1538 discussed tonight that could not have been discussed during the budget meeting next week.

1539  
1540 Council Member Taylor stated for clarification. The first time he brought this up was in public in a City  
1541 Council meeting, not in the newspaper. Council Member Bailey stated that it was in the closing  
1542 comments of a Council meeting and you were the last one to speak. Council Member Taylor stated that  
1543 he did not select the order he went; he asked that this item be added to a future agenda, which happened to  
1544 be tonight. He stated there was no discussion with the newspaper in advance or anything along those  
1545 lines. Council Member Bailey stated that his only issue with that is that Council Member Taylor aired his  
1546 full allegations and criticisms of the Council stating that the Council is creating a hostile atmosphere. He  
1547 stated that he would be willing to read Council Member Taylor's comments as they appeared in the  
1548 newspaper. He stated that without ever giving the Council an opportunity to discuss the issue he dropped  
1549 it on the Council at the end of a meeting and the newspaper in their reporting on the issue said that no  
1550 other Council Members talked about the issue in the meeting as though they had had an open discussion  
1551 about it. He stated that in many ways it feels like Council Member Taylor is much more interested in  
1552 keeping his name in the newspaper than you are in solving problems.

1553  
1554 Mayor Harris asked for the tone of the meeting to remain civil.

1555  
1556 Council Member Bigler stated that there have been false allegations to blaming Council for these things  
1557 and he just wanted to mention a couple of things for the public record, specifically our previous City  
1558 Manager, City Attorney, and Finance Director those were all mentioned in the same breath that Council  
1559 was accused. He stated that the former City Manager was from the south down by St George and he kept  
1560 his home there when he moved here. It was his desire and goal all along to return home. He rented a  
1561 home here. He never owned a home here. In 2011 when the other Council was in, he actually applied for  
1562 a job, a City Manager job to leave and there was a newspaper article about that. He looked at changing in  
1563 2011 and that did not work out for him. When his home down by St. George, City Manager job came  
1564 available he applied and got that job and moved back to his home. Into the same home that he had kept.  
1565 He stated that was never told to the media and that is a problem; with other things are mentioned. Then

1566 the City Attorney was a part time employee of the City. In 2011 with the previous Council, he came to  
1567 the Mayor and said that he has to have full time work. I have to have full time benefits or get other  
1568 employment and leave the City. He stated the Mayor approached the Council about hiring him full time  
1569 so he would not leave; he was hired full time and within a year it was recognized that indeed we did not  
1570 need a full time attorney and the Mayor agreed with the Council on that issue. He stated the Mayor went  
1571 to the City Attorney and told him the City would revert to a part time attorney position so that he would  
1572 have time to seek other employment where he could have full time benefits. He stated that is the untold  
1573 side of the story. He stated that there are other things that have taken place with various employees that  
1574 he does not want to go into tonight; they are more topics legally for closed meetings. He stated that  
1575 Council Member Taylor, along with the rest of the Council, knows there are other circumstances that  
1576 were never mentioned. He stated that he thinks it is very unfair and unfortunate the flavor that has taken  
1577 place to point fingers and blame. He stated the Council has nothing to do with employees other than  
1578 budgeting. He stated that as far as the budget goes, it has been stated several times that he wanted to take  
1579 away benefits and that now he wanted this committee and changed his tune. He stated it was even stated  
1580 that he had contradicted himself. He stated he has never done this before, but he wants to make a  
1581 statement so it is on the record, I've alluded to it, but now I am going to state it. He stated that in 2010 he  
1582 is on the record asking for an independent committee to take a look at all the staff's benefit package; not  
1583 just one aspect, all of it. He stated he was told that it would cost \$30,000 to have a company do that and  
1584 he said that we don't not need to go that route. There are residents that are professionals that would be  
1585 willing to donate their time and expertise to help us. He stated that went nowhere and then two years ago  
1586 he mentioned in the beginning of 2011. He stated from minutes as follows. "We should do a salary  
1587 survey and include the entire benefit package and that we don't have staff to do it". He read comments  
1588 from the minutes as follows: "Council Member Bigler said that we should have an outside source that  
1589 should do it; to have staff monitor their own benefit package loses a little bit of legitimacy to residents.  
1590 Debbie Cardenas said that staff agrees 100 percent with that." Council Member Bigler stated the salary  
1591 survey never went anywhere. He then stated that after Ms. Cardenas agreed with him, Council Member  
1592 Flamm spoke to it and then Councilman Bigler spoke as well and said "that he thought that it was a  
1593 logical thing to look at the whole benefit package". He stated he has been accused of looking at just one  
1594 thing and contradicting himself. He stated that Council Member Taylor was in all three of the meetings  
1595 where he made those comments. He stated that later that same year in a different meeting (again reading  
1596 from minutes):

1597 "Council Member Bigler asked if we could have an outside source do it, rather than us doing it.  
1598 Edward O. Dickie III said they are out there. Council Member Bigler said that way we would not  
1599 be using staff time and it would be an independent study. Edward O. Dickie III said there are  
1600 different ways to do it, but that would be a good way to do it. He said that is something that if the  
1601 Council is ok with, we would like to have a complete survey this year or at the next budget  
1602 retreat."

1603 Council Member Bigler stated nothing was done; he asked three times. He stated that when a new  
1604 Council came on board he asked the same thing again. He stated this was not a new idea – it was on the  
1605 record three times in three previous years; he asked for the entire compensation package to be done over  
1606 and over. He stated that we got to look residents in the eye and tell them they are getting what they are  
1607 paying for and it is fair. He stated we also need to look employees in the eye and tell them they are  
1608 getting paid fairly. It is a balance of both and we wanted professionals to do it. Now we have what I have  
1609 asked all over. He stated that he has never contradicted himself; medical benefits are part of the whole  
1610 benefit package. He stated that one little piece has been taken and made to seem like a whole, which is  
1611 extremely unfair and inaccurate and it paints a picture for residents that is absolutely not true. He stated  
1612 he has alluded to the comments he had made in the past, but he has never read from the minutes. He  
1613 stated he wanted to do that tonight and get it on the record and now if it is ever mentioned again, that he  
1614 has contradicted himself, that allegation would be blatantly dishonest. He stated he has asked for this all  
1615 along with the old Council and administration; the administration said they were going to do it, but it was  
1616 never done. He stated the last time he mentioned it was two years ago in April; it was not done so he



1617 waited for a new Council to come on board. He stated that now we're doing it and it is professionals. He  
1618 added that he has said all along that employees may end up getting better pay and that is all he wanted to  
1619 do was update it. He stated that is all he has been asking for over the past three years.

1620  
1621 Council Member Fawson stated he wanted to offer a clarification. He stated the Council has never asked  
1622 for a validation of reduction in pay or benefits for employees; all that has been asked for is a review of  
1623 employee compensation. He stated that what the committee comes back to the Council with, whether that  
1624 is a proposed reduction or increase. That is what the Council will have to study. He stated the Council  
1625 will not know anything until the committee makes their report.

1626  
1627 Council Member Bigler stated that it was also in print that he has put forth a motion to decrease their  
1628 benefits and that the motion failed four to one. He stated that is not true; he never made a motion on that  
1629 ever, that is absolutely false. He then stated that a motion would never fail four to one because the motion  
1630 must be seconded. He stated that if someone puts forth a motion and there is no second, the motion dies  
1631 and is not voted on. He stated that he never put forth that motion. He stated he did mention the  
1632 possibility of reducing benefits from 90 to 80 percent and he asked staff to look at how much that would  
1633 save the City, which was \$52,000 at the time. He stated he never put forth a motion to do it. He stated  
1634 that is a piece of the whole he has been asking for, as a question, and there was never a motion to do it.

1635  
1636 Mayor Harris stated he needs to move the meeting along. He stated this was Council Member Taylor's  
1637 item and he can make final comments if he wishes.

1638  
1639 Council Member Taylor stated that he does not think going point by point with a lot of what he thinks are  
1640 very loose facts and putting words into his mouth will serve anything. He stated the public documents  
1641 that Council Member Bigler has suggested are available and emails about this topic are available. He  
1642 stated that is not the key; that is not what he talked about in the article. He stated that other things were  
1643 said by a former employee and he received accusations from the Council that he was the one who fed that  
1644 to the reporter and that is false; he has never spoken to that employee since she left North Ogden  
1645 employment at any time. He stated that what he has said and what he continues to say is that  
1646 reconstructing this, pulling out the emails is not the key. That is not what he has been talking about with  
1647 this issue. It is being willing to take a look and say that we have something here that is an unusual  
1648 situation. It is not the normal for our City to have this much turnover. He wants to look at something that  
1649 can be done to improve it. He stated that is all he is asking. He stated that he did not bring up anything  
1650 that has been said by Council Members in the past. Council Member Bigler stated that he does bring  
1651 those things up every time he talks to the media and it is false what you are saying. Council Member  
1652 Taylor reiterated that a lot of accusations are coming to me that he is the one that is telling the newspaper  
1653 reporter to contact these people. Council Member Bigler stated he did not mention that. Council Member  
1654 Taylor stated that is not the case; to him it is about being willing to look at; this is a concern of some of  
1655 our employees. He stated that he has heard it from some of our employees. He stated that there is no  
1656 need to point fingers and he just wants to see if it can be improved. He stated that is what all his  
1657 comments have been about and that is what all his comments to the newspaper have been about.

1658 Mayor Harris stated that we need to move on.

1659

1660 **9. DISCUSSION AND/OR ACTION TO CONSIDER A BEER LICENSE FOR EL**  
1661 **DURANGO RESTAURANT.**

1662

1663 Mayor Harris stated that the following four agenda items are similar in nature. (At this point Council  
1664 Member Bigler makes a statement that includes the words "liars" or "lying" ...the entire statement and  
1665 the exact words are unclear on the recording and cannot be discerned exactly.)

1666 He stated that they can be considered in conjunction with one another, but it is necessary for the Council  
1667 to take a separate vote on each application.



1668  
1669 A memo from Gary Kerr explained the owner of El Durango has submitted a renewal application for his  
1670 2013 beer license for his restaurant, located at 2369 North 400 East. A BCI background check has been  
1671 completed for him and his manager. This information has been provided to Chief Afuvai for his  
1672 consideration. The Chief reviewed the application and background checks and has signed off on the  
1673 application. Mr. Kerr recommended Council approval for El Durango's application for a 2013 beer  
1674 license.

1675  
1676 Mr. Chandler stated that all four items are resulting from the businesses submitting application for  
1677 renewal of their beer licenses. He stated that is all he needs to say about the applications.

1678  
1679 Council Member Fawson stated that the memo says that Chief Afuvai has reviewed the application and  
1680 background checks and has signed off on the application. He asked if that is true for all four applications.  
1681 Mayor Harris answered yes; staff always makes sure that happens and it is an important part of this  
1682 process.

1683  
1684 **Council Member Fawson moved to approve application for beer license for El Durango Restaurant**  
1685 **for 2013. Council Member Taylor seconded the motion.**

1686  
1687 **Voting on the motion:**

1688  
1689 **Council Member Bailey aye**  
1690 **Council Member Bigler aye**  
1691 **Council Member Fawson aye**  
1692 **Council Member Stoker aye**  
1693 **Council Member Taylor aye**

1694  
1695 **The motion passed unanimously.**

1696  
1697 **10. DISCUSSION AND/OR ACTION TO CONSIDER A BEER LICENSE FOR 7-ELEVEN**  
1698 **CONVENIECE STORE.**

1699  
1700 A memo from Gary Kerr explained David and Susan Wallace have applied for the renewal of 7-Eleven's  
1701 beer license for 2013. A BCI background check has been completed on the Wallace's and this  
1702 information has been provided to Chief Afuvai for his consideration. The Chief reviewed the application  
1703 and background checks and has signed off on the application. Mr. Kerr recommended Council approval  
1704 for 7-Eleven's application for a 2013 beer license

1705  
1706 **Council Member Fawson moved to approve application for beer license for 7-Eleven Convenience**  
1707 **Store for 2013. Council Member Stoker seconded the motion.**

1708  
1709 **Voting on the motion:**

1710  
1711 **Council Member Bailey aye**  
1712 **Council Member Bigler aye**  
1713 **Council Member Fawson aye**  
1714 **Council Member Stoker aye**  
1715 **Council Member Taylor aye**

1716  
1717 **The motion passed unanimously.**

1718

1719 **11. DISCUSSION AND/OR ACTION TO CONSIDER A BEER LICENSE FOR SMITH'S**  
1720 **FOOD & DRUG CENTER.**

1721  
1722 A memo from Gary Kerr explained Smith's Food & Drug Center has submitted a renewal application for  
1723 its 2013 beer license. The required BCI background checks have been completed. This information has  
1724 been provided to Chief Afuvai for his consideration. The Chief reviewed the application and background  
1725 checks and has signed off on the application. Mr. Kerr recommended Council approval for Smith's Food  
1726 & Drug Center's application for a 2013 beer license.

1727  
1728 **Council Member Fawson moved to approve application for beer license for Smith's Food and Drug**  
1729 **Center for 2013. Council Member Stoker seconded the motion.**

1730  
1731 **Voting on the motion:**

1732  
1733 **Council Member Bailey aye**  
1734 **Council Member Bigler aye**  
1735 **Council Member Fawson aye**  
1736 **Council Member Stoker aye**  
1737 **Council Member Taylor aye**

1738  
1739 **The motion passed unanimously.**

1740  
1741 **12. DISCUSSION AND/OR ACTION TO CONSIDER A BEER LICENSE FOR**  
1742 **WALGREEN'S.**

1743  
1744 A memo from Gary Kerr explained Walgreen's has submitted a renewal application for its 2013 beer  
1745 license. The required BCI background checks have been completed. This information has been provided  
1746 to Chief Afuvai for his consideration. The Chief reviewed the application and background checks and has  
1747 signed off on the application. Mr. Kerr recommended Council approval for Walgreen's application for a  
1748 2013 beer license.

1749  
1750 **Council Member Fawson moved to approve application for beer license for Walgreen's for 2013.**  
1751 **Council Member Stoker seconded the motion.**

1752  
1753 **Voting on the motion:**

1754  
1755 **Council Member Bailey aye**  
1756 **Council Member Bigler aye**  
1757 **Council Member Fawson aye**  
1758 **Council Member Stoker aye**  
1759 **Council Member Taylor aye**

1760  
1761 **The motion passed unanimously.**

1762  
1763 Mayor Harris then noted that there is one store missing; Lee's was unable to get their application together  
1764 for their beer license. He stated he has issued a temporary license until the application can be submitted  
1765 and the Council can vote on it on February 12.

1766  
1767  
1768 **13. PUBLIC COMMENTS.**  
1769

1770 Brian Russell, 1151 East 3400 North, stated that as far as the City employees are concerned, he is  
1771 dismayed though not surprised unfortunately, that the attitude of three Councilmen is that it could not be  
1772 them. He stated the fact that what is happening with the City employees does not cause them any  
1773 introspection is just amazing. He stated it is actually not amazing, but it is disappointing to him. He  
1774 stated that the issue ought to be looked at and he feels that there is a sense that there is an assault on the  
1775 employees by some of the things that were even said tonight. He stated some of those comments are that  
1776 turnover is good and that the Council wants this thing done over and over. He stated the employees hear  
1777 those comments all the time and they fear that they are going to be done for. Council Member Bigler  
1778 asked what thing Mr. Russell is referring to. Mr. Russell stated he is talking about the evaluation that was  
1779 requested. He stated that some of the comments made in email contradict even what the Council has said  
1780 tonight and, therefore, the trustworthiness is not there. He stated that is his belief as a citizen and from  
1781 what he has experienced with some of the employees. He stated that impressions go a long way. He  
1782 stated the fact that the Council is not willing to consider that is a point of concern to him. He stated that  
1783 is what he has to say about that matter.

1784  
1785 Council Member Bigler stated the Council considers it, they just do not do it in the media.

1786  
1787

1788 **14. CITY COUNCIL, MAYOR, AND STAFF COMMENTS.**

1789

1790 Council Member Taylor stated he is glad he has the opportunity to speak first so that if anyone has  
1791 anything to add, they can. He stated that regarding the media issue, he thinks a lot of things have been  
1792 said against him tonight. He stated he does not get any special treatment from the media, but he is one of  
1793 the only members of the Council that will talk to reporters and give them comments. He stated that by  
1794 that mere fact, the media will get more comments from him in the newspaper. He stated that is not his  
1795 intention. He stated that he knows the emails that do or do not get sent because they are copied to the  
1796 whole Council. He added that usually the end of the article will note that no one else from the Council  
1797 chose to comment. He stated that in many cases he is the one that will take the time to talk to them, so  
1798 there will end up being quotes from him.

1799

1800 Council Member Stoker stated that there is a lot that has been thrown out tonight. She stated that some of  
1801 it is not even fair. She stated that the entire Council is in this together; they all decided to run and they  
1802 got voted in. She stated that whatever happens is a reflection on the entire Council, whether it is good,  
1803 bad, or otherwise. She stated that sometimes when someone is not even involved in an issue or have not  
1804 made a comment or expressed their feelings, they are still guilty by association. She stated she does not  
1805 appreciate being lumped into the idea that she does not care about the employees or that there is no  
1806 concern. She stated that is further from the truth than anything. She stated that she does care what  
1807 happens and is concerned about turnover and the Council can always look at something. She stated that  
1808 as far as the media, she could make a comment, but sometimes she chooses not to and sometimes the  
1809 Council is not even asked to make a comment. She stated that regarding the last newspaper article, when  
1810 Council Member Taylor talked about the public works timeline, all of the other Council Members said  
1811 they thought that was a great idea and had no problem with the timeline because it is necessary to keep  
1812 moving forward so the issue does not stall. She stated the only thing the Council did not want to do was  
1813 make a decision until the committee had a chance to look at the issue and weigh in. She stated that was  
1814 never brought up in the newspaper. She stated that then Council Member Taylor wonders why the rest of  
1815 the Council does not want to say anything. She then stated that she appreciates the Police, she thinks they  
1816 are very valuable and they are very much needed in the City. She stated that she really appreciates all  
1817 they do and she appreciates Mr. Chandler, who put in a lot of time and effort and takes all the suggestions  
1818 and concerns of the Council and works on them in a timely manner. She stated she appreciates the Mayor  
1819 as well; he puts himself out there front and center. She stated that she also appreciates the other Council

1820 Members. She stated they all decided to run for their seat on the Council and whatever goes down, it goes  
1821 down on all of them, good, bad, or otherwise.

1822  
1823 Council Member Bigler stated that he wanted to address what was said and the public has the right to say  
1824 whatever they want, and so does the Council. He stated that to say that he is pushing and pushing  
1825 something. . .he asked three times in two years to the Council, if they would do that. He stated that, as he  
1826 read in the minutes, the City Manager said we will do that. He stated the City Finance Director said we  
1827 and our staff agrees 100 percent; they kept saying they agreed – they did not say ‘no’, instead they did not  
1828 follow through. He stated that he was pushing to update it. He stated that at one point he actually spoke  
1829 about increasing some of the employees’ pay and what he was told in an email by the City Manager that  
1830 the Council needed to stay out of the staff’s salary and he mentioned the increases were administration’s  
1831 responsibility. He stated that he has not just been concerned with decreases, but the whole deal. He  
1832 stated he has had four City employees contact him in private; he has not mentioned that before, but when  
1833 he is getting lambasted he feels it appropriate to bring it up. He stated that people are only seeing the tip  
1834 of the iceberg and that is not fair. He stated that especially when his integrity is called into play. . .all his  
1835 life he has had integrity and you do not know him at all. He stated that four different employees have  
1836 contacted him in private; three of the four he does not know, and the other one he does know. He stated  
1837 they contacted him about concerns they had within their own Department and with their managers and the  
1838 way things were run and the way they were being treated. He stated he went to the City administration in  
1839 private to take care of the issue so no one would be embarrassed and the administration could try to take  
1840 care of the situation. He stated he was just letting them know there was a problem and he never mandated  
1841 a solution. He let them know and got out of it and out of the way. He stated two of the people were  
1842 raising very serious allegations and there was an investigation done by Weber County because of things  
1843 going on. He stated he would not get into the details because he does not want to humiliate employees.  
1844 He reiterated they came to him and he did not even know them. He asked them why they came to him  
1845 and they said that it was because they knew he would do what was right and that he was not in there back  
1846 pocket. He stated that the claim can be made that employees feel a certain way, but there are other  
1847 employees who feel just the opposite. He stated that he loves the employees and he compliments them  
1848 often, but he does it in private and he does not do it for show. He stated he expresses appreciation for all  
1849 the good they do, but there is no need to do it for show. He stated that sometimes during closing  
1850 comments he will thank staff for a job well done, but for the most part he does that in private. He then  
1851 stated the last thing he wanted to say is really important; his heart and the City’s heart goes out to the  
1852 Barker family that lost their son Saturday in a car accident. He stated the young man and his fiancé and  
1853 their unborn child were killed. He stated they are from North Ogden and he knows them well. He stated  
1854 his heart breaks for the family of the man that all lived in North Ogden. He stated that he loves them and  
1855 his prayers are certainly with the family.

1856  
1857 Council Member Fawson stated that he wanted to echo some of the comments that have been made; he  
1858 values the employees of the City. He stated he has an obligation to the residents of North Ogden to  
1859 ensure that the City is budgeting correctly. He stated the compensation review is something that happens  
1860 on an average of one to three years in the private sector and should happen on a regular basis in the City  
1861 as well. He stated that it is premature to make any determination about attrition or what the Council  
1862 should or should not do about employee compensation. He stated that he also trusts that Mr. Chandler  
1863 and the Mayor are able to manage the issue until the Council has solid facts from the committee that they  
1864 can use. He then stated that he wanted to extend a welcome and thank you to Larry McDougal. He stated  
1865 he appreciated him being here tonight and he is glad that he brought his business into the City. He then  
1866 stated that he wants to thank Jonathan Ward; he facilitated a very detailed financial discussion. He stated  
1867 the newspaper can quote him on this. He is learning that every financial discussion should be  
1868 accompanied by a healthy serving of chocolate.

1869

1870 Council Member Bailey stated that he wanted to respond to something that was said earlier about  
1871 someone being the only member of the City Council that responds to the media. He stated that he has  
1872 responded many times to the Standard-Examiner's request for more information; many times he takes  
1873 hours in order to make sure anything is documented right and he has yet to have anything he has ever  
1874 submitted to them be published. He stated he has taken the approach that some of the other Council  
1875 Members have taken; it does not make any difference and the Standard-Examiner is not going to publish.  
1876 He stated that he does not know what their motivation is. He stated that the problem he has is really  
1877 typified by the article that appeared in the newspaper about the public works project languishing in the  
1878 City Council. He stated it was a silly headline that was not substantiated by anything in the article and it  
1879 totally missed the fact that the Council authorized a real estate agent to begin negotiating the purchase of  
1880 property, which was the 800 pound gorilla in the room and it belies any kind languishing taking place.  
1881 He stated he would really like to see more balanced and more journalistic objectivity in the reporting. He  
1882 stated he was quoted last week as saying "the citizens trust me" and he said he has never said that. He  
1883 stated that in one public works meeting he suggested that the citizens trust that the public works  
1884 committee will do the right thing and how that got converted from that to the comment that was printed  
1885 can be nothing more than mean spirited. He stated that someone wrote that with an agenda in mind and  
1886 that disappoints him. He then thanked everyone for being present tonight.  
1887

1888 City Attorney Jon Call stated that in regard to Monroe Boulevard he noticed that his street is on the  
1889 docket to be widened in the next five years as a major arterial. He stated that one of the nice things about  
1890 his firm and one of the reasons the City selected his firm is that his partner, and father, Craig is one of the  
1891 most knowledgeable people on these topics. He stated the City has a great resource there and his firm  
1892 will help in any way they can.  
1893

1894 Mayor Harris stated that a lot has been said tonight and he feels it is time to move on; it has been  
1895 mentioned that this is a great City. He stated there are a lot of things happening, some of it is  
1896 controversial and some of it needs to be listened to while other things need to be ignored. He stated the  
1897 Council needs to pull together and do the best job they can. He stated he does not know what else to say.  
1898 He stated he appreciates the residents and the City Council. He added that he really appreciates Mr.  
1899 Chandler; he has kept him out of trouble a lot. He stated the entire Council had a hand in choosing Mr.  
1900 Chandler as the City Manager and that will pay dividends for the City. Council Member Bigler stated it  
1901 already has. Mayor Harris stated he feels the City is in good hands and the Council needs to put many  
1902 things behind them and move ahead. He then stated that he appreciated Council Member Bigler talking  
1903 about the Barker family; they are very dear friends of his as well and a tragedy like that affects everyone  
1904 in different ways, but it is very sad. He then stated that he appreciates the freedoms that we have. He  
1905 stated we are blessed beyond measure and we need to take a step back and take a deep breath and move  
1906 ahead and get some things accomplished in the City.  
1907

1908 **15. ADJOURNMENT.**

1909  
1910 **Council Member Fawson moved to adjourn the meeting. Council Member Bigler seconded the**  
1911 **motion.**

1912  
1913 **Voting on the motion:**

1914 **Council Member Bailey            aye**  
1915 **Council Member Bigler            aye**  
1916 **Council Member Fawson           aye**  
1917 **Council Member Stoker           aye**  
1918 **Council Member Taylor           aye**  
1919



1920 **The motion passed unanimously.**  
1921  
1922 **The meeting adjourned at 10:26 pm.**  
1923  
1924  
1925  
1926 \_\_\_\_\_  
Richard G. Harris, Mayor  
1927  
1928  
1929 \_\_\_\_\_  
1930 S. Annette Spendlove, MMC  
1931 City Recorder  
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1934 Date Approved  
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Attachment A

city copy

**Wade C Bigler**

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**From:** Wade Bigler [wbigler@nogden.org]  
**Sent:** Tuesday, January 22, 2013 3:11 PM  
**To:** Wade C Bigler  
**Subject:** Monroe Blvd.

Where in the city will the growth occur? Will you please show us on a map? West side of Washington & north of 3100 N.? Those people would not even use Monroe to go out of town.

Do we know how many people currently own private property in this roads path that would have to be used in order to build this road? What if a property owner did not want to sell it to the City? Would we use eminent domain to acquire all needed property?

Where it ends on the North end in Ogden City, does it now go all the way to the northern border of Ogden City, to North Ogden City's boundary line? If not, we could never control whether they finished this road through

Crime from south. Ronclaire. Police said this is a crime haven. This direct corridor would affect all of North Ogden, including those who live in the North part of town. There's a reason many of us have chosen to live here. Its a little out of the way from the rat race, and that's the way many residents want it.

Monroe would go right by two elementary schools, where tons of our children walk five days a week. These are elementary age kids. Very young. What would the speed limit be? Fast is dangerous, and slow no one will use it to travel in and out of town.

Where would stop lights or stop signs be? If on Monroe, it would slow this road down so who would want to take it in or out of town instead of taking one of the other main roads out of town? If the stop lights and stop signs are not going to be on Monroe, then they would have to be on our roads that go eery, west, such as 2600 & 2100, which would substantially slow down that traffic and cause a bottleneck.

No businesses are on Monroe Boulevard. Where would these people be going? Not to work because there aren't any businesses on Monroe. Not shopping because there are no shopping stores on Monroe. At some point they would have to turn onto Washington, Wall, or Harrison to get to work, or to shop, or to get wherever they are going, because there is NOTHING on Monroe Boulevard. Unless of course, someone is going to grandmas house who just happens to live right on Monroe Boulevard. :-)

What we would be doing is creating a direct corridor from the neighborhoods in Ogden City, right into, and through the heart of North Ogden. In fact, right into, and through the heart of our residential zone. Do we really want that? While making decisions that will affect our city for years to come, we often speak of unforeseen consequences. I think this applies with this project. I think there would be more negative consequences than positive consequences.

Through the years, I've tried to teach my kids, and many other youth, that in life, if you're going to get on a road and start to go down that road, you better know where that road is going to take you. You better know where that road ends up, and you better LIKE where that road will take you. Monroe Boulevard is the road to nowhere. It ends on 30th street. It just abruptly ends! (if you kept going, you'd ruin into houses and then a cemetery.) So essentially, we would be building this road through Ogden City's neighborhoods and connecting it with North Ogden City's neighborhoods, as if we were one city. I don't think the majority of North Ogden residents would like what that would do to our beautiful city.