

1 NORTH OGDEN CITY COUNCIL MEETING MINUTES

2  
3 December 13, 2011

4  
5 The North Ogden City Council convened in regular session on December 13, 2011 at 5:30 pm in the North Ogden  
6 City Council Chambers at 505 East 2600 North. Notice of time, place and agenda of the meeting was delivered to  
7 each member of the City Council, posted on the bulletin board at the municipal office and posted to the Utah State  
8 Website on December 11, 2011. Notice of the annual meeting schedule was published in the Standard-Examiner  
9 on January 1, 2011.

- 10  
11 PRESENT: Richard G. Harris Mayor  
12 Martha Harris Council Member (by telephone)  
13 Ron Flamm Council Member  
14 Carl Turner Council Member  
15 Dave Hulme Temporary Council Member  
16
- 17 STAFF PRESENT: Annette Spendlove City Recorder/HR Director  
18 Dave Carlson City Attorney/Economic Development Dir.  
19 Debbie Cardenas Finance Director/Acting City Manager  
20 Gary Kerr Building Official  
21 Mel Blanchard Public Works Director  
22 Jason Reney Culinary Water Supervisor  
23 Julia LaSeure Deputy City Recorder  
24
- 25 EXCUSED: Brent Taylor Council Member (deployed)  
26 Wade Bigler Council Member  
27 Edward O. Dickie III City Manager  
28
- 29 VISITORS: James Mackley Marilyn Harris  
30 Larry Residori Justin Fawson  
31 Helen Taylor Eric Thomas  
32 Molly Rands Gary Rands  
33 Rachel Trotter Kent Bailey  
34 Cole Spicker

35 **WELCOME**

36  
37 Mayor Harris called the meeting to order at 5:35pm and welcomed everyone in attendance. He stated that  
38 Council Member Bigler and Edward O. Dickie III are excused this evening. Dave Carlson, City Attorney, gave  
39 the invocation and led the audience in the Pledge of Allegiance.  
40

41 **Council Member Flamm moved to allow Council Member Harris to participate by phone. Council**  
42 **Member Hulme seconded the motion.**

43  
44 **Voting on the motion:**

- 45 **Council Member Flamm** yes  
46 **Council Member Hulme** yes  
47 **Council Member Turner** yes  
48

49 **The motion passed unanimously.**  
50

51 **CONSENT AGENDA**

- 52 1. Consideration to approve Business Licenses.  
53 2. Consideration and/or action to approve the minutes of the November 22, 2011 City Council meeting.  
54 3. Consideration and/or action to set January 10, 2012 as the date to hold a public hearing regarding  
55 amendments to the Roylance Farms PRUD Phase II plat.  
56

57 **Council Member Flamm moved to approve the consent agenda. Council Member Turner seconded the**  
58 **motion.**

59  
60 **Voting on the motion:**

61 **Council Member Hulme**            **yes**  
62 **Council Member Turner**       **yes**  
63 **Council Member Flamm**       **yes**  
64 **Council Member Harris**       **yes**  
65

66 **The motion passed unanimously.**  
67

68 **4. PUBLIC COMMENTS.**  
69

70 Jim Mackley, 2803 N. Hwy 89, wished everyone a Merry Christmas and read from a document which is included  
71 as Attachment A.  
72

73 **5. YOUTH CITY COUNCIL PRESENTATION.**  
74

75 J. T. Barnes, Youth City Council Mayor, stated that the Youth City Council (YCC) has had a busy year. They  
76 attended the Local Official's Day at the Legislature in January. In February they made Hero Packs for children  
77 whose parents are deployed. In March they went to Utah State University where they competed against other  
78 YCCs throughout Utah. In April the YCC held an Easter egg hunt at North Ogden Park and helped the Kiwanis  
79 with a road side pickup. In May they held elections and recruited for YCC. They worked in June planning for the  
80 July event. In July they participated in the Cherry Days Parade. In August they helped out with the Arts Festival  
81 and the Children's Corner booth. In September they held a Back to School Dance for kids from 9<sup>th</sup> to 12<sup>th</sup> grade  
82 which was in honor of September 11; the cost for admittance was non-perishable foods that were donated to the  
83 food banks. In October the YCC helped the Kiwanis with another roadside pickup. In November they did the  
84 turkey drop to help 3 deserving families; they bought each family an entire Thanksgiving dinner and left it on  
85 their porch. For December they will continue to help with the Santa House in Bicentennial Park. Mayor Harris  
86 thanked J. T. Barnes for the explanation.  
87

88 Kelsey Spaulding, YCC Advisor, said she has been involved with the YCC since 9<sup>th</sup> grade and still helps out. She  
89 thanked the City Council for their support and their example and said they are the ones the YCC is fashioned  
90 after. She stated the YCC members do a wonderful job and they have learned service to the community, to others  
91 and to themselves. The members of the YCC work hard and plan these events for themselves and the rest of the  
92 community. They learn time management; they learn to listen to others and they learn to be leaders. Ms.  
93 Spaulding mentioned several former North Ogden YCC members who have gone on to do great things. She  
94 thanked the City Council for supporting us and being wonderful examples.  
95

96 Melissa Brown, YCC Advisor, thanked the outgoing City Council members. She said they have been great to  
97 work with and she has loved to get to know them. She mentioned that it is exciting to see a new chapter begin  
98 and get to know new Council members. She expressed hope they can support the YCC in the future and work  
99 with them on things in the community.  
100

101 Marilyn Harris, YCC Advisor, said years ago North Ogden City had a YCC but after some time it fell away.  
102 Mayor Muirbrook asked Richard G. Harris to start it up again and he did for a number of years with different  
103 advisors. She said six years ago he asked her to help. She said she was a history major and she loved how  
104 government works and how it serves our country and the freedoms that we enjoy. So she was really happy to take  
105 this opportunity to serve. She explained that the YCC is specifically organized to mirror the city government and  
106 they train future leaders. They follow the City organization and they vote as a group for a Mayor who is the YCC  
107 Chief Executive and each age group has a representative and those are the legislators and there is one  
108 Councilperson At-large. The Mayor appoints the Mayor Pro-tem, Recorder, Treasurer and other officers as we  
109 need them. She said they function so well that this past year other communities have contacted this group to copy  
110 the way the North Ogden YCC does things. At Utah State University they have Council competitions and there is  
111 usually 300-400 kids, 35 Councils are there. Every year since she has been going they have placed in the top ten,  
112 sometimes as high as 2<sup>nd</sup> and 3<sup>rd</sup>. She said the group earns about \$2,500 at Cherry Days and the Kiwanis always  
113 gives a good donation and with the Council's help the YCC can provide their services. She thanked Annette  
114 Spendlove, Council Member Flamm and Edward O. Dickie III for their support and service in driving the group  
115 down to different functions. The YCC members are very frugal with their funds and serve the City well. She said  
116 the great humanitarian, Albert Schweitzer wrote "The three best ways to teach is by example, by example, and by  
117 example: and she thinks they have been well-taught. She said while they have been teaching these things about  
118 leadership she has been trying to do some reading. She read "Profiles in Courage" and "The Patriot's Handbook".  
119 She said she has learned a lot about governing and what our founding fathers really had in mind; it has been very  
120 good for her. She said one of her favorite quotes about service was written by J.R.R. Tolkien and it says "Yet it is  
121 not our part to master all the tides of the world, but to do what is in us for the succour of those years wherein we  
122 are set, uprooting the evil in the fields that we know, so that those who live after may have clean earth to till."  
123 She said she thinks that's very good and the Council has been a good example. She expressed a specific thank  
124 you to Council Member Flamm, Council Member Harris and Council Member Turner.

125  
126 Mayor Harris excused the YCC to go to their meeting.

127  
128 **6. CONSIDERATION AND/OR ACTION TO APPROVE A BEER LICENSE FOR EL DURANGO**  
129 **RESTAURANT.**  
130

131 Dave Carlson, City Attorney, explained that under the new State laws regulating alcohol the City's role is very  
132 limited. The only things the City regulates are zoning and building codes. He said most of the detail in licensing  
133 is handled by the State and we do background checks. This restaurant is applying for a beer license. They meet  
134 all the requirements of the City and we recommend approval. The City typically requires background checks  
135 every year but because we are almost at the end of the calendar year we recommend approval for 2011 and 2012  
136 so they won't have to renew until the end of next year.

137  
138 **Council Member Hulme moved to approve a beer license for El Durango through 2012. Council Member**  
139 **Turner seconded the motion.**  
140

141 **Voting on the motion:**

142 **Council Member Turner**        **yes**  
143 **Council Member Harris**       **yes**  
144 **Council Member Flamm**       **yes**  
145 **Council Member Hulme**       **yes**  
146

147 **The motion passed unanimously.**  
148  
149  
150

151 7. **DISCUSSION AND/OR ACTION TO APPOINT TWO (2) NEW MEMBERS TO THE**  
152 **PLANNING COMMISSION.**  
153

154 Mayor Harris stated that he has the right and responsibility to recommend members for appointment to the  
155 Planning Commission. He explained we recently had two vacancies on the Planning Commission. Dave Hulme  
156 is temporarily filling Council Member Taylor's seat and Cheryl Stoker has been elected to the Council as well.  
157 Mayor Harris recommended appointing Larry Residori and Eric Thomas to fill the seats on the Planning  
158 Commission. He asked Mr. Residori and Mr. Thomas to each make a short introduction.  
159

160 Larry Residori said he wants to serve because he feels he has been very blessed. He served 20 years in the U.S.  
161 Army and wants to do the same for his community. He has a Master's Degree and an MBA with experience in  
162 cost analysis and schedule analysis. He said he thinks he can offer something to the Planning Commission.  
163

164 Eric Thomas, 873 E 3450 N, feels it is an opportunity to serve. He has spent his whole life in North Ogden and  
165 most of that time was spent developing North Ogden City. He has done work throughout northern Utah and with  
166 that background he feels he can be a valuable asset to the City and the Planning Commission. The need for  
167 planning of the future of the community and ensure we can make proper planning decisions.  
168

169 Mayor Harris stated he would like to appoint Eric Thomas to Dave Hulme's term which expires January 31, 2015  
170 and Larry Residori to Cheryl Stoker's term which expires January 31, 2017.  
171

172 **Council Member Flamm moved to appoint Eric Thomas to Dave Hulme's term which expires January 31,**  
173 **2015 and Larry Residori to Cheryl Stoker's term which expires January 31, 2017. Council Member**  
174 **Turner seconded the motion.**  
175

176 **Voting on the motion:**

|                           |     |
|---------------------------|-----|
| 177 Council Member Harris | yes |
| 178 Council Member Flamm  | yes |
| 179 Council Member Hulme  | yes |
| 180 Council Member Turner | yes |

181  
182 **The motion passed unanimously.**  
183

184 8. **PUBLIC HEARING TO RECEIVE COMMENTS ON THE AMENDMENTS TO THE FISCAL**  
185 **YEAR 2011-2012 BUDGET.**  
186

187 Debbie Cardenas, Finance Director/Acting City Manager, referred to the information the City Council received  
188 prior to tonight's meeting and stated these are things that could not be foreseen during the budget process but need  
189 to be added. In the General Fund we needed to remove the old lap pool impeller that wasn't working due to a  
190 lightning strike. The item listed as #3 can be removed. We were required to trim the trees around the new  
191 museum in order for the museum to be insured through our company. We had an employee add insurance benefits  
192 which were not in the budget. The sound system in the Council room stopped working and had to be replaced.  
193 There is a security camera at the pool that needs to be replaced. A computer in the Planning Department needs to  
194 be replaced. In the Capital Projects Fund we had to put in a parking lot at the Community Services building in  
195 order to comply with our ordinances. In the Water Fund we have had several pieces of equipment that have failed  
196 that we needed to replace immediately; the motor in well #2 located on 2100 N 800 E that was leaking and did  
197 fail, the pump at the 1050 E booster station #2 and a submersible pump on well #1. We also need to drill two  
198 exploratory holes which is a continuation on our attempt to get another well within the City. We do have a water  
199 right that was granted to us by the State. It is a 50 year water right and is set to expire in 2013. We need to show  
200 that we are trying to get that well up and running; if we don't we risk the possibility of losing that right. One of  
201 the areas we want to drill in is right below the North Ogden Canyon Reservoir. In the event that one comes up dry

202 we want to be able to immediately move to another sight over by the old gravel pit by Halltree Subdivision on  
203 1325 E. so we are asking for an additional \$60,000. She stated that this item wasn't in the packet because this just  
204 happened in the last couple of days. The staff in the water department budgets for radios on our meters. We have  
205 approximately 50 of them that fail each month that have to be replaced. So they have anticipated that and  
206 budgeted for that. They had \$40,000 in the budget for those. We had a very unusual month last month and  
207 instead of 50 of them failing they had 230 that had to be replaced. We have wiped out the budget at this point and  
208 still have several months left so we need to come up with additional \$14,100 for the replacement of all those  
209 radios.

210  
211 Mayor Harris opened the Public Hearing at 6:19pm.

212  
213 There were no comments.

214  
215 **Council Member Flamm moved to close the Public Hearing. Council Member Hulme seconded the motion.**

216  
217 **Voting on the motion:**

218 **Council Member Flamm**        **yes**  
219 **Council Member Hulme**       **yes**  
220 **Council Member Turner**       **yes**  
221 **Council Member Harris**       **yes**

222  
223 **The motion passed unanimously.**

224  
225 **9.        DISCUSSION AND/OR ACTION TO APPROVE AN ORDINANCE AMENDING THE FISCAL**  
226 **YEAR 2011-2012 BUDGET.**

227  
228 **Council Member Hulme moved to approve Ordinance 2011-21. Council Member Turner seconded the**  
229 **motion.**

230  
231 **Voting on the motion:**

232 **Council Member Hulme**        **yes**  
233 **Council Member Turner**       **yes**  
234 **Council Member Harris**       **yes**  
235 **Council Member Flamm**       **yes**

236  
237 **The motion passed unanimously.**

238  
239 **10.       PUBLIC HEARING TO RECEIVE COMMENTS ON COMMUNITY DEVELOPMENT BLOCK**  
240 **GRANT (CDBG) PROJECTS.**

241  
242 Dave Carlson explained that Community Development Block Grant (CDBG) money typically goes to lower  
243 income cities to complete projects. Because North Ogden is not a low income city (entitlement community), we  
244 are not automatically given a certain amount each year. We can still get CDBG funding but it is through a grant  
245 application process. We have to have a project in mind and make application based on that project. This Public  
246 Hearing is required in order for us to apply for funding. People can make recommendations for the projects to be  
247 done. He said that Gary Kerr, Building Official, will describe the project and answer questions.

248  
249 Gary Kerr, Building Official, stated that this hearing is being called to consider potential projects for which  
250 funding may be applied under the 2012 Community Development Block Grant Program. It was explained that the  
251 grant money must be spent on projects benefiting primarily low and moderate-income persons. The Wasatch  
252 Front Regional Council, in which North Ogden City is a member, is expecting to receive approximately \$900,000

253 in this new program year. All eligible activities that can be accomplished under this program are identified in the  
254 CDBG Application Guide and interested persons can review it at any time. Gary Kerr read several of the eligible  
255 activities listed including, construction of public works and facilities such as water and sewer lines, acquisition of  
256 real property, provision of public services such as food banks or homeless shelters. He explained that later in this  
257 meeting we will be amending our 5-year Capital Improvement Plan that shows which projects the City has  
258 identified as being needed in our community. Also eligible are loan programs for private businesses which would  
259 then hire low income persons and the program can also pay for housing rehabilitation for low income  
260 homeowners or for persons owning rental housing for lower income persons). Gary Kerr, Building Official,  
261 indicated that in the past North Ogden City has been successful in receiving Community Development Block  
262 Grants; they being the North View Senior Center, a water line in the Green Acres area, we were also awarded a  
263 low interest loan program grant where we loaned money to our citizens to remodel or repair their homes. Gary  
264 Kerr said we are looking at street improvements in the Green Acres area. Mayor Harris mentioned there is not  
265 much money available and our Region covers four counties. The City has handed out its capital investment plan  
266 as part of the regional "Consolidated Plan". This list shows which projects the city has identified as being needed  
267 in the community. It was asked that anyone with questions, comments or suggestions during the hearing please  
268 identify themselves by name, before they speak. The clerk will include your names in the minutes and we would  
269 like to specifically respond to your questions and suggestions during the hearing. There were no suggestions from  
270 the audience.

271  
272 Council Member Turner asked if this is a matching grant. Gary Kerr said it can be but doesn't have to be. It  
273 would be better for us if we could match an amount and we are hoping for a 50/50 match. Mayor Harris said we  
274 will use our Class B funds that we will be expending anyway to match any grant.

275  
276 Mayor Harris opened the public hearing at 6:28pm.

277  
278 There were no comments.

279  
280 **Council Member Hulme moved to close the public hearing on CDBG projects. Council Member Flamm**  
281 **seconded the motion.**

282  
283 **Voting on the motion:**  
284 **Council Member Hulme**        **yes**  
285 **Council Member Turner**      **yes**  
286 **Council Member Harris**       **yes**  
287 **Council Member Flamm**       **yes**

288  
289 **The motion passed unanimously.**

290  
291 The hearing was adjourned at 6:29pm.

292  
293 **11. DISCUSSION AND/OR ACTION TO APPROVE COMMUNITY DEVELOPMENT BLOCK**  
294 **GRANT (CDBG) PROJECTS.**

295  
296 Mayor Harris stated that this item is pulled.

297  
298 **12. PUBLIC HEARING TO RECEIVE COMMENTS ON THE AMENDMENTS TO THE 5-YEAR**  
299 **CAPITAL IMPROVEMENTS PLAN.**

300  
301 Gary Kerr explained this is a Public Hearing on amendments to the 5-year Capital Improvements Plan. The  
302 Green Acres street improvements have been added to the plan and we think we can qualify for CDBG funds on  
303 this project.

304 Mayor Harris stated this Public Hearing is to include that one project to the plan.

305

306 Council Member Turner asked whether we will ask for \$75,000 for example and put in the other \$75,000. Gary  
307 Kerr replied that is correct.

308

309 The Public Hearing opened at 6:30pm.

310

311 There were no comments.

312

313 **Council Member Turner move to close the public hearing on amendments to the 5-year Capital**  
314 **Improvements Plan. Council Member Flamm seconded the motion.**

315

316 **Voting on the motion:**

317 **Council Member Harris**            yes

318 **Council Member Flamm**            yes

319 **Council Member Hulme**            yes

320 **Council Member Turner**            yes

321

322 **The motion passed unanimously.**

323

324 The Public Hearing closed at 6:31pm.

325

326 **13. DISCUSSION AND/OR ACTION TO APPROVE AMENDMENTS TO THE 5-YEAR CAPITAL**  
327 **IMPROVEMENTS PLAN.**

328

329 Gary Kerr stated that we need this approval in order for us to submit the CDBG grant application.

330

331 Debbie Cardenas stated that since the City Council approved the amendments to the budget, we added \$60,000 for  
332 the drilling of the two wells so item G will change from \$400,000 to \$460,000. She said item 6C needs to be  
333 pulled from the list.

334

335 **Council Member Flamm moved to approve the amended 5-Year Capital Improvements Plan. Council**  
336 **Member Turner seconded the motion.**

337

338 **Voting on the motion:**

339 **Council Member Flamm**            yes

340 **Council Member Hulme**            yes

341 **Council Member Turner**            yes

342 **Council Member Harris**            yes

343

344 **The motion passed unanimously.**

345

346 **14. DISCUSSION AND/OR ACTION TO APPROVE A RESOLUTION APPROVING THE**  
347 **RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN AND**  
348 **CERTIFICATION AS REQUIRED BY THE COMMUNITY DEVELOPMENT BLOCK GRANT**  
349 **PROGRAM.**

350

351 Dave Carlson, City Attorney, explained the only purpose for doing this is to comply with the federal requirements  
352 to receive CDBG funding. It is not likely that this policy would ever be used by North Ogden City but in order to  
353 receive funds the federal government requires that we have this resolution in place. We already have something  
354 like this in place but it is very outdated; we are just updating it. Staff recommends adoption of this Resolution.

355 Council Member Flamm moved to adopt Resolution 21-2011 approving the residential anti-displacement  
356 and relocation assistance plan and certification. Council Member Turner seconded the motion.

357  
358 **Voting on the motion:**

359 Council Member Hulme no  
360 Council Member Turner yes  
361 Council Member Harris yes  
362 Council Member Flamm yes

363  
364 **The motion passed 3 to 1.**

365  
366 **15. PUBLIC HEARING TO RECEIVE COMMENTS ON THE AMENDMENTS TO CHAPTER 10,**  
367 **TITLE 11, OF THE NORTH OGDEN CITY CODE REGULATING FACILITIES FOR**  
368 **DISABLED PERSONS.**  
369

370 Dave Carlson explained that this is to comply with federal regulations regarding changes to our Zoning Ordinance  
371 to bring us into compliance. Local governments have gotten into trouble with this issue in the past by not  
372 complying with two laws. The judgments were up to \$3 million in the recent past. Our City ordinance is  
373 modeled after the State law and the State law is not in compliance with Federal law. There are a number of things  
374 being changed.

375  
376 Group homes are a permitted use and that is being made clear. The way the Fair Housing Act and Americans with  
377 Disabilities Act (ADA) work is that you cannot treat group homes any different than any other family in the  
378 community. You have to treat them exactly the same as any other family in a single family residence. You can't  
379 regulate them differently. So we make it clear that this is a permitted use and this is an area where cities get  
380 themselves into trouble. The requirement of 24 hour supervision for recovering drug addicts within 500 feet of a  
381 school is being taken out because you cannot require 24 hour supervision of adults. You can require adult  
382 supervision for facilities that house minors because then you're not treating them different than any other family;  
383 it is assumed that minors require adult supervision. The proximity restriction that says you can't have two of these  
384 within 1,500 feet of each other is being taken out because you can't do that either; that is being replaced with the  
385 current language in the law. We are striking out the requirement of meeting all building codes and standards of  
386 the ADA. The language we are replacing it with is similar but can be enforced. The ADA does protect them but it  
387 doesn't regulate them because these are not public buildings; they are treated as private residences. He stated this  
388 has gone through the Planning Commission and they recommend the City Council adopt these changes to the  
389 ordinance.

390  
391 Mayor Harris opened the Public Hearing at 6:51pm.

392  
393 There were no comments.

394  
395 **Council Member Turner moved to close the Public Hearing. Council Member Flamm seconded the**  
396 **motion.**

397  
398 **Voting on the motion:**

399 Council Member Turner yes  
400 Council Member Harris yes  
401 Council Member Flamm yes  
402 Council Member Hulme yes

403  
404 **The motion passed unanimously.**

405

406 **16. DISCUSSION AND/OR ACTION TO APPROVE UTILITY RATE CHANGES.**

407  
408 Debbie Cardenas, Finance Director, stated the Public Hearing was held at the last City Council meeting for utility  
409 rates. The recommended rate increases are as follows:

- 410 • Water \$.49
- 411 • Sewer \$1.79; which includes an increase for Central Weber Sewer District of approximately \$1.67
- 412 • Storm water \$.25
- 413 • Garbage \$.27

414 For a total of \$2.80

415  
416 She said these are estimations based on balances at a certain point in time. She reminded the Council that last  
417 fiscal year the water fund had a loss of \$141,171 and for fiscal year 2010-2011 we projected another operating  
418 loss of \$163,000 in the water dept. That is why we are recommending the increase of \$.49. The Capital  
419 Improvement projects that were approved tonight are all related to the Enterprise Fund and are included in this  
420 study.

421  
422 Council Member Hulme asked when these changes will go into effect. Debbie Cardenas replied the changes  
423 would be effective in February and would appear on the March bills. Council Member Hulme asked, if the  
424 Council approves the changes, how and when the residents will be notified. Debbie Cardenas said we can include  
425 a note on the next two utility bills. Council Member Hulme replied that is excellent.

426  
427 Mayor Harris said if a motion is made to approve the changes it needs to include certain language. Annette  
428 Spendlove said the motion would need to include the Consolidated Fee Schedule so as the motion is made it  
429 should include a statement about inclusion in the Consolidate Fee Schedule. She said staff would bring the  
430 Consolidated Fee Schedule to the City Council on January 10, 2012 to be annexed.

431  
432 **Council Member Hulme moved to amend the utility billing rates by increasing water by \$.49, sewer by**  
433 **\$1.79, storm water by \$.25 and garbage by \$.27 for a total of \$2.80 to take effect for February 2012 to**  
434 **appear in the March bills and amend the Consolidated Fee Schedule to reflect the same. Council Member**  
435 **Turner seconded the motion.**

436  
437 **Voting on the motion:**  
438 **Council Member Turner           yes**  
439 **Council Member Harris        yes**  
440 **Council Member Flamm        no**  
441 **Council Member Hulme        yes**

442  
443 **The motion passed 3 to 1.**

444  
445 **17. PUBLIC/COUNCIL COMMENTS.**

446  
447 There were no comments from members of the public.

448  
449 Council Member Harris thanked the Council for allowing her to participate by phone this evening and for the  
450 great City Council members and Mayors she has served with. She wished good luck to the incoming Council  
451 members.

452  
453 Council Member Hulme said it has been a pleasure working with the City Council.

454

455 Council Member Turner said the Parks and Trails Committee meeting is tomorrow at 5:30pm. They are  
456 converting to a 501(c)(3) and will be electing officers. He asked everyone to please come. He thanked the City  
457 and the residents for allowing him to serve in this position and added that it has been great. He expressed his best  
458 wishes to the new Council members.

459  
460 Annette Spendlove said on January 10, 2012 at 4:00pm we will hold an open house to honor the incoming City  
461 Council members and those members who are leaving.

462  
463 Debbie Cardenas thanked Council Members Harris, Flamm and Turner for the privilege of working with them.

464  
465 Mayor Harris echoed those sentiments. He said the next meeting is on January 10, 2012 and invited everyone to  
466 attend the open house and reception that evening at 4:00pm. He wished everyone a Merry Christmas and Happy  
467 New Year.

468  
469 **18. ADJOURNMENT.**

470  
471 **Council Member Turner moved to adjourn. Council Member Flamm seconded the motion.**

472  
473 **Voting on the motion:**  
474 **Council Member Turner**        **yes**  
475 **Council Member Harris**       **yes**  
476 **Council Member Flamm**       **yes**  
477 **Council Member Hulme**       **yes**

478  
479 **The motion passed unanimously.**

480  
481 The meeting adjourned at 7:02pm.

482  
483  
484 \_\_\_\_\_  
485 Richard G. Harris, Mayor

486  
487  
488 \_\_\_\_\_  
489 S. Annette Spendlove, MMC  
490 City Recorder

491  
492 \_\_\_\_\_  
493 Date approved

494

**Replace Socialism with Constitutional Government – Address to North  
Ogden City Council Meeting December 13, 2011**

Good evening Mayor Harris, North Ogden City Council Present and Future, and my fellow citizens. To establish justice and public tranquility requires that each of us accepts the responsibility to recognize that not only we, but also our fellowmen have divinely given rights. Among these are life, liberty, and the pursuit of happiness. Because of their divine origin, these rights are sacred, and according to John Locke, a famous philosopher, these cannot be voluntarily given up without incurring divine displeasure.

The Constitution of the United States was set up to secure those rights. However, it can only be properly understood with deference to the divine source from which it sprang. Because our founding fathers recognized that it is the nature of almost all men to exercise unrighteous dominion when they have a little authority as they suppose, they instituted the Constitution with principles to check unbridled power and to balance differing, but legitimate interests. It has been called the greatest work ever struck by the hand of man.

Yet, in reality, the Constitution came about through good and wise men who gave deference and respect to the only true source of knowledge and power – that Divine Source to whom I also give the utmost deference and respect. Under the watchful hand of providence we can secure to ourselves and our posterity the blessings of providence and access the freedom to assist others to do the same. To do so requires that we understand the principles of the Constitution as understood by our Founding Fathers. Then, we can practice those principles in exercising our political power. This will encompass the principles of right, responsibility, accountability, and will not leave out justice or charity.

In practicality, let us recognize that we have a great deal to do. If we take it a step at a time, it will not seem overwhelming. The next step before us is to replace Socialism with responsible, fiscally conservative, and more proper government – eventually embracing Constitutional principles even at our local government level. Socialism is defined as the control of the means of production. Life requires that we produce from the bounteous resources God has provided for us. Socialism controls, restricts, and even prohibits the use of those resources, thus eventually leading to hunger, starvation, and war.

Do not be deceived. Socialism is a Godless philosophy. Its foundation is the temptation to use the unfettered will of man alone. Without a divine source of strength, or a chief cornerstone, it is founded upon the sand of the philosophies of men. Therefore, the foundation is un-secure and any government which builds upon it must fail. The Socialistic -isms of Communism and Fascism have proven greatly destructive in our world. Besides the 6 million Jews and 8 million or more others believed to have been massacred by the Nazis, we know that the Russian Communists murdered millions and as many as 30 million Chinese were murdered by the Mao

regime. That is not to mention the many destroyed by the Cuban, Vietnamese, Korean, and Cambodian Communists. That is the final result of Communism.

Now is the time to replace Socialism in North Ogden government with something better – Eventually much better! Start by recognizing where socialism is present. It may be overt or imbedded. Regardless, like a cancer it must be removed. Please note that I am not referring to government officials at this time. Each of us, no matter our failings in the past, has an opportunity to do better, to recognize our mistakes, our misunderstandings, and our opportunities to reverse, to correct, to improve, and yes even to repent. Although time is short, it is not too late! May I propose that those currently in power in the Administration search your souls to see if you are willing to consider these things very seriously and show the community where you stand – whether to replace socialism or not.

On the agenda tonight are numerous proposed actions, your actions or non-action regarding them will signal your intent to our community.

With Reverence to God, I ask that God may bless all present tonight and all of North Ogden!

**Jim Mackley, President of the Freedom Coalition**

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