

1 **NORTH OGDEN CITY COUNCIL MEETING MINUTES**

2
3 June 28, 2011

4
5 The North Ogden City Council convened in regular session on June 28, 2011 at 5:30 p.m. in the North Ogden
6 City Council Chambers, 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 June 23, 2011. Notice of the annual meeting schedule was published in the Standard-Examiner on
9 January 1, 2011.

10
11 **PRESENT:** Richard G. Harris Mayor
12 Wade Bigler Council Member (arrived at 5:33pm)
13 Martha Harris Council Member
14 Brent Taylor Council Member
15 Carl Turner Council Member

16
17 **STAFF PRESENT:** Annette Spendlove City Recorder/HR Director
18 Edward O. Dickie III City Manager
19 Dave Carlson City Attorney
20 Debbie Cardenas Finance Director/Acting City Manager
21 Julia LaSeure Deputy City Recorder
22 Dave Nordquist Community Services Director
23 Polo Afuvai Chief of Police
24 Craig Barker Community Development Director
25 Mel Blanchard Public Works Director

26
27 **EXCUSED:** Ron Flamm Council Member

28
29 **VISITORS:** Marilyn Harris Talmage Dalebout
30 Kyle Dalebout Dave Hulme
31 Bruce Hall Royce Richards
32 Jim Mackley Bob Buswell
33 Khayden Spendlove Merrill Spendlove
34 James Barnes Jaimee Martinez
35 Shae Thompson Savannah Rice
36 Jay Mackley

37
38 **WELCOME**

39
40 Mayor Harris called the meeting to order at 5:30pm and welcomed everyone in attendance. Council Member
41 Taylor offered the invocation and led the audience in the Pledge of Allegiance.

42
43 Mayor Harris stated that Council Member Flamm is excused tonight, but if he can he will call in.

44
45 **CONSENT AGENDA**

- 46 1. Consideration to approve Business Licenses.
47 2. Consideration to approve minutes of the May 31, June 7, and June 14, 2011 City Council
48 Meetings.

49
50 **Council Member Harris moved to approve consent agenda items 1 and 2. Council Member Taylor**
51 **seconded the motion.**

52 **Voting on the motion:**
53 **Council Member Harris** **yes**
54 **Council Member Bigler** **yes**
55 **Council Member Taylor** **yes**
56 **Council Member Turner** **yes**

57
58 **Voting was unanimous. The motion passed.**
59

60 **PUBLIC COMMENTS.**

61
62 Dave Hulme, 513 E 1700 N, said he read an article about a city in Oregon that decided to eliminate the Pledge of
63 Allegiance except for four times a year. He expressed his appreciation to the Council and Staff for reciting the
64 Pledge of Allegiance and everyone for participating.
65

66 **PRESENTATION OF 5-YEAR SERVICE PIN TO LORRIE FRAZIER, ADMINISTRATIVE**
67 **ASSISTANT AND SPECIAL EVENTS COORDINATOR.**
68

69 Dave Nordquist, Community Services Director, presented a five year service pin to Lorrie Frazier. He said he is
70 happy to be here tonight with Lorrie as they have been good friends and neighbors for years. She does wonderful
71 things for the City. She is always thinking of the next great thing to do for the City. She is compassionate and
72 caring and she is a very hard worker. Lorrie has been with the City for five years now. Dave said he started
73 shortly after she did so they have been through a lot together and she is a very valuable employee.
74

75 **PRESENTATION OF 10-YEAR SERVICE PIN TO BRANDON DIVES, POLICE OFFICER II.**
76

77 Polo Afuvai, Chief of Police, presented a ten year service pin to Brandon Dives. He stated that Officer Dives is a
78 very intelligent young man. He graduated from Weber State Academy in January 2001 and came to North Ogden
79 City in June 2001. Chief Afuvai said they have been pleased with Officer Dives' work ethic. He is a great
80 worker an excellent employee and is well-liked by the department.
81

82 Bob Buswell, 962 E 3025 N, said he heard that the Public Works Complex was going to go in at the gravel pit.
83 He said he has heard for a long time that there will be a road going in along that area and he asked the Council
84 Members what they know about that. Mayor Harris said this is not the forum to go into that; public comments are
85 closed. He explained that the Council generally does not get into these types of discussions during regular
86 meetings. He added that if Mr. Buswell wants to contact him or staff at another time they would be happy to talk
87 with him.
88

89 **PRESENTATION OF 35-YEAR SERVICE PIN TO KEVIN WARREN, POLICE CAPTAIN.**
90

91 Chief Afuvai stated Kevin Warren was unable to attend this evening.
92

93 **RECOGNITION OF YOUTH GOOD SAMARITAN HERO MICHAEL CEVERING THE RECIPIENT**
94 **OF THE RED CROSS 2011 HERO AWARD.**
95

96 Mayor Harris explained that Michael Cevering was awarded the Red Cross 2011 Hero Award. Staff attempted to
97 show a video clip put out by the Red Cross but had technical difficulty. That video can be viewed at the
98 following link: http://youtu.be/L_3YQRPf7Tw. Mayor Harris asked Mr. Cevering to come to the podium and
99 tell us how this came to pass.
100

101 Michael Cevering explained that he was at school sitting with another student at lunch. The student, who happens
102 to have special needs, was getting pale and his lips were turning blue. Michael noticed the student struggling to

103 breathe and his lifesaving training kicked in. He performed the Heimlich maneuver and was able to dislodge what
104 was choking the other student. Michael stated he is a lifeguard at the NorthShore Aquatic Center and has had a
105 lot of this type of training.

106
107 Mayor Harris thanked Michael Cevering for his service to the City. The Council and Staff congratulated Michael
108 for his award.

109
110 **SWEARINGIN OF THE YOUTH CITY COUNCIL**

111
112 Mayor Harris introduced the Advisors and past Youth City Council members in the audience. He then introduced
113 the new members of the Youth City Council. Annette Spendlove, City Recorder, gave the Oath of Office to the
114 incoming Youth City Council members.

115
116 Mayor Harris explained that the Youth City Council works hard. They participate in a lot of service projects and
117 sponsor fundraisers that allow them to attend different Youth City Council functions. They are an integral part of
118 the community and we are very proud of them.

119
120 **DISCUSSION AND/OR ACTION ON AMENDMENTS TO THE ZONING ORDINANCE ADDING AN**
121 **ENTERTAINMENT OVERLAY ZONE.**

122
123 Craig Barker stated that this was before the City Council previously and they requested some changes which he
124 briefly reviewed. Mayor Harris said if necessary the Council can make interlinear changes tonight and still pass
125 this ordinance.

126
127 Council Member Taylor said he is happy with the changes, especially with the larger signs on the larger buildings.
128 He said he would still like to see some other areas included; it is a simple process but it might be better to have it
129 in place ahead of time.

130
131 **Council Member Taylor moved to approve Ordinance 2011-13 amending the Zoning Ordinance to add an**
132 **Entertainment Overlay Zone. Council Member Bigler seconded the motion.**

133
134 **Voting on the motion:**
135 **Council Member Harris** **yes**
136 **Council Member Bigler** **yes**
137 **Council Member Taylor** **yes**
138 **Council Member Turner** **yes**

139
140 **Voting was unanimous. The motion passed.**

141
142 Mayor Harris said that was a long process but it was done correctly and this will be good for the City. The
143 Economic Development Committee and Planning Commission have worked hard on this.

144
145 **PUBLIC HEARING TO RECEIVE COMMENTS ON AMENDMENTS TO THE ZONING ORDINANCE**
146 **11-22-4A PROHIBITED SIGNS (VEHICULAR SIGNS).**

147
148 Craig Barker said this also came to the Planning Commission from the Economic Development Committee. This
149 ordinance deals with vehicle signs onsite at the business and includes trailers, boats, cars, trucks, etc. These types
150 of signs have come a long way since this ordinance was originally drafted and we really needed to be up to date
151 on this. The existing ordinance prohibits these types of signs; this amendment will allow them with certain
152 restrictions and regulations.

153

154 Council Member Bigler said he is thrilled that this is happening. He said he brought this up at the beginning of
155 last year and this is a terrific change.

156
157 Mayor Harris opened the public hearing at 6:17pm.

158
159 There were no public comments.

160
161 **Council Member Harris moved to close the public hearing. Council Member Turner seconded the motion.**

162
163 **Voting on the motion:**

164 **Council Member Harris** **yes**

165 **Council Member Bigler** **yes**

166 **Council Member Taylor** **yes**

167 **Council Member Turner** **yes**

168
169 **Voting was unanimous. The motion passed.**

170
171 Mayor Harris said this ordinance will come back at the next meeting for the Council to take action.

172
173 **DISCUSSION AND/OR ACTION TO APPROVE AMENDMENTS TO THE BUDGET FOR FISCAL**
174 **YEAR 2010-11.**

175
176 Debbie Cardenas, Finance Director, distributed a Budget Opening document which is attached as Attachment A.
177 She explained that she has had invoices coming in as late as this afternoon and then reviewed the document for
178 the Council.

179
180 Council Member Bigler asked about number four on the fourth page 'Engineering services on the public works
181 building'. He asked for an explanation on what engineering has been done because the site has not been selected
182 yet. Mayor Harris said our City Engineer has been working on preliminary engineering and he has billable hours.
183 Council Member Bigler asked what he had done. Mayor Harris responded that he has been looking at different
184 sites and a number of site plans reviewed and he has also done some engineering work on utilities.

185
186 **Council Member Taylor moved to approve the amendments to the FY 2010-2011 budget as presented.**
187 **Council Member Turner seconded the motion.**

188
189 Discussion on the motion:

190 Council Member Taylor asked whether there are more unexhausted funds from this budget. Debbie Cardenas said
191 we are within \$1,098 of balancing the budget with three days left in this fiscal year.

192
193 **Voting on the motion:**

194 **Council Member Harris** **yes**

195 **Council Member Bigler** **yes**

196 **Council Member Taylor** **yes**

197 **Council Member Turner** **yes**

198
199 **Voting was unanimous. The motion passed.**

200
201 Ms. Cardenas said this is for information purposes only, she heard from the tax commission and for property taxes
202 we will realize an additional \$20,000 in revenue growth for next year's budget. This year we lost \$38,000 in
203 property taxes. It doesn't make up all of it but we do pick up some of what we lost during this year.

204

205 **DISCUSSION AND/OR ACTION TO APPROVE THE INTERLOCAL AGREEMENT WITH WEBER**
206 **COUNTY FOR ELECTION SERVICES.**
207

208 Annette Spendlove, City Recorder, said Weber County helps with each election in some way. This year the
209 legislature passed a law that requires an interlocal agreement for their services. They are only allowed to charge
210 what it costs them. The County came back with a great fee to the City; it was so good in fact that we are using the
211 electronic voting booths this year. Before the Council is the agreement for your consideration.
212

213 Council Member Turner asked if the estimate of \$7,500 is the total cost. Mrs. Spendlove replied that our bid is
214 \$11,000 so that will need to be changed. Council Member Turner asked if they will send in paperwork to verify
215 that. Mrs. Spendlove said she already has all that.
216

217 Council Member Bigler said this is a great change to the law and it really benefits the municipalities. Mrs.
218 Spendlove agreed.
219

220 **Council Member Harris moved to approve the interlocal agreement with Weber County on election**
221 **services. Council Member Bigler seconded the motion.**
222

223 Discussion on the motion:

224 Council Member Turner asked whether we need to note the change on the fee difference. Mrs. Spendlove said it
225 also depends on the number of voters. That number could go up or down so she would rather leave it out.
226

227 **Voting on the motion:**

228 Council Member Harris	yes
229 Council Member Bigler	yes
230 Council Member Taylor	yes
231 Council Member Turner	yes

232

233 **Voting was unanimous. The motion passed.**
234

235 **DISCUSSION AND/OR ACTION IN REVIEW OF THE MAYOR, CITY COUNCIL, AND CITY**
236 **MANAGER'S DUTIES AND RESPONSIBILITIES.**
237

238 Council Member Harris read from a document which is attached as Attachment B.
239

240 **Council Member Harris moved for a vote of confidence for the City Manager. Council Member Turner**
241 **seconded the motion.**
242

243 Discussion on the motion:

244 Council Member Bigler asked what that means. Mayor Harris said the City Council has been asked to give a vote
245 of confidence for the City Manager in his present position. Council Member Bigler said he isn't sure what that
246 means, to keep him hired? Mayor Harris replied yes, it is for keeping him hired and allowing him to continue his
247 duties and responsibilities with the full support of the City Council. Council Member Bigler said he is in support
248 of Mr. Dickie. He said he would also add that it is not the City Manager's position to dictate what a City Council
249 member does or says in saying don't talk to residents, leave that to staff. He said he would wholeheartedly
250 support this motion but he feels that respect should go both ways.

251 Council Member Taylor said he is very satisfied with our City Manager. He has disagreed with some of Mr.
252 Dickie's recommendations but appreciates his honest and candid advice. Council Member Taylor said he has
253 never felt that Mr. Dickie has told Council Members not to talk to residents. He said he has never felt the City
254 Manager wanted to restrain that. He would support this wholeheartedly as well. He said he feels Mr. Dickie is
255 giving us his best advice as a professional.

256 Council Member Turner said Edward O. Dickie III is awesome.

257

258 **Voting on the motion:**

259 **Council Member Harris** **yes**

260 **Council Member Bigler** **yes**

261 **Council Member Taylor** **yes**

262 **Council Member Turner** **yes**

263

264 **Voting was unanimous. The motion passed.**

265

266 **DISCUSSION AND/OR ACTION ON AMENDMENTS TO THE SUBDIVISION ORDINANCE TO**
267 **INCLUDE TRAILS.**

268

269 Dave Carlson, City Attorney/Economic Development Director, said the last time we talked about this was late last
270 fall. The Planning Commission made positive recommendations on two ordinances, one on the PRUD ordinance
271 and the other on the subdivision ordinance as they relate to trails. The City Council had some concerns about this
272 ordinance and staff received some direction and went back to the drawing board to come up with solutions to the
273 issues that the City Council saw with this. There was some concern with compensation for the property used as
274 trails. He explained there is a new paragraph five and some double underlined language which is new since the
275 last time the Council looked at this. There were also some grammatical changes to make it read better. The City
276 is in the process of creating a new booklet for developers on the subdivision standards and approval and staff is
277 asking that the trail requirements be included in the subdivision standards. Paragraph three asks the property
278 owner to set aside a minimum amount of property and the City will compensate them for anything over that.
279 Paragraph five is the main change and was added to address concerns. If it appears likely that what the City is
280 asking for is excessive, it allows us to trade with the developer; lot density, location of the trails, a reduction in
281 setbacks, waiver of development fees, etc. These are some of the things we can do but we allow some flexibility
282 for the City to strike a bargain that is fair with the developer. We say it has to be put in a development agreement
283 so the developer will have to say that they got a fair deal with the City. That will protect the City from any future
284 claim that the City exacted too much from the developer.

285

286 Council Member Taylor said he likes some of the changes to this. The best is that the developer has to sign off
287 and agree that they are getting just compensation. He asked if there is a trigger as to when it would be reviewed as
288 in paragraph five or only if the developer requests it? Dave Carlson said the way it reads now it is whenever it
289 appears likely to the City that the required dedication of trail right of way by a subdivision owner may result in a
290 disproportionate burden, the City may consider trading additional development bonuses in exchange for the
291 excess portion of the exaction. It gives the City the responsibility to determine whether it looks disproportionate.
292 Council Member Taylor asked what happens if the developer wants it reviewed. Dave Carlson said right now it
293 doesn't give the developer a specific right to ask for that. If the developer complains about it the City has options
294 to look at it. Council Member Taylor said he would like to see that added in; to allow the developer to ask for this
295 too if they feel it is disproportionate. He would like some kind of appeal process. Council Member Taylor asked
296 if an update to the PRUD ordinance will be necessary if this passes. Dave Carlson said the PRUD ordinance
297 already mirrors this in a lot of ways; there is a lot more flexibility; you are already working on different setbacks,
298 lot sizes, etc...

299

300 Council Member Taylor asked if this still affects only the properties that lie within the path of the City's master
301 planned trails system. Dave said that is correct. Council Member Taylor said he doesn't see how that is not a
302 disproportionate burden to those few property owners and he is concerned about that. He stated it is not a burden
303 on everyone. Dave Carlson said he doesn't see how this trails system is any different than the City's road system.
304 It is an alternative mode of transportation. There are some parcels where streets are already master planned that
305 would have to deal with the same thing. This is nothing new. Some subdivisions will have trails others will not. If
306 a subdivision can be served by the City's standard road right of way of 60' but the City has master planned that it

307 will be a collector road, the City can demand an 80' right of way. That would be considered a disproportionate
308 burden; we are requiring something more than is required. He sees trails in the same way. We are just asking for
309 the minimum width necessary for two bicycles to pass each other. His view is that it not a disproportionate burden
310 because that is the minimum that is necessary. The other bonuses we have such as reduced lot size and reduced
311 setbacks, those are things they are getting that other property owners are not getting. We are compensating the
312 subdivision owner that is most directly impacted. Council Member Taylor suggested if we are not doing every
313 subdivision and if it's not disproportionate then it should be made a part of the ordinance that they will get these
314 compensations in every case.

315
316 Council Member Bigler said he is not sure what that compensation is. He asked if there is any unless we think we
317 are taking more than we think we should. He said he feels it is not morally right and it is not the same as streets.
318 Generally speaking people are not going to be taking the trail system for transportation. They are going to use it
319 for recreation. He doesn't see anywhere where the property owner is compensated. Where is the compensation?
320 Dave Carlson said the courts have looked at the issue of exactions as a requirement of subdivision approval and
321 what they have said is that cities can take exactions as a condition of development approval. No one has an
322 inalienable right to subdivide. He said as an example if you want to do anything other than agriculture in Layton
323 City you have to bargain for it. The City allowing you to develop your land is compensation. There are two trails
324 cases that have gone to the Supreme Court; the Nolan and Dolan cases. There is a big difference in those cases,
325 those properties were already developed. In the Nolan case the property owner was just asking for a building
326 permit to do some things for a beach home and the city wanted to require a trail across that private property. We
327 are trying to avoid that. It was the same thing in the Dolan case, the property was already developed. The
328 Supreme Court said there had to be a nexus between the development that was occurring and the need for the city
329 infrastructure. The other test is that the burden has to be roughly proportionate to the impact that the property is
330 creating on the city's infrastructure system. There have been some cases that the Supreme Court has drawn the
331 line with trails but that is not what we are trying to do here. Looking at development today you will see that high
332 quality developments have trails. He doesn't think we will get a lot of kick back on this from the developers.
333 They will see it as an increased value to their development as long as they are not losing lots. Council Member
334 Bigler asked if that is Mr. Carlson's professional legal opinion and said there are many cases of cities being sued
335 and losing in cases like this. He asked if that is something we can afford? Are we prepared to go through that
336 headache and the expense? He said he is not prepared to risk that because he thinks it is very different than city
337 streets. Dave Carlson said he is not aware of any cases that raise the constitutional issue. We have had situations
338 in Utah too, where you are trying to condemn a trail through someone's property. This particular ordinance only
339 deals with vacant land. Council Member Bigler said it is different if someone has not bought the property yet and
340 knows this when they buy it than it is if they already own the property and are told this later. If we are changing
341 the rules it's a problem for him. Dave Carlson said he agrees that part of the oath we take is to uphold the
342 constitution; this is not an ordinance that pushes the envelope at all; especially with the requirement of the
343 development agreement. There is almost no chance that a developer could take issue with the City.

344
345 Council Member Harris said we have not had a parade of developers coming in throughout this whole process.
346 We have not heard a strong contingent of developers coming to us being opposed to this. She said she likes the
347 way this has been tweaked. When we talked about compensation she remembers thinking that compensation
348 always has to be dollars and cents and she had to come around to rethinking that. Paragraph 5 lists a number of
349 concessions that a developer could get and she said she likes the flexibility. She also stated that an agreement
350 represents two sides and no developer would sign that if they felt they had not been justly compensated. Council
351 Member Bigler responded by asking if developers have been knocking down the door thanking us for forcing
352 them into this. Dave Carlson said more and more it is becoming the norm for a modern PRUD; it is becoming
353 more standard.

354 Council Member Taylor said looking at this more philosophically you can ask why land has value, farming,
355 developing and building homes. The city has put in the improvements that create the value. The reason the land
356 can be subdivided in the first place is because of the improvements that the City has put in. If someone had has
357 property for a long time, this doesn't stop them from doing whatever they were doing on it. He said he would like

358 to see the developers have an equal chance at initiating a review. He suggested giving the developer the
359 opportunity to request a reduced lot width. He thinks a trail system is a benefit.

360
361 Council Member Turner asked if paragraph five could be changed to ‘if it appears to the City or the Developer...’
362 Would that work and take care of what Council Member Taylor is talking about?

363
364 Council Member Bigler said he would love to see us beautify the City with trails but he thinks we need to
365 purchase the property. We just paid \$220,000 for future park space. We didn’t go in and say ‘this is going to be
366 good for the city’ and just take it.

367
368 Dave Carlson said he understands what Council Member Bigler is saying but when the Supreme Court has looked
369 at these cases and takings, it’s not just a matter of writing a check. The question has never been whether the City
370 is adding value to the land; it is whether it is enough value. The bottom line is the 5th amendment, just
371 compensation. Taking is part of the legal fabric of this Country. The issue has never been whether the City can
372 take private property. The only issue is the just compensation. Council Member Bigler asked who decides what
373 ‘just compensation’ is. Dave Carlson said ultimately, in our system, the courts do it.

374
375 **Council Member Turner moved to adopt Ordinance 2011-14 with the second sentence of paragraph five**
376 **amended to read ‘Whenever if appears likely to the City and/or developer that the required dedication of**
377 **trail right of way by a subdivision owner may result in a disproportionate burden, the City may consider**
378 **trading additional development bonuses in exchange for the excess portion of the exaction such as reduced**
379 **minimum lot size, reduced setback requirements, waiver of development fees, etc.’**

380
381 Dave Carlson suggested, if Council is making that change, also amending that same sentence after the first
382 comma to read ‘, the City *will* consider trading additional development bonuses...’

383
384 **Council Member Turner amended his motion to include the language of that amendment. Council Member**
385 **Taylor seconded the amended motion.**

386
387 Discussion on the motion:

388 Council Member Bigler said if this is going to pass through, we should at least know the specifications of the
389 trails we are requiring be put in. Council Member Harris said the ordinance states that city specifications will be
390 used. Dave Carlson said those specifications will have to come to the City Council for a vote.

391
392 Council Member Taylor asked when those specifications are coming. Dave Carlson replied soon, the trails
393 specifications are the last thing to finish. He said that comes from the Weber Pathways specifications and
394 recommendations shared by the rest of the cities in Weber County.

395
396 **Voting on the motion:**

397 **Council Member Harris** **yes**
398 **Council Member Bigler** **no**
399 **Council Member Taylor** **yes**
400 **Council Member Turner** **yes**

401
402 **Voting was 3 to 1. The motion passed.**

403
404
405 **PUBLIC/COUNCIL COMMENTS**

406
407 Jay Mackley, 1121 E 1675 N, said it won’t matter because it is after the vote but he wanted to say some things.
408 He said the City never asks anyone, they always tell. The City uses the development agreement as leverage in the

409 approval process. He said he liked that the Council members wanted to add some compensation in there and he
410 thinks that will negate all the stuff they have done. He encouraged the Council to keep that in there.

411
412 Dave Hulme, 513 E 1700 N, said he disagrees with a lot of what the Supreme Court has done. He thinks this
413 ordinance would be dramatically improved if there was a guarantee. He suggested adding a line that says
414 minimum lot sizes and setbacks will be considered as if there were no trail. In that case there is no value lost.

415
416 Jim Mackley, 2803 N Hwy 89, said tonight the citizens have heard an interesting debate between two
417 philosophies. One of which is very prominent in our society today, is called socialism and the other which is not
418 so prominent but is coming back is called freedom. The legal profession and other professions have relied upon
419 their expertise in certain ways to achieve their goals. We have seen some political profession tonight which can be
420 good sometimes. There was a Council member that said in a meeting on this item that the constitution was not
421 considered in this ordinance. He found that disturbing when each elected official has taken an oath to uphold the
422 constitution. He said he hopes that those who have different opinions than his could talk with him sometime.

423
424 Council Member Harris said it was mentioned that we are closing on the McCormick property tomorrow and
425 asked if there is an update on a tenant for that building. Edward O. Dickie III said he has met with the North
426 Ogden Historical Museum Committee and we have a contract for them to review which will then come back to
427 City Council. Council Member Harris said the Grand Marshal Dinner was delightful and added that Lorrie
428 Frazier does a wonderful job. The food was good, the speaker was good, and everyone was relaxed and happy.

429
430 Council Member Bigler said on our website where it talks about candidate requirements, it says candidates must
431 be a registered voter for North Ogden City for 12 months and a resident of North Ogden City for 12 months.
432 Annette Spendlove said she will look at that.

433
434 Council Member Taylor said there is a new tab on the website that has all the documents and information on the
435 proposed public works complex. He said the committee has been working hard. He explained there will be a
436 booth at Cherry Days as well as some open houses coming up next month.

437
438 Council Member Turner said the garden is looking great and there has been a lot of interest in it. He reminded
439 everyone that on July 1 you can pick up your packet and run for office.

440
441 Debbie Cardenas said the new retirement system goes into effect July 1, 2011. Anyone we hire on or after July 1
442 will be considered a tier 2 member. The immediate effect is that we offer long term disability benefits. For new
443 tier 2 members if we offer them that benefit the city would be required to pay into the retirement system. We
444 have not budgeted for that so they are asking us to state whether we will offer that. We will not be offering that
445 benefit to tier 2 employees. Edward O. Dickie III said we have been holding off hiring because of this and starting
446 July 1 there is less cost to us. That's one of the reasons we have held off on hiring.

447
448 **ADJOURNMENT.**

449
450 Council Member Turner moved to adjourn. Council Member Harris seconded the motion.

451
452 **Voting on the motion:**
453 **Council Member Harris** **yes**
454 **Council Member Bigler** **yes**
455 **Council Member Taylor** **yes**
456 **Council Member Turner** **yes**

457
458 **Voting was unanimous. The motion passed.**

459

460 The meeting adjourned at 7:51pm.

461

462

463

464 _____
Richard G. Harris, Mayor

465

466

467

468 _____
S. Annette Spendlove, MMC

469 City Recorder

470

471

472

473 _____
Date approved

NOT APPROVED