

## NORTH OGDEN CITY COUNCIL MEETING MINUTES

April 24, 2012

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

PRESENT:	Richard G. Harris	Mayor	
	Wade Bigler	Council Member	
	Kent Bailey	Council Member	
	Justin Fawson	Council Member	
	Dave Hulme	Temporary Council Member	
	Cheryl Stoker	Council Member	
STAFF PRESENT:	Annette Spendlove	City Recorder/HR Director	
	Craig Barker	Community Development Director	
	Dave Nordquist	Community Services Director	
	Polo Afuvai	Police Chief/Acting City Manager	
	Julia LaSeure	Deputy City Recorder	
	Jennifer Thomas	Deputy City Recorder	
	Tiffany Staheli	Assistant Aquatic Center Manager	
VISITORS:	Bryan Steele	Kory Cox	Lorraine Reynolds
	Patty Sundt	Norma Bouy	Jim Suhr
	Ron Kirkbride	Carl Turner	Gina Kochendorfer
	Clark Crowther	Mike Mayhew	Joan Vargas
	Stacey Giatras	Rachel Trotter	Paul Huntsman
	Paul Mackley	Mason Clark	Braden Hoffmann
	Chandler Clark	Michele Clark	Dale G. Swenson
	Ronald Chandler		

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

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

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

### CONSENT AGENDA

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

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

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

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

**Voting on the motion:**

<b>Council Member Bigler</b>	yes
<b>Council Member Bailey</b>	yes
<b>Council Member Fawson</b>	yes
<b>Council Member Hulme</b>	yes
<b>Council Member Stoker</b>	yes

**The motion passed unanimously.**

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

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

**Voting on the motion:**

<b>Council Member Bigler</b>	yes
<b>Council Member Bailey</b>	yes
<b>Council Member Fawson</b>	yes
<b>Council Member Hulme</b>	yes
<b>Council Member Stoker</b>	yes

**The motion passed unanimously.**

**ACTIVE AGENDA**

**7. PUBLIC COMMENTS**

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

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

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

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

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

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

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

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

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

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

#### **8. PRESENTATION OF A 5-YEAR SERVICE PIN TO TIFFANY STAHELI**

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

#### **9. DISCUSSION AND/OR ACTION TO CONSIDER A MUNICIPAL CLERK PROCLAMATION**

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

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

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

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

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

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

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

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

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

Mayor Harris opened the public hearing.

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

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

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

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

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

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

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

**Voting on the motion:**

<b>Council Member Bigler</b>	<b>yes</b>
<b>Council Member Bailey</b>	<b>yes</b>
<b>Council Member Fawson</b>	<b>yes</b>
<b>Council Member Hulme</b>	<b>yes</b>
<b>Council Member Stoker</b>	<b>yes</b>

**The motion passed unanimously.**

The public hearing closed at 7:20pm.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mayor Harris asked Annette Spendlove to read it back exactly as it should be.

Annette Spendlove read the ordinance. "The keeping of swine of any species including pigs is not permitted within corporate limits of the City, except two pigs may be kept on a temporary basis on a one acre or larger parcel between April 1st and August 31st for 4-H projects subject to 4-H standards."

Annette Spendlove expressed concern of not having those 4-H standards present so everyone can know what they are voting on. It would be best to have a clean copy so all the Council understands.

Council Member Bailey proposed moving the date from April 1 to August 15, or connecting it to the Weber County Fair dates. He also said he wants to add something protecting neighbors. Council Member Hulme said then they would be in violation. Council Member Stoker said if you are not in compliance, you will be shut down.

Council Member Bigler mentioned tabling this item, and reviewing the 4-H standards in the meantime between now and the next meeting.

Council Member Fawson withdrew his motion and Council Member Hulme withdrew his second.

**Council Member Bigler moved to table this item until May 8, 2012 and continue to allow an ok to the residents to still do this. Council Member Stoker seconded the motion.**

**Voting on the motion:**

<b>Council Member Bigler</b>	<b>yes</b>
<b>Council Member Bailey</b>	<b>yes</b>
<b>Council Member Fawson</b>	<b>yes</b>
<b>Council Member Hulme</b>	<b>yes</b>
<b>Council Member Stoker</b>	<b>yes</b>

**The motion passed unanimously.**

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

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

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

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



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

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

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

**Voting on the motion:**

<b>Council Member Bigler</b>	<b>yes</b>
<b>Council Member Bailey</b>	<b>yes</b>
<b>Council Member Fawson</b>	<b>yes</b>
<b>Council Member Hulme</b>	<b>yes</b>
<b>Council Member Stoker</b>	<b>yes</b>

**The motion passed unanimously.**

The public hearing closed at 8:18pm.

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

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

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

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

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

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

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

**Voting on the motion:**

**Council Member Bigler**            yes  
**Council Member Bailey**        yes  
**Council Member Fawson**        yes  
**Council Member Hulme**        yes  
**Council Member Stoker**        yes

**The motion passed unanimously.**

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

Mayor Harris introduced Ron Chandler as the new City Manager.

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

**Voting on the motion:**

**Council Member Bigler**            yes  
**Council Member Bailey**        yes  
**Council Member Fawson**        yes  
**Council Member Hulme**        yes  
**Council Member Stoker**        yes

**The motion passed unanimously.**

**15.     PUBLIC COMMENTS**

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

**16.     COUNCIL COMMENTS**

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

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

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

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

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

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

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

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

## 17. ADJOURNMENT

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

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

<b>Council Member Bigler</b>	<b>yes</b>
<b>Council Member Bailey</b>	<b>yes</b>
<b>Council Member Fawson</b>	<b>yes</b>
<b>Council Member Hulme</b>	<b>yes</b>
<b>Council Member Stoker</b>	<b>yes</b>

**The motion passed unanimously.**

The meeting adjourned at 8:41pm.

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Richard G. Harris, Mayor

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S. Annette Spendlove, MMC  
City Recorder

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Date approved

## ATTACHMENT A

29 February 2012

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

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

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

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

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

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