

1 **NORTH OGDEN CITY COUNCIL MEETING MINUTES**

2
3 May 31, 2011

4
5 The North Ogden City Council convened in regular session on May 31, 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 May 24, 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
13 Ron Flamm Council Member
14 Martha Harris Council Member
15 Brent Taylor Council Member (arrived 5:40 pm)
16 Carl Turner Council Member
17
18 **STAFF PRESENT:** Edward O. Dickie III City Manager
19 Annette Spendlove City Recorder/HR Director
20 Dave Carlson City Attorney
21 Debbie Cardenas Finance Director/Acting City Manager
22 Julia LaSeure Deputy City Recorder
23 Mel Blanchard Public Works Director
24
25 **VISITORS:** Parker Spendlove Pam Trimble
26 Brian Bott Larry Florence
27 Reese Barker LaVern Cottrell
28 Jim Harris Dave Hulme
29 Steve Barker Rosemary Jones
30 Cameron Spendlove Justin Fawson
31 Elaine H. Brown Susan E. Hancock
32 Gordon Robson Reid Brown
33 Shantel Clark Slade Opheikens
34 K. Scott Barker Lorna Barker
35 David Brown G. G. Evan
36 Wallace Gross Susan Barker
37 Jenny W. Barker Scott Cope
38 Cade Cope Don Mathewson
39 Dee Venable Betty Venable
40 Dan Graves Ruth Graves
41 Robert Wallis Dale Anderson
42 Josh Davenport Aloma Blaylock
43 Richard Blaylock John Arrington
44 Roger D. Howell Bryce Barker
45 Shirlee Nelson Lincoln Nelson
46 Janean Haeffele Kenny Haeffele
47 Bruce Christensen Lee Ann Christensen
48 Shan Hellstrom Grant Carver
49 Shelley Carver Lana B. Tolman
50 Barbara T. Rogers Craig H. Rogers
51 Beverly Cox Bruce Hall

52	L. Steve Davies	Bob Christoffersen
53	Heidi Gross	Mike Gross
54	Shauna Shaw	Blake Knight
55	Fred B. Brown	Marilyn Brown
56	Fern Barker	Bonnie Brueckner
57	Peggy Barker	Leslie Liechty
58	Rod Barker	Dallin Barker
59	Rachel Trotter	Richard Kotter
60	Nancy Dean	Kimberly Read
61	Dan Carter	Kyan Brown
62	Katie Brown	Tracy Barrett
63	Max Barker	Marianne Barker
64	Susan Dunn	Lisa Johnson
65	Michelle Johnson	Rakel Elmer
66	Stormie Elmer	Chaz Elmer
67	Janice M. Smith	L. Scott Fronk
68	Scott N. Fronk	Dixi Rivas
69	Jeff Rivas	Clay Whittemore
70	Nancy Whittemore	Reed Mackley
71	Randy Venable	Janice Venable
72	Richard Wurm	Brent Shaw
73	J. Thomas Sawyer	Lonnie Barker
74	Lyman Barker	Jean Barclay
75	Dan Barney	John Hansen
76	Joakim K. Orton	Shawn S. Barker
77	Diane Russell	Meridee Spendlove
78	Merrill Spendlove	Khayden Spendlove
79	Taylor Spendlove	Harrison Spendlove
80	Jackson Winters	Addison Winters
81	Cheryl Stoker	Barbara Wiley
82	Stacie Cain	Shelli Smith
83	Roger Brown	Julie Anderson
84	Christie Hansen	Cameron Hansen
85	Sherice Hansen	Lorna Barker
86	Ann Barker	Phillip Swanson
87	Alan Tomalino	John Erickson

88
89 **WELCOME**

90
91 Mayor Harris welcomed those in attendance and thanked them for their interest in City government. Council
92 Member Harris gave the invocation and led the audience in the Pledge of Allegiance.

93
94 **CONSENT AGENDA**

- 95 1. Consideration to approve minutes of the April 26, 2011 City Council meeting.
96 2. Consideration to approve minutes of the May 10, 2011 City Council meeting.
97 3. Consideration and/or action to approve business licenses.
98 4. Consideration to set June 14, 2011 as a date to hold a public hearing to receive comments on amendments
99 to the budget for fiscal year 2010-11.
100 5. Consideration to set June 7, 2011 as a date to hold a public hearing to receive comments on an
101 Entertainment Overlay Zone.

102 6. Consideration to set June 7, 2011 as a date to hold a public hearing to receive comments on the 2011
103 Tentative Budget and Redevelopment Agency 2011 Tentative Budget.
104

105 **Council Member Harris moved to approve Consent Agenda items 1-6. Council Member Flamm seconded**
106 **the motion.**

107
108 **Voting on the motion:**

109 **Council Member Harris** **yes**
110 **Council Member Flamm** **yes**
111 **Council Member Bigler** **yes**
112 **Council Member Turner** **yes**
113

114 **Voting was unanimous. The motion passed.**
115

116
117 **PRESENTATION OF MASTER MUNICIPAL CLERK CERTIFICATION TO CITY RECORDER**
118 **ANNETTE SPENDLOVE.**
119

120 Nancy Dean and Kim Read of the Utah Municipal Clerks Association presented Annette Spendlove with a
121 beautiful plant and congratulated her for earning her Master Municipal Clerk (MMC) designation from the
122 International Institute of Municipal Clerks (IIMC). Nancy Dean stated that this is a very prestigious award and
123 explained that Annette first had to meet the requirements of the Certified Municipal Clerk (CMC). That
124 designation requires a minimum 120 hours of University level education and 60 experience points.
125

126 Council Member Taylor arrived at 5:40pm.
127

128 Nancy Dean went on to explain that Annette has fulfilled all the requirements to earn her CMC and has gone on to
129 meet the requirements of the MMC. She said Annette could not have achieved this without the City's support and
130 expressed her thanks to the City for allowing Annette to be a part of the Utah Municipal Clerks Association
131 (UCMA). She said Annette is the Education Chair and did a tremendous job with the UMCA Spring Conference.
132

133 Mayor Harris then presented Annette with a plaque from the IIMC. Nancy Dean explained that there are over 200
134 Municipal Clerks in the State of Utah and only 32 of them have received their MMC designation. She said this
135 really is a prestigious award.
136

137 The City Council congratulated Annette on her accomplishment.
138

139
140 **PUBLIC WORKS COMPLEX UPDATE.**
141

142 Mayor Harris stated that rumors and misinformation has been going around. He asked that any comments from
143 the public be held until he is finished presenting a PowerPoint presentation which is attached as Attachment A.
144 He said, regarding the concerns about property in Barker Park, that all we have at this point is a proposal and no
145 decisions have been made. The City will honor the promises that were made previously by former City officials.
146 He stated that there will be no applause or booing allowed and asked that those making comments are brief and
147 respectful.
148

149 LaVern Cottrell, 645 E 3300 N, president of the North Ogden Historic Museum, said she started with the Museum
150 Committee five years ago. She said one concern they have is that they are in the existing public works building
151 and will have to start looking for a home. They are currently bursting at the seams and need to find a new place.
152 It has been proposed that the Museum move into another home and she said that would be a perfect place for

153 them. They have prepared a document listing ways that they can help the City. This document was distributed to
154 the Council and is attached as Attachment B. She stated that the house they are looking at is in North Ogden Park
155 and it would be perfect although there are some issues that they feel they can address.
156

157 Elaine Brown, 901 E 2600 N, read from a document that is attached as Attachment C. She also read the following
158 excerpt from Cowboy Ethics – What Wall Street can learn from the code of the West: The code of the west; live
159 each day with courage, take pride in your work, do what has to be done, be tough but fair, when you make a
160 promise, keep it, ride for the brand, talk less and say more, remember that some things aren't for sale, know where
161 to draw the line. She thanked the City Council for what they do and her nephew presented the Council Members
162 with copies of the book.
163

164 Bruce Hall, 2548 N 1550 E, in the Heritage Grove Subdivision, said he has approached the City Council several
165 times about this topic. He asked about the remainder of the sites that still exist because evidently there are other
166 sites available and he would like them made public. The City Council answered no to that request. Mr. Hall said
167 last fall there was some property made available and it looks like since then the size of the building has increased.
168 He added that storing 14 dump trucks for most of the year is inefficient.
169

170 Shawn Barker, 2592 N. Barker Pkwy, thanked the Mayor for saying that the park will be left as it was intended.
171 He said he runs and if you ask a runner who runs in North Ogden where their favorite place to run is, they will tell
172 you the area around Barker Park. To put a facility like this in that area would be absolutely horrific. People
173 would not be happy. He said wherever this facility goes, if it is in a non-industrial area, he asked that multi-use
174 zoning be considered. If we are going to have a large public facility in a residential area they should also have the
175 opportunity to have their own shops and neighborhood markets.
176

177 Dee Venable said he was the shop superintendent for Weber County and he doesn't think we are thinking far
178 enough ahead for the needs of the City. There is a lot of property available. Right across from the pool there is
179 property available. He asked if the City has thought about going in with Pleasant View and Harrisville to put in a
180 park and ride there. Public employees are on call for snow removal 24 hours a day. He said he doesn't think
181 North Ogden is looking far enough ahead. He said he doesn't think the environmentalists would allow this type
182 of facility to be built on the creek bed in Barker Park. He was disappointed with the pool and felt it should have
183 been done with other cities and now we have a pool without a cover and with a lot of problems. He said we need
184 to look at expansion. We need overhead cranes, not just lifts and we need huge capacity. When you get a truck
185 loaded down with salt and sand and try to lift it with a two ton jack you have problems and are endangering your
186 employees. He doesn't think this would comply with the EPA standards and he also asked that we consider
187 getting together with Pleasant View, Harrisville and others to go in on a park and ride with shops, etc. that would
188 benefit the employees and the people.
189

190 Roger Brown, 567 E 1900 N, said he was looking at the cost of this building and the detail and design of it. He
191 said you can make it attractive without it being so fancy. The old Weber High is a perfect example of what a
192 school should look like. He said the government doesn't budget well and his concern is the extravagance of the
193 designs for this complex.
194

195 Julie Anderson, 940 E 2600 N, thanked the City Council for listening to the residents and for the information and
196 the promise to honor the agreements that were made. She read from a document for Steve Huntsman who was
197 unable to be here tonight. This document is attached as Attachment D. She said she thinks the house in North
198 Ogden Park would be a great place for the museum.
199

200 Peggy Barker, 2553 N. Fruitland Dr., said her mother asked her to say a few words. Her parents sold part of the
201 land for Barker Park with her uncle and aunt. The City requested of her parents and aunt and uncle that they sell
202 the land to the City for a park. As a family they decided to keep this beautiful land as a park and sell it to the
203 City. Mayor Harrop showed a plan for trails, etc. and instead we have a large amphitheater with loud movies,

204 battle of the bands and kids running through the rest of their land. She said they continue to work the land. She
205 said the sale of 16 lots was supposed to fund the development of the park and asked where the money is. She said
206 we may need the new facility but she does not believe that it would be tucked into a corner. The plan was shown
207 that there is very little open land in North Ogden and she said commercial or industrial areas is where this
208 complex should be built.
209

210 Dave Brown, son of Elaine, 3090 W 700 S, Syracuse, said he has been with USDA Rural Development for 32
211 years and understands the problems with NIMBY (not in my back yard). It is a difficult task and he said it is nice
212 that there is still an openness to listen to the public. His only input would be to make certain that this promise is
213 good for the people and he said the City can do that by amending the deed to ensure that future councils don't run
214 into the same enticing desire to put their need ahead of the people's wants. There is never going to be a place that
215 is perfect but it would be better to deal with the future site in an upfront public way and not give the illusion to the
216 public that previous agreements mean nothing.
217

218 Steve Barker, 1266 E 3075 N, said he wasn't going to say anything tonight but wants people to be aware that
219 when his parents sold the property there were agreements and contracts and lawyers, etc... He said they did their
220 best to make sure that this would not occur.
221

222 Christie Hansen, 1069 E 3400 N, said as they were driving past on 2600 N her children saw the sign about Barker
223 Park and they were really upset. She said her children would speak for themselves and tell the Council what they
224 see there. Sherice Hansen said she likes driving past and seeing the deer in Barker Park. Cameron Hansen said
225 he likes seeing the deer also. Christie said they just got back from Yellowstone and commented that they don't
226 have to go to Yellowstone to see those animals they can see more of them in Barker Park.
227

228 Reid Brown, 167 W. Newbury Ln., said he is an engineer, a contractor, and has been around the world. His father
229 decided in the 1940's to raise his family here. His Dad gave his life so we could have these freedoms, he served
230 in WWII. Back in the 1950's his Dad served on the Planning Commission and City Council. He said the sewer
231 system is in place today because of his Dad and the decisions that were made by him and the other members of
232 the Planning Commission and City Council. We need to preserve the legacy of North Ogden. He said he was
233 surprised by the enormous cost of the estimates for this complex. He assured the City that if proper consideration
234 was given to contracting these services out the City would save money. He feels it is very inefficient to store
235 these vehicles. He said he understands the cost of things like heating, storage and fuel but he believes enormous
236 amounts of money could be saved.
237

238 Lorna Barker, 997 E 2600 N, said the land was hers and it was sold as a park, not sold to North Ogden City. She
239 said she feels better now that it was decided that it is going to stay Barker Park.
240

241 Ann Barker, 1018 E 2700 N, said her family is from North Ogden and when she chose to build her retirement
242 home in North Ogden, she chose North Ogden because it is so peaceful and quiet and has a great quality of life.
243 She said we have a resource that is very unusual for a City in that it is a gorgeous area with the valley, the
244 mountain, the views and the wildlife. She said she lives in Fawn Hollow Subdivision and it was named that
245 because there is a hollow there and in that hollow there are deer. She said this would be a real tragedy for the
246 City.
247

248 Dale Anderson, 940 E 2600 N, informed the Council that they can probably blame him for the attention that has
249 been brought to this. He read from a document which is attached as Attachment E.
250

251 Brice Barker, 2492 Barker Pkwy., said the only reason this property was sold was to be used as a park.
252

253 Kenny Haefele, 1132 E 3935 N, said he would not have known about this meeting if not for the signs put up by
254 Mr. Anderson. He mentioned that the current complex is on 2.5 acres and asked if there is a reason that the

255 complex couldn't be split between two properties? He said he thinks the best way to proceed would be to let the
256 people decide; present all the options and have a vote.

257
258 Leland Davies, 2675 N 850 E, said he is close to the proposed site. He has been coming to North Ogden since
259 1964 and it is beautiful. He expressed his appreciation to the Barkers for donating that spot for our children to
260 enjoy. He said this area is very beautiful. He asked whether there is room near the green waste pit for this type of
261 facility. Council Member Flamm said there are restrictions there. Mr. Davies said a lot of the trucks wouldn't
262 need to be kept at the facility year round. He asked the City to not take our beauty and put a truck in it.

263
264 Phillip Swanson, 1066 E 3300 N, said he and his family moved here from the Phoenix area and they know what a
265 lack of urban planning can do to a community. They landed in North Ogden by chance and it has been like going
266 to Mayberry, they didn't believe places like this existed. He is concerned at the rumored ways that things are
267 happening. There are several commercial and industrial areas. The area near the pool and fire dept. seems like
268 the best fit for this type of building. His opinion is that the area on 2550 N would be a great place. If we are going
269 to spend 8.5 million dollars why not just spend 10 million and put in a community center too? We could
270 revitalize the area at the same time.

271
272 Alan Tomalino, 1112 E 2625 N, said he is fairly new here. He works at Hill AFB and wanted to live close to
273 there. He mentioned the chemicals that can leech into the ground water. He said he does not look forward to the
274 smell of fumes in the morning and if this goes in he will leave. He hopes the decision that is made is a
275 responsible one. He asked that the Council please factor in the cost of cleaning up the existing site. He
276 appreciates the ideas he has heard tonight and hates to see ideas from the community not used to come up with the
277 best solution.

278
279 Roger Howell, 1093 E 2050 N, said he is curious to see by a show of hands how many people came tonight to say
280 "Stay out of Barker Park." He said he doesn't think government appetites are ever satisfied. He submitted that
281 the greater good is not a 50 year maintenance facility, which is what it would look like after several years, a dirty
282 maintenance facility. He said he thinks the greater good is a 350 year maintenance facility.

283
284 Rod Barker, 2524 N. Barker Pkwy., said his Dad was one of the ones who sold the property. He said he
285 appreciates the City Council and everyone who came here tonight. He suggested that we not worry about what is
286 convenient. He has found that the convenient thing is rarely the right thing to do. He said he works in Salt Lake
287 City but he chose to move back to North Ogden. It isn't convenient commuting but he said he made the right
288 decision. If he worried about convenience he wouldn't have had eight children. It's not convenient but he
289 wouldn't change it for anything. He said his father Ray walked many miles across that farm. Everywhere he went
290 he carried a shovel and dug out weeds and dyers woad. That is not a convenient thing to do but it makes North
291 Ogden a little bit better place to live in. He encouraged the City take convenience out of the picture.

292
293 Richard Wurm, 977 E 2650 N, said when he and his wife were newlyweds they bought a house in this area
294 because there was a big sign showing Barker Park. It had a picture of what the park was going to look like.
295 There is no park. They didn't have kids at the time but thought this is a great place, right around the corner from
296 a park. He said if he knew this was going to happen he never would have bought that house. He said a deal was
297 made with the Barker's for that to be a park. He said it may cost \$1 million more to go somewhere else but if the
298 City had paid fair market value for that land they would have never bought that land because it wouldn't have
299 been feasible to buy it. He said Mayor Harris has a nice view from his house and asked him how he would like
300 to have a maintenance building behind his house. He said he doesn't want it in his backyard. Mr. Wurm stated he
301 is not happy with the City Council or with our City government. He said when he looks up at the Council he sees
302 maybe two members that he would trust and the rest are smoke and mirrors. Mayor Harris reminded Mr. Wurm
303 that no personal attacks or anything like that would be tolerated. Mr. Wurm said that was not a personal attack
304 and there is a difference between the Council and the residents. The Council was elected to be the residents'
305 voice. He suggested that if the Council likes their job they should do their job because the residents voted them in

306 and they can vote them out. He reminded the City Council that they work for the citizens of North Ogden; this is
307 not the Council's town.

308
309 Tom Sawyer, 1106 E 2925 N, said he and his wife saw a beautiful buck in the park last October. His wife was
310 going through chemo at that time and didn't have much life left but it renewed her. He said every time he sees a
311 buck there he is renewed.

312
313 Bob Christofferson, 279 Elberta Dr., said he has lived in North Ogden for over half a century. He complimented
314 the City Council for sponsoring a Youth City Council. The Kiwanis and the Youth City Council cleaned up the
315 highway from the center of the City to the Flying J. He said the Kiwanis appreciate them.

316
317 Mayor Harris thanked the public for their civility and stated the City Council would take these comments under
318 advisement.

319
320 Council Member Bigler said, regarding the cat getting let out of the bag, what happened was as soon as the
321 agenda is put in place the entire packet is put online. Part of that was a memo that was posted to the website. He
322 said he is not going to address any names or attack any one person but he wants to tell the public his opinion
323 because they have not changed through this process. When you talk about the City Council you are talking about
324 five members. He said personally he wants a thriving business sector and for us to keep residential areas
325 residential. He is against putting this in a residential area. There has been a lot of bantering back and forth about
326 residential zones being everywhere; but there are areas that would be better than others. Every time this site has
327 come up he has opposed it and as the process has continued it's been frustrating because he felt that his words
328 have fallen on deaf ears. A public hearing is required for the City to bond to build a public works facility and he
329 has been saying that we have been doing this process backwards. He feels we need to include the public in the
330 beginning; the public hearing should be held in the beginning not at the end because it's legally required. He
331 would rather do it up front to hear the input from the residents and if we had done that we would have found out
332 about the document about Barker Park a lot sooner. He thinks we would do well in the future to include the
333 public every step of the way. He explained that usually the Thursday before a Council meeting the agenda gets
334 put on the website along with the packet which details everything on the agenda. It's available to everyone and is
335 the exact packet the City Council members get to study for the meeting. As he was looking on there he saw the
336 memo requesting a vote on the Barker Park site for this facility. He said that was not a Council decision and that
337 is the first he heard of it. Immediately after seeing that memo he emailed the Mayor and City Council. He read
338 from that email which is attached as attachment F. He expressed concern that this is picking up steam because
339 some Council members want this so badly. He has heard lower interest rates, lower construction costs and
340 comments that it needs to be pushed through before the next election. He is more concerned with doing it right
341 and building it in the right spot which he feels should be a commercial area. He said he feels that it is being
342 rushed through too fast. We have not even had a public hearing for the bond. He said he has a concern with the
343 process of this Public Works Committee; three City Council Members cannot be on the committee because then
344 you have what's called a quorum and then you get the majority vote. There are two City Council members on
345 that committee. He is concerned about who was chosen as the chairman of the committee, which is Council
346 Member Harris' husband. He suggested that physically we are keeping the law in that Council Member Harris is
347 not in that meeting but he thinks it's a huge conflict of interest. He added that he has been very impressed with
348 Jim Harris and thinks he is sharp as a tack. Council Member Bigler doesn't think Jim Harris has done anything
349 unethical at all but he thinks there is a conflict. Essentially you have three Council Members on that Committee.
350 It is safe to assume that this is going to be voted on to be built. He said if Jim Harris was going to be the project
351 manager then Council Member Harris should have been one of the two Council Members on the Committee; not
352 two Council Members and her husband. He said he hopes we don't just try to worry about what we legally can do
353 and not even listen to any other voices. It's not just about what we can legally do, we should look at what is right.
354 He said he is against putting it in a residential area and is frustrated because he wonders why we keep putting it in
355 a residential area. We are really strict on what you can do in a residential zone. What about the exhaust, the
356 traffic, the safety issues, the noise, none of that should be in a residential zone. The government should not be

357 above the people just because we legally can. He said he is all for the input of the people and we are here to serve
358 the residents.

359
360 Council Member Harris said that Brian Bott is not on the Planning Commission as was stated earlier and another
361 comment that was made needs some clarification. It was stated that the sale of lots was to go toward developing
362 the park, which is incorrect. The sale of lots was to go toward the cost of purchasing the land.

363
364 Council Member Flamm mentioned that he is on the Public Works Committee and stated Council Member
365 Harris's husband, Jim, has worked as a project manager all his life. He volunteered to do the project management
366 at no cost when to pay an experienced project manager would cost over \$100,000. It is a wonderful benefit to the
367 City that he was willing to serve like this. This project has gone back to 2005 and every year since then this has
368 been discussed. We were trying to decide whether we need a new facility and how big a facility we would need.
369 We went ahead and spent thousands of dollars to have a study done to determine if we really need it and how big
370 it needs to be. That study is on the City's website and is available to everyone. He said he sent an email also
371 regarding the memo requesting a vote. He felt we were premature on that as some open houses were being
372 scheduled. The City Council wants to have people know about this project. The hard part is picking the site
373 because there is not an ideal site in North Ogden. Another option is moving to the Weber Industrial Park but then
374 you have all your equipment miles away and that is terribly inefficient. There is not an ideal place to put it; there
375 are some preferred areas but they are still not ideal. Until we can determine a location and get some contracts we
376 can't announce where those sites are. We do need a new Public Works facility and the current location won't
377 work. He stated that the Council wants to get public opinion and the City is not trying to do things behind the
378 public's back. He expressed appreciation to everyone for coming out tonight.

379
380 Council Member Taylor thanked everyone who came tonight. He said the Council does care and they know they
381 work for the residents. He apologized to the Barker family for the frustration they have been put through. He
382 stated his biggest concern is the lack of public discussion and read from an email from last August which is
383 attached as attachment G. He said it is interesting that same email is relevant now. There is no secret that the
384 City is looking at sites of five acres or more; everybody knows now that the City is looking. He said he wants to
385 remove perceptions of an untoward process. 'Perception is reality' as they say in the Army. His frustration with
386 the process is the lack of citizen input. He said he is comfortable with Jim Harris being project manager and is
387 thankful that he is donating his time. He is comfortable with the checks and balances. He said we need to have a
388 meeting with this neighborhood about what can be done in Barker Park. The City does not have money right now
389 to complete it but he would like us to consider what can be done with volunteer work.

390
391 Council Member Flamm said we still haven't found the ideal location and we looked at these two sites because
392 we own the land. If we can hold down the costs by not having to buy the land it is less that the residents have to
393 pay. He added that it was 16 months ago that the study was presented and he doesn't feel we are pushing this
394 through really fast.

395
396 Council Member Turner said when he ran for public office he did it so he could get more involved in the City. He
397 has been very close to this situation because he lives fairly close to it. He commended the residents for being kind
398 and respectful. He said we need a new public works building; the question is where we are going to put it. He
399 added that we know it's not going to be in Barker Park.

400
401
402 **PUBLIC COMMENTS.**

403
404 There were no public comments at this time.

405
406
407

408 **DISCUSSION AND/OR ACTION TO APPOINT (2) NEW MEMBERS TO THE PLANNING**
409 **COMMISSION.**

410
411 Mayor Harris said he interviewed four applicants for these positions. He proposed that the City Council vote to
412 appoint Cheryl Stoker for the remainder of Bruce Catanzaro's term.

413
414 **Council Member Harris moved to appoint Cheryl Stoker to the Planning Commission for the remainder of**
415 **Bruce Catanzaro's term. Council Member Turner seconded the motion.**

416
417 **Voting on the motion:**

418 **Council Member Flamm** **yes**
419 **Council Member Bigler** **yes**
420 **Council Member Taylor** **yes**
421 **Council Member Turner** **yes**
422 **Council Member Harris** **yes**

423
424 **Voting was unanimous. The motion passed.**

425
426 Mayor Harris proposed that the City Council appoint Blake Knight for the remainder of Jon Bingham's term.

427
428 **Council Member Flamm moved to appoint Blake Knight to the Planning Commission for the remainder of**
429 **Jon Bingham's term. Council Member Turner seconded the motion.**

430
431 **Voting on the motion:**

432 **Council Member Bigler** **yes**
433 **Council Member Taylor** **yes**
434 **Council Member Turner** **yes**
435 **Council Member Harris** **yes**
436 **Council Member Flamm** **yes**

437
438 **Voting was unanimous. The motion passed.**

439
440 **PRESENTATION OF THE LAKEVIEW HEIGHTS HOME OWNERS ASSOCIATION REQUESTING**
441 **THAT SIGNS BE ALLOWED IN THEIR SUBDIVISION FOR THEIR PRIVATE HOA SPECIAL**
442 **EVENTS.**

443
444 Sabrina Stillwell stated that she lives in Lakeview Heights and they have 330 homes in their HOA. She is on the
445 social committee and they do four or five activities every year. She said they have been mailing postcards to the
446 residents but would like to cut their costs so they came up with an idea for banners. They would like to put a
447 banner up on 3300 N and 450 E where the subdivision sign is. She said they have done this twice already but
448 they had a City employee come and say they can't have the sign up. She came to the City and was told that there
449 are no provisions for these types of signs. Staff suggested she come in and have the City Council decide what
450 needs to happen.

451
452 Mayor Harris asked Dave Carlson to look into this. Mr. Carlson said he disagrees with that opinion and feels that
453 it is permitted as long as they keep it on their own property.

454
455 **DISCUSSION AND/OR ACTION TO CONSIDER BORROWING MONEY FROM THE SEWER FUND**
456 **TO PURCHASE THE MCCORMICK PROPERTY LOCATED AT 545 E. 2750 N.**

457
458 Edward O. Dickie III referred to his memo and explained that this property is the northeast corner of North Ogden

459 Park. He said we did get an appraisal on the property by the pit which was very discouraging. He said the
460 question is whether we want to go ahead and sell the pit property and use it to pay off the purchase price of the
461 McCormick property.

462
463 Council Member Bigler asked how we are going to pay that back when we are already strapped for cash. He said
464 the historic museum is wonderful but he thinks it is unfair to lump that in with this proposal. Edward O. Dickie
465 III said it would come from the General Fund. The plan is to pay it back at \$22,000 per year for ten years.

466
467 Mayor Harris said this is a once in a lifetime opportunity and he thinks it is critical that property be obtained.
468 He said sometimes you have to take a risk but we intend to repay that fund. We have done this before and have
469 paid it back. Council Member Bigler said he is against borrowing for this; it's a nicety not a necessity. He thinks
470 we should prepare for the worst and this is not something that is needed right now.

471
472 Council Member Taylor asked if this proposed layout is going to be the extended use of this land. Mayor Harris
473 said this suggestion comes from the Museum Committee. If we acquire that property it has to be master planned
474 and we will need to come up with a plan for that. The issue is that it is available now and only for a short period
475 of time. Council Member Taylor said he likes that there is a plan for doing some renovations here and the
476 likelihood of being able to complete these renovations. He is not comfortable with voting to borrow these funds,
477 in his mind these funds need to be put toward the Public Works facility and reduce the bond. With more
478 information he may change his mind but at this time he will not vote to borrow the money.

479
480 Council Member Bigler said the City Council discussions were that the Museum Committee could use that
481 building now but that wasn't the long term plan. It sounds like if they are going to put tens of thousands of
482 dollars into renovations it is not what we discussed. Edward O. Dickie III said that is correct; the Committee
483 knows it's not forever. It would have to be under contract and we would have to master plan that. Council
484 Member Bigler said he wanted to be clear that we are not purchasing this property for the museum; it is for a
485 future park, that is what was discussed.

486
487 Mayor Harris said the City has committed to having a museum and added this location could be an anchor for a
488 new City center. There are a number of things that could happen. This is a stop gap at this point, it won't be
489 permanent but it could be for several years.

490
491 Council Member Harris asked, if this property were acquired by the City, what type of money is available to put
492 all those renovations into that house and would the Museum Committee be willing to do that for a five year lease?
493 LaVern Cottrell said the answer is yes. She said they have gone over this and over this and every word has been
494 gone over twenty times and changed. The Committee has to have a place; they are totally out of room and they
495 have to have a place that is handicap accessible. Mrs. Cottrell said they have to have some place to go and this
496 is a wonderful thing for them. They do have the money to do the renovations. They would also apply for grants
497 as a 501C organization. It is very inconvenient for them to go through the Public Works office and up those
498 stairs and they have to have more room. Most of their things are stored above the shop area and are totally
499 unprotected.

500
501 Council Member Harris said if this land were to be acquired it's not being acquired for the purpose of having a
502 museum there; lest there be any misunderstanding. North Ogden would not be buying some land for that use.
503 The Museum Committee brings to the City, as a tenant on that land, the opportunity to get some grant money and
504 improve it for the community.

505
506 Council Member Flamm said he is in favor of buying this property. The opportunity will never come again and
507 sometimes you have to take advantage of an opportunity when it comes up. There are some negatives in that area,
508 such as sink holes, high water table, etc.. There are things we would need to do to make that property useable.

509

510 Council Member Turner moved to borrow money from the Sewer Fund to purchase the McCormick
511 property located at 545 E. 2750 N. Council Member Flamm seconded the motion.
512

513 **Voting on the motion:**

514 Council Member Taylor no
515 Council Member Turner yes
516 Council Member Harris yes
517 Council Member Flamm yes
518 Council Member Bigler no
519

520 **Voting was 3 to 2. The motion passed.**
521

522 **DISCUSSION AND/OR ACTION TO DISSOLVE THE BOARD OF ADJUSTMENT AND GIVE**
523 **APPEAL AUTHORITY TO THE ADMINISTRATIVE LAW JUDGE.**
524

525 Dave Carlson, City Attorney, said this was discussed at the last City Council meeting. The proposal is to change
526 the way we handle variances to the zoning ordinance. The issues with the Board of Adjustment in cities like
527 North Ogden is that it is hard to keep them trained and interested because they hear so few matters in a year. This
528 seems to make a lot more sense and the trend has been to move this way.
529

530 Council Member Flamm asked what the next step is if there is an unfavorable decision. Dave Carlson said the
531 applicant could take it to the District Court.
532

533 **Council Member Harris moved to approve Ordinance 2011-11 to dissolve the Board of Adjustment and**
534 **give the Appeal Authority to the Administrative Law Judge. Council Member Turner seconded the**
535 **motion.**
536

537 **Voting on the motion:**

538 Council Member Turner yes
539 Council Member Harris yes
540 Council Member Flamm yes
541 Council Member Bigler yes
542 Council Member Taylor yes
543

544 **Voting was unanimous. The motion passed.**
545

546 **PUBLIC/COUNCIL COMMENTS.**
547

548 Alan Tomalino, 1112 E 2625 N, said one of the people appointed to the Planning Commission is a general
549 contractor and he hopes if there is a conflict of interest that is looked at. Council Member Harris stated that as
550 members of these boards they have the option to recuse themselves.
551

552 Cheryl Stoker, 2447 N. Mountain Rd., said she was on the Board of Adjustment and served almost 2 full terms. It
553 is a neat way to get involved. She said they did receive some training and she appreciated that.
554

555 Rosemary Jones, 2215 N. Mountain Rd., said she is pleased that as a museum they will be able to move forward.
556 They have worked very hard and it is going to be an amenity for North Ogden. They just completed a grant for a
557 storyboard of North Ogden. They did a lot of research and it is amazing how much of the history of North Ogden
558 we are about to lose because those people are passing away. She said they are having an open house this
559 Thursday from 4-6pm. She also mentioned that they got another grant for the dummy line which was a streetcar
560 that came from Ogden to North Ogden. That will be a wonderful display.

561 John Arrington said he is in another organization that does not permit him to come to Council meeting on a
562 regular basis. He said he has been in meetings with this City Council that the public's comments have changed the
563 outcome. He applauds the City's efforts of finding out all the facts. He also applauds the decision to borrow the
564 money to purchase the McCormick property. There are opportunities that come along and from the discussion he
565 is not sure that the building isn't going to forever be for the heritage group. He thinks it is unfortunate that if
566 people disagree with a decision that was made, you make some visual presentation. He said he wants to thank
567 everyone for the recognition for Annette tonight; she is very well deserving in that. He also thanked the Council
568 for allowing the staff members to participate in state organizations that better everybody. It helps everybody in
569 the organization do better.

570
571 Council Member Bigler asked if we are still waiting for one individual to come in for Quail Ponds. He asked for
572 some clarification on this. Edward O Dickie III said we can have Dave Carlson speak to this.

573
574 Dave Carlson said the process of vacating this PRUD has been a lot more complicated than anyone anticipated it
575 would be. The good news is that he thinks we are still on track. There are just a couple of issues that remain to be
576 resolved. There was property in the PRUD that was held in common and we are trying to resolve that; when that
577 property is sold how much will the HOA have to pay to the developer. We are not really involved in this but are
578 trying to mediate.

579
580 Council Member Bigler asked if it can be done without that agreement. Dave Carlson said his understanding is
581 that the one holdout is not going to sign the plat until these things are cleared up. In the new plat that was created
582 a piece of land was turned into a lot and the HOA had agreed to sell that lot to the developer. It is really
583 complicated. There is a lot of contention between certain property owners and the developer. There will have to
584 be an agreement that everybody can live with and there is another issue about changing the declarations that go
585 along with it. There is an old set of CC&Rs that was recorded but that will be made obsolete by the vacation of
586 the PRUD. There is still some negotiation going on.

587
588 Council Member Bigler asked about Phase 3. Dave Carlson said at one point the developer didn't want to include
589 Phase 3 in the new CC&Rs and record a separate set for Phase 3. He has backed off of that and will include it
590 with the others in the CC&Rs.

591
592 Council Member Bigler also asked what the financial advisor is for. Edward O. Dickie III said that is for the City
593 Council if they want to move forward with that. Council Member Bigler said the firm we chose was not to
594 exceed \$18,500. Edward O. Dickie III said they will not exceed \$18,500.

595
596 Council Member Taylor asked if the next Public Works Committee meeting been set? Jim Harris said the next
597 meeting is this Thursday at 4:30pm.

598
599 Council Member Turner asked about the Barker Park deed, Dave Carlson was going to look at a clause being
600 added and recording that document. Mayor Harris said that is correct.

601
602 Council Member Turner said he thinks we should sell the property at the end of 2600 N. Edward O. Dickie III
603 asked if a motion could be made tonight. Dave Carlson said there needs to be a Resolution and we need to give
604 the Mayor and City Administration authority to put that property on the market. The first step is to declare the
605 property surplus. The Council needs a motion to declare the property surplus and grant the Mayor and City
606 Administration authority to sell that property. Edward O. Dickie III suggested that be brought back as an agenda
607 item at a later date.

608
609 Annette Spendlove thanked the City for allowing her to obtain her MMC and mentioned that her family was here.
610 She stated she was able to do all this with eight children. There are three City Council seats up for election.
611 The candidacy filing is July 1-15. She mentioned that in several meetings with City Recorders it has come up

612 that a lot of Cities are charging filing fees. She sent out an email and some of the responses averaged \$29
613 for City Council members and \$40 for Mayor. She suggested charging \$25 for any seat but needs direction from
614 the City Council.

615
616 Council Member Taylor suggested a refundable deposit and said he would be comfortable with refunding it if
617 they actually run.

618
619 Council Member Bigler said he would prefer to not charge a fee to run.

620
621 Council Member Harris said she is fine with it. \$25 is not a huge amount of money and if you run a campaign
622 \$25 is nothing compared to what you are going to be spending.

623
624 Council Member Flamm said he is ok with it also.

625
626 Council Member Turner said he does not like the idea.

627
628 Edward O. Dickie III said Coldwater Creek has the potential of a slide so we are checking that daily. So far it's
629 clear but we have our eyes on it. He reminded the museum committee that the City Council hasn't voted on
630 anything yet as far as letting the museum use that property.

631
632 Mayor Harris said we have been concerned about the slide in Coldwater Canyon because we have had very wet
633 conditions this year which could be an issue. We checked it last week from a helicopter and it looks fine right
634 now but there are still concerns about it moving.

635
636 **ADJOURNMENT.**

637
638 **Council Member Bigler moved to adjourn. Council Member Taylor seconded the motion.**

639
640 **Voting on the motion:**

641 **Council Member Turner** **yes**
642 **Council Member Harris** **yes**
643 **Council Member Flamm** **yes**
644 **Council Member Bigler** **yes**
645 **Council Member Taylor** **yes**

646
647 **Voting was unanimous. The motion passed.**

648
649 **The meeting adjourned at 9:05pm.**

650
651
652
653 _____
654 Mayor Richard G.Harris

655
656
657 _____
658 S. Annette Spendlove, MMC
659 City Recorder

660
661 _____
662 Date approved