

NORTH OGDEN CITY COUNCIL MEETING MINUTES

October 26, 2010

The North Ogden City Council convened in regular session on October 26, 2010 at 5:30 p.m. at the North Ogden City Justice Court. 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 October 20, 2010. Notice of the annual meeting schedule was published in the Standard-Examiner on January 24, 2010.

PRESENT:	Richard G. Harris	Mayor
	Wade Bigler	Council Member
	Martha Harris	Council Member
	Brent Taylor	Council Member
	Carl Turner	Council Member
EXCUSED:	Ron Flamm	Council Member
STAFF PRESENT:	Annette Spendlove	City Recorder/HR Director
	Ed Dickie	City Manager
	Julia LaSeure	Deputy City Recorder
	Gary Kerr	City Building Official
VISITORS:	Dave Hulme	Melanie Rhode
	Karen Humphries	Lance Allen

WELCOME

Mayor Harris welcomed those in attendance. Council Member Turner gave the invocation and led the audience in the Pledge of Allegiance.

Mayor Harris explained that this will be an abbreviated meeting due to flooding at the City Offices.

Ed Dickie, City Manager, said a Police Officer found the flooding sometime during the night and it turned out to be a sewer backup. It destroyed much of the top floor and the lower level. Part of the ceiling fell downstairs; there is significant damage to the City Attorney's office and entry way, as well as the lower main office and the storage room. The kitchen had some damage also. Staff spent all day taking out what we could so we could function. Administration, Utilities and Finance are at the Community Services Building. Building, Planning and Community Development are in the CERT trailer in the lower parking lot behind the Municipal Building. We expect to be out for a couple weeks but it could be even longer.

Council Member Turner asked if any electronics were damaged. Ed Dickie said we do not know of any and added that the CPUs are elevated from the floor. There is quite a bit of damage to furniture though we don't know exactly how much damage. Today is shut off day but we did not shut anyone off. The phones have been transferred and computers are up.

Annette Spendlove, City Recorder, said elections have been changed; they were supposed to be in our building but will be in the Justice Court instead.

Ed Dickie said the disaster cleanup people suggested that we not be in the building at all since this was a type III sewer water break.

Mayor Harris said the disaster clean up came first thing this morning and we met with the insurance adjuster this afternoon. The adjuster said he can get the estimate and then has to call the project manager. He did give us some hope that we can get back in next week. We are hopeful.

Council Member Bigler asked if we have determined what it was. Ed Dickie said it was a blockage in the sewer but we are not sure how it came upstairs. It's taken care of now.

Mayor Harris said we will not be discussing items 10, 11 and 12 tonight.

CONSENT AGENDA

Mayor Harris stated there are eight items on the consent agenda.

Council Member Taylor moved to approve the consent agenda. Council Member Bigler seconded the motion.

Voting on the motion:

Council Member Bigler	yes
Council Member Taylor	yes
Council Member Harris	yes
Council Member Turner	yes

Motion passed.

Council Member Bigler asked if the public hearings can be noticed together to save money. Annette Spendlove, City Recorder, said they are all together in one notice except the CDBG.

PUBLIC COMMENTS.

Melanie Rhode, 1205 E 2100 N, asked if there is a way to allow residents to have chickens for the purpose of getting eggs; is that something the City might consider? She asked can the citizens have a meeting to vote on that or does the City Council need to talk about it first? She said there are some areas of the City that can have farm animals and asked is there a way to allow those who are interested to have that be a consideration.

Mayor Harris stated that the item on the agenda is for agricultural use without animals. The issue of chickens is not before the City Council at this time. Mayor Harris stated a resident can petition the City to change the zoning or the City Council can choose to look into it.

Melanie Rhode asked if they can get a petition of the neighbors to put it on the ballot.

Mayor Harris said the formal process is what we talked about; a resident can petition the City to consider that change or the City Council can choose to address it. A City Council Member would have to request it to be an agenda item.

Council Member Bigler said he doesn't see any reason that we couldn't discuss it in a City Council meeting. He would like to look at what other cities have been doing. He said he has had some people come to him to talk about different things. He said he wouldn't be opposed to putting it on. Mayor Harris stated this will be on a future agenda for discussion.

Council Member Taylor asked whether the Planning Commission has ever looked at this. Is there a history here? Gary Kerr said to his knowledge they have not.

Dave Hulme, 513 E 1700 N, said when the Planning Commission pushed through this item on agriculture they specifically said we are not dealing with farm animals. Each zone takes that into account and it would have to change in each zone. Different zones allow chickens and if they don't he thinks the item would have to come to the Planning Commission first to initiate some sort of thing to be able to include it in their zone whether as permitted or conditional. Ed Dickie, City Manager, said the City Council would discuss it and then pass it on to the Planning Commission. The whole process will be followed.

Council Member Harris said rather than go the route that Council Member Bigler suggested, could a City Council Member direct staff to have the Planning Commission do the initial investigation and come to the Council with their recommendation. That seems like the best route, they will do the investigation and the discussion. Mayor Harris said if the City Council is amenable to that they can direct staff to do that.

Council Member Taylor said he hasn't heard from anyone on this before but he doesn't have a preference. Council Member Bigler said if the City Council could just hear about it the Planning Commission may not even have to talk about zoning issues. He would like to hear what's been done in other cities and if the Council is at all interested then they can have the Planning Commission look into it more.

Mayor Harris directed staff to put it on the next City Council agenda. Council Member Harris reminded everyone of all the public hearings schedules for the next meeting. Mayor Harris said this item will be put on a Council agenda in the near future.

Karen Humphreys, 1365 E 3075 N, asked whether the residents or the City would gather the information on other cities. She said she has looked at what some other cities allow, some are very vague and others are very detailed. She asked which route North Ogden would go. Ed Dickie, City Manager, said staff will look into it but it wouldn't hurt for the residents to find some of that information also.

DISCUSSION AND/OR ACTION TO APPROVE FINAL ACCEPTANCE OF MASON COVE.

Gary Kerr, Building Official, stated the developer for Mason Cove has completed all the items required for final acceptance. He recommends approval which will release the escrow.

Council Member Bigler said it looks like the road is in but they are really not building at this time. Gary Kerr said that is correct.

Council Member Harris moved to approve final acceptance to Mason Cove. Council Member Turner seconded the motion.

Council Member Taylor	yes
Council Member Harris	yes
Council Member Turner	yes
Council Member Bigler	yes

Motion passed.

ACCEPTANCE OF AN ANNEXATION APPLICATION TO BE PROCESSED.

Annette Spendlove, City Recorder, said we have received an application for annexation and are required to send the map to the County Surveyor who reviews it, which has been done, and we

are ready to go through the process. Tonight we are just accepting the application for the annexation process not to be annexed, just to start the process.

Council Member Taylor asked what the process is. Annette Spendlove said tonight if the Council approves this, letters will go out to the Boundary Commission, our Public Works people our Engineer and others to review the proposal. After a period of time it comes back to the City Council to let them know it has been certified by the City Recorder. Then a public hearing is noticed for three consecutive weeks in the paper and after a protest period of 30 days we have the public hearing and then it comes back to the Council to take action on an Ordinance to accept into the City. When the storage units went to record with the County it was discovered that there was a sliver of land accidentally left out, this will clean it up.

**Council Member Taylor moved to accept the application for annexation as described.
Council Member Bigler seconded the motion.**

Council Member Harris	yes
Council Member Turner	yes
Council Member Bigler	yes
Council Member Taylor	yes

Motion passed.

COUNCIL/PUBLIC COMMENTS.

Lance Allan with Waste Management commented on the e-waste collection held by the City. 16 large boxes were collected which hold 500 lbs. each. Between 7,000 and 8,000 lbs. total were collected. He congratulated the City.

Council Member Harris asked when we can do it again. Lance Allan stated that many organizations do it in conjunction with Earth Day or America Recycles Day. He said North Ogden could also do it around Cherry Days. He said we could include other things that can be recycled such as sharps and compost.

Mayor Harris said Waste Management is a great partner to us and they have worked with us on a lot of solid waste issues in the City. We are also working with them on some ideas how to reduce emissions also.

Ed Dickie, City Manager, reminded everyone that he and the Mayor will be gone at the next City Council meeting.

ADJOURNMENT.

Council Member Bigler moved to adjourn. Council Member Taylor seconded.

Council Member Harris yes
Council Member Turner yes
Council Member Bigler yes
Council Member Taylor yes

Motion passed.

The meeting adjourned at 6:11pm.

Richard G. Harris, Mayor

Annette Spendlove, CMC
City Recorder

Dave approved