

## NORTH OGDEN CITY COUNCIL MEETING MINUTES

August 9, 2011

The North Ogden City Council convened in regular session on August 9, 2011 at 5:30 pm in the North Ogden City Council Chambers, 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 August 5, 2011. Notice of the annual meeting schedule was published in the Standard-Examiner on January 1, 2011.

PRESENT:	Richard G. Harris	Mayor
	Wade Bigler	Council Member (arrived at 5:40pm)
	Ron Flamm	Council Member
	Martha Harris	Council Member
	Brent Taylor	Council Member
	Carl Turner	Council Member
STAFF PRESENT:	Annette Spendlove	City Recorder/HR Director
	Edward O. Dickie III	City Manager
	Dave Carlson	City Attorney/Economic Development Director
	Debbie Cardenas	Finance Director/Acting City Manager
	Dave Nordquist	Community Services Director
	Mel Blanchard	Public Works Director
	Julia LaSeure	Deputy City Recorder

### VISITORS:

Fern Barker	Peggy Barker	Barbara Rowley	Amber Baker
Pat Hayes	Alice Green	Shauna Boothe	Sandy Paulovich
Nanette Dixon	Cheryl Stoker	Dianne Clydesdale	Cliff Clydesdale
Linda Stoddard	Douglas Stoddard	Dale Anderson	Julie Anderson
David Al Harris	June Harris	Vanessa Jones	Dennis Crezee
Ann Crezee	Annette Hymas	David Hymas	Ronda Gunther
Richard Wurm	Suzanne Bronson	Brenda Perry	Sara Fawson
Roger Ostler	James Mackley	Jared Mackley	Brian Crittenden
Ken Spaulding	Milena Spaulding	Connie Roylance	Sandra Salas
Sandy Heiner	Cal Heiner	Lee Erickson	Renee Erickson
Amos Salma	Udene Salma	Dorris Calton	John Vondrus
Steve Stewart	Carol Satterthwaite	Keith Ashdown	Jerry Allred
Mrs. Jerry Allred	Lynn Satterthwaite	Mildred Thompson	Keith Hogan
Helen Hogan	Slade Opheikens	Jolyon Walker	Vickie Walker
Ken Johnson	Margene Johnson	Richard Hales	Shirley Hales
Kelly Rallison	Verne Martin	Nancy Martin	Don Colvin
Brian Russell	Bob Napoli	Dale Swenson	Kay Dean
Dennis Bingham	David Parkinson	Leisha Maw	Mark A. Brown
Nicole Finamore	Bradley Finamore	Ned Malan	Nicole Thompson
Susan Walters	Loren Baguley	Curtis Smout	Dick Harrison
Dale Stolrow	Elmor B. Loser	Robert W. Loser	Kelsey Spaulding
Brian Staples	Staci Staples	Bruce J. Hall	Kaye Wilson
Jay Thornock	Guy Thornock	Heidi Gross	Michael Gross
Seth Miller	Shauna Miller	Melanie Hill	Julia Cole
Jeff Cole	Kathleen T. Ostler	Dee L. Johnson	Denny Dunlap

Rakel Elmer	Pete Carreola	Arlene Borgman	Gary Borgman
Pamela Crittenden	Linda Bolton	Doug Bolton	Michael Kincanon
Carolyn White	Gary Summerhays	Tiffany Turner	Harrison Spendlove
Myrl Chugg	Ben Albrechtsen	Nancy Albrechtsen	Taylor Spendlove
Florence Cox	Joan Brown	Don Brown	Charlene Veeder
Steve Quinney	Sherry Maw	Jim Suhr	Pam Trimble
Margaret Beus	Zelma Williams	LaVern Cottrell	Sue Dellos
Michael Dellos	S. Eva	Janice Smith	Doug Sparks
Jason Beal	Tyler Newey	Aaron V. Farr	Sherry Gould
Bob Gould	Nola Warner	Jolene Oyler	Larry Oyler
Virginia Heaton	Gary Rands	Thad Thorpe	Evelyn Wirick
Mirjam Barker	Mary Settlemire	Ron Harris	Marilyn Harris
Aaron Avner	Debbie Donlevy	Ashlee Hunt	Cyndi Hampton
Steve Hampton	Gary Sjoblom	Naomi Foulger	Rod Barker
Shan Hellstrom	Lawrence Residori	Stacey Giatras	Jonathon Giatras
Phillip Swanson	Raylyn Lyells	Gary Lyells	Cay Blackburn
Douglas Roylance	Tamara Briggs	Carol North	Gordon North
DeVere Eckersley	Donna Eckersley	Ryan Lewis	Mariam Smout
Stevan Ellis	Rita Ellis	Kathleen Flamm	Carol Zundel
Steve Zundel	Dave Hulme	Cynthia Summers	Karl Summers
Janneane Shupe	Wright Shupe	Rose Burton	George Burton
Vernon R. Ostlund	Stephen Kendell	Blake D. Cevering	Carl F. Jeerings
Jennifer Scovel	Richard Krebs	Pam Lawrence	John Lawrence
Justin Fawson	Wendell Harrop	Roselene Smith	David Smith
Gene Johnson	Jessie Johnson	Kent Swenson	Chris Stegen
Paul Harding	Wright Shupe	Jerry Shaw	Glenn Donnelson
Roger Howell	Bill Treadway	Gary Wolthius	Gary Attebery
Doug Anderson	Barbara Schuster	Kent Bailey	Scott Russell

## **WELCOME**

Mayor Harris explained that due to the number of residents present exceeding the capacity of the Council chambers the meeting will be moved to the North View Senior Center.

**Council Member Harris moved to recess and reconvene at the Senior Center. Council Member Turner seconded the motion.**

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

<b>Council Member Harris</b>	<b>yes</b>
<b>Council Member Flamm</b>	<b>yes</b>
<b>Council Member Taylor</b>	<b>yes</b>
<b>Council Member Turner</b>	<b>yes</b>

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

The meeting recessed at 5:31 pm and reconvened at the Senior Center at 5:40 pm.

Mayor Harris called the meeting to order at 5:40 pm and welcomed everyone in attendance. He explained that the City was required by law to convene in the City Council chambers because that is the location stated in the meeting notice. He said there are quite a few open chairs toward the center of the room.

Edward O. Dickie III, City Manager, offered the invocation and led the audience in the Pledge of Allegiance.

**CONSENT AGENDA.**

1. Consideration to approve Business Licenses.
2. Consideration and/or action to approve the minutes of the July 12, 2011 City Council meeting.
3. Set August 23, 2011 as the date to hold a public hearing regarding amendments to Section 11-22-8-1-C of the City's Zoning Ordinance to add vertical banners.

**Council Member Taylor moved to approve the Consent Agenda. Council Member Turner seconded the motion.**

**Voting on the motion:**

<b>Council Member Harris</b>	<b>yes</b>
<b>Council Member Flamm</b>	<b>yes</b>
<b>Council Member Bigler</b>	<b>yes</b>
<b>Council Member Taylor</b>	<b>yes</b>
<b>Council Member Turner</b>	<b>yes</b>

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

**4. PUBLIC COMMENTS.**

Mayor Harris asked the public to be brief and hold any comments regarding the public hearing until that time.

There were no public comments.

**5. DISCUSSION AND/OR ACTION REGARDING A PROPOSAL BY THE NORTH OGDEN HISTORICAL MUSEUM TO LEASE THE CITY BUILDING LOCATED AT 550 EAST 2700 NORTH.**

Edward O. Dickie III referred to a memo from Dave Carlson, City Attorney. He explained that staff has had several meetings with the North Ogden Historical Museum and the proposed terms have been incorporated into the lease which is now before the City Council for review and approval.

**Council Member Harris moved to approve the lease agreement between the City and the North Ogden Historical Museum for a building located at 550 E 2700 N. Council Member Taylor seconded the motion.**

**Voting on the motion:**

<b>Council Member Flamm</b>	<b>yes</b>
<b>Council Member Bigler</b>	<b>yes</b>
<b>Council Member Taylor</b>	<b>yes</b>
<b>Council Member Turner</b>	<b>yes</b>
<b>Council Member Harris</b>	<b>yes</b>

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

**6. DISCUSSION AND/OR ACTION TO ACCEPT AN ANNEXATION APPLICATION FOR 40.61 ACRES LOCATED AT APPROXIMATELY 175 EAST 2550 NORTH, NORTH OGDEN, UTAH.**

Annette Spendlove, City Recorder, referred to a memo and an application for annexation of property located at approximately 175 E 2550 N. She explained that tonight the Council is only accepting the application. This would come back at a later date for further action.

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

**Voting on the motion:**

<b>Council Member Bigler</b>	yes
<b>Council Member Taylor</b>	yes
<b>Council Member Turner</b>	yes
<b>Council Member Harris</b>	yes
<b>Council Member Flamm</b>	yes

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

**7. DISCUSSION AND/OR ACTION TO APPROVE A RESOLUTION APPOINTING ELECTION POLL WORKERS AND THEIR COMPENSATION.**

Annette Spendlove, City Recorder, explained that Utah State Code requires the City to appoint election judges and alternates as well as to compensate them for their service.

Council Member Bigler asked how the judges are chosen. Mrs. Spendlove stated that Weber County submits a list to her and she tends to use some that have worked for us in the past because of their knowledge. She also get phone calls from interested persons and considers them when a positions is available.

**Council Member Taylor moved to approve Resolution 15-2011 to appoint Election Judges and set their compensation. Council Member Bigler seconded the motion.**

**Voting on the motion:**

<b>Council Member Taylor</b>	yes
<b>Council Member Turner</b>	yes
<b>Council Member Harris</b>	yes
<b>Council Member Flamm</b>	yes
<b>Council Member Bigler</b>	yes

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

**8. PUBLIC WORKS COMPLEX INFORMATION.**

Council Member Flamm and Council Member Taylor showed a PowerPoint presentation which is attached as Attachment A and included four options (A, B, C and D) for the Council to consider.

**9. BOND AND UTILITY RATE INFORMATION.**

Debbie Cardenas reviewed scenarios that address options A and C because they feel very confident in those figures.

Option A – \$7,000,000 cash needed for the project. That would mean we would need to issue bonds in the amount of \$7,090,000. What that means for residents is that over the life of that bond which would be 25 years, we're looking at total principal and interest of \$11,674,444. To equate that to the corresponding utility rate increase it would approximately \$5.11. That is a onetime utility increase to pay for this bond over 25 years. We were estimating about \$5 x 12 months x 25 years we are talking about \$1,500 over 25 years to pay for this project; \$1,500 for a project to have all of these services. We want to emphasize this is a onetime increase to pay for this bond. It is not going to increase every year to pay for this bond. We do have a study out there that does show annual increases. The reason for that is we have ongoing expenses, depreciation, inflation, capital improvement projects, etc... Those annual increases are subject to a Council vote and would go up \$1 to \$2 if the Council chose to fund the projects. Those annual increases do not go toward the payment of the bond. The annual increase for the \$7 million is approximately \$5.11 and it will not go up.

Option C –\$5 million cash for the project. That would mean we would need to issue \$5,090,000 for the bond. With principal and interest over the 25 year life of the bond the total would be \$8,386,010. That would mean a onetime increase in utility rates of approximately \$4.49. We pay the Central Weber Sewer District (CWSD) and we have no control over what the CWSD charges for those services but we are the ones that are required to collect that and pass it on to them. We want to make sure the residents understand that their rates include a lot of services; water, sewer, storm water, solid waste, and also CWSD. We have had a lot of residents that have tried to run their own calculations and have been unable to come up with the figures that we have come up with. We have gotten a lot of questions about how we calculated the rates so she reviewed the process of how we came up with the rates. When we structured the utility rate increases we wanted to achieve several goals. One was to ensure that the City had adequate revenues to pay for the debt service on the bonds; the other goals were to provide funding for approximately \$200,000 per year for planned capital projects because of sewer lines, water lines, storm water, etc. and we wanted to maintain minimum 200% coverage debt revenues over the annual debt service. The rates as they now stand and the amounts currently in the fund balances will pay a portion of the bond, the rest will come from the increase in the rates in the first year. Calculating the rates cannot be done by such a simple method as some of our citizens have tried to use but rather they are based on an equivalent residential unit. This means that in order to equate connections to one standard unit of measurement connections and units are converted to ERUs. For example, as Council Member Taylor pointed out, a commercial user may use more utilities, such as water, than a standard residential connection. Their connection when converted could be equivalent to three connections and that is the case in some of our commercial connections in the City. This emergent factor has been standardized by the market participants over the years based upon state averages and means that you cannot take simple multiplication of rate x the number of units x 12 months x 25 years. There was also some miscalculation on the number of units that are out there. Right now we have approximately 5,985 water customers, 6,000 sewer customers, 5,354 solid waste customers and the equivalent of 7,251 storm water customers. In 2010 the City generated approximately \$3,268,868 in revenues, if we took the rate that we have right now x the number of units x 12 x 25 we would have only taken in \$2,471,700 in revenues that is a difference of \$797,168 than we actually received. The point is that the simple calculation that people are trying to use is not a real world application.

Ms. Cardenas went on to explain that on July 12, 2011 the City did approve a Bond Resolution with the parameters stating that the City would not issue bonds for more than \$10 million. That is legal language that we need to publish but does not mean that we are going out and issuing bonds for \$10 million. That is a process that we are required to do that starts the contestability period. This public hearing is part of that process.

Ms. Cardenas introduced Marc Edminster of Lewis, Young, Robertson and Burningham (LYRB), who is the City's financial advisor on the bonds. She said the City got some very good news today. Mr. Edminster explained that some years ago in 2004 the City issued sales tax bonds to fund the pool and the City received a bond rating of 'A'. Today he got an email from Fitch Rating, which is attached as Attachment B, announcing the City's rating was upgraded from 'A' to 'AA'. He stated that is one step below the U.S. Government. It is very important to recognize why Fitch ungraded the bonds, this is something they do every so often and it is not in any way connected with the possibility of a Public Works Complex bond. Mr. Edminster reported that Fitch Rating cited the City's excellent financial standard, management practices and solid financial profile. He indicated it is likely that the City would get a 'AA' rating on these utility bonds as well. He congratulated the City and residents on the sound financial management that earned this rating.

Council Member Bigler said since others have spoken he would like to as well. He thanked everyone for coming and taking part in this important issue. He referred to a recent newspaper article regarding the Pleasant View City Public Works building which states that the new shop for that department has been on the drawing board for nearly 15 years and now they are ready to start moving on it. Rather than the City of Pleasant View using the traditional method of design, bid and build for the project, they would use the design/build method with \$650,000 budgeted. He said that is Pleasant View's ceiling; the ceiling we voted on last time is \$10 million and that is the difference that he sees. There have been a lot of falsehoods going around about him and a lot of the residents that they are totally against this. He said that is not true. Public Works is a very important aspect of our City and he

agrees that we need an upgrade but we need a lot lower ceiling than \$10 million. He said Pleasant View's ceiling is \$650,000 and design/build is a much more fluid process. He suggested using the design/build process rather than giving the architect a \$10 million blank check because this has already been voted upon. Approval tonight would give the Mayor and Financial Director the final approval whether to accept the plan or not but the Council has already voted and approved an amount up to \$10 million. He mentioned that Pleasant View was included in the slide show presentation tonight and he would like to pass along some information that was given to him from the Pleasant View Public Works Department. With this \$650,000 limit they are going to have a couple of offices, three drive-through service bays, a bathroom, a kitchen and a large conference room. Our City is a little bit bigger than Pleasant View but in proportion that's more along the line that he thinks we need. Council Member Bigler said he has six children including two in college and the youngest is just starting kindergarten and he's on a teacher's salary so he knows personally what it's like to live on a tight budget. A lot of residents are on fixed incomes and he thinks there is a better way to do this. There is some confusion going around. It has been said that there is false information going around because we don't know the size of the building, what it will look like and what it will cost, but the brochure that went around shows a concept plan. A copy of that brochure is attached as Attachment C. He commented that it cost the City \$3,700 of taxpayer money to send out a color brochure to all residents in their utility bill. Why even do that if that isn't what it is going to look like? He pointed out that there is no disclaimer in the brochure that is not what it's going to look like. It has been said that we have no idea what the complex is going to cost but in the brochure it says that the projected cost is \$8 million to \$8.5 million without the property. That is not something he came up with to discredit the City, that's what the brochure said and he thinks that is way too much for a public works facility and he thinks we can do it for a lot less than that. On the issue of build it now or build it later with interest rates low, he said he doesn't think it's an either/or that you have to build it all now or wait and save for all of it later. He said that has been misrepresented as well as to where he stands on that. We have money saved and can pay for the property now and he agrees that we need an upgrade. We can build what we need now and have land and space to build as the City grows and the City's needs grow. He said an example being used was if you save and save rather than take out a mortgage now it will cost you more in the end. He said when he and his wife built their home they paid for space for their future children rather than all the fancy things. Since they moved in they have started saved money and have done things as their needs grew and as they had the money. The main home, build for their needs at that time, was bought on a mortgage and they had enough room to expand. That is similar to what he would like to see happen with this facility. Council Member Bigler said he wanted to be very clear on this, everything he has told any resident have been the parameters of the bond that were voted on at the last meeting. He voted against it, the other members have every right to vote their conscience. Those parameters are up to \$10 million. That doesn't mean it will be, it could be \$3 million but it could be \$10 million. He said he goes by what the contract actually says and that is what he has been going by; up to \$10 million, up to 6% interest and up to 30 years. That is what he is going by. He said he believes we need an upgrade and we can get the land now and what we need for now. He indicated that the frustrating thing for the residents is the different information being passed around. The \$10 million, even if it's only \$7 million that is just the principal amount. The \$16.5 million and \$18.5 million figures came directly from the bond people at a previous meeting and were not figures that were pulled out of the air to try to sabotage this project. Another thing is the mean income discussion; our residents' income should have nothing to do with this. We should build for what our needs are not what our residents can afford. He said he is not trying to slam on the others he is just saying where he stands. It was also said that we all voted for the study. He said that study was called for before he was on the Council and when it was on the agenda he asked administration what exactly it was that they voting on. He was told it was just a vote to accept that the study is complete from the company; we paid them and they are done with the study. He said that is what he voted on and he does not want to be misinterpreted on something like that. Council Member Bigler said he will vote, if we can make it more manageable, to purchase the property and proceed with the project. He would do this project just like he would if it were his own personal finances. He said he respects any point of view up here or from residents as long as he and other residents are not being portrayed as mavericks or way out on the fringe.

Mayor Harris reminded the audience that applause and public clamor is not appropriate for a meeting like this and asked them to please refrain. He stated that they will need to remain polite and civil and listen to what is being said.

Council Member Bigler said he is not against this project completely. It is just the cost and the ceiling of \$10 million.

**10. PUBLIC HEARING REGARDING THE ISSUANCE AND SALE OF NOT MORE THAN \$10,000,000 AGGREGATE PRINCIPAL AMOUNT OF REVENUE BONDS, SERIES 2011 AND THE POTENTIAL ECONOMIC IMPACT THAT THE PROJECT WILL HAVE ON THE PRIVATE SECTOR.**

Debbie Cardenas, Finance Director, said she addressed the process for issuing bonds earlier and it is required by law. She stressed that we are not going to issue \$10 million bonds and we are not going to issue them at 6% interest, those are just the parameters; part of the legal language. We have a process we need to follow which starts the 30 day contestability period for the residents to express their concerns.

Mayor Harris asked those who wish to comment to come up and state their name and address. He indicated a copy of the options presented tonight will be at the podium. He reported that two Council members have requested a delay in voting until the next Council meeting. He then opened the public hearing.

Paul Harding, 316 E 3575 N, said he visits the Public Works facility often and the place is in shambles. There are safety problems there. He said he doesn't know about security issues but there is no question in his mind that we need some improvement in the public works facility. He said he considers the Public Works employees to be some the most important in the community. He said he doesn't know what the rush to issue the bond is because he is pretty sure the interest rates are not going to go up in the next six months. He said he doesn't know about the scope of the project but the City has the study and that's fine. He stated he has what he believes to be an ethical issue and certainly a moral issue with the Council planning to use enterprise funds for capital projects. He stated he doesn't know if this 30 day grace period is enough time to get petitions done but he thinks they are almost done. He stated he regrets the community having to do that because this is a worthy project but what Pleasant View is doing is the right approach and he hopes people take this to heart.

Glenn Donnelson, 874 E 2100 N, said he recently served in the State legislature for eight years. Having been on the Appropriations Transportation Committee for six of those years he was able to view most of the facilities UDOT has throughout the state and most are very modest, very efficient, cinder block or concrete or steel buildings. This doesn't have to be elaborate. He said he doesn't think there is anybody on this committee that would go out and get a loan on a home without a blue print, without a permit and without construction costs.

Gary Wolthuis, 1257 E 3075 N, said he is a retired banker so when he talks about economics here, he has some background in it. He said he was watching TV last night and two world renowned economists said there was greater than a 50% chance of us going into a recession in the next few months. He referred to Council Member Flamm comment that USA Today reported it is a good time to borrow, not a good time to save and added that he believes it is never a good time to borrow if you can't afford it. He asked what will happen to the existing property and added there are environmental issues there too. There is property to the west of existing facility; he asked if there have been any negotiations to try to buy that property.

Don Colvin, 566 E 3050 N, said he has served on the Planning Commission, the City Council, and as Mayor. He knows that from time to time issues arise which demand tough decisions. Citizens get excited and feel that things should be decided by them and not the City Council. People can be swayed by emotion and misinformation. He indicated when he first heard about this proposal his reaction was alarm and concern because he is retired and on a fixed income. He was opposed to such an increase but having had to face similar situations when he served in public office, he decided to get informed. He made inquiries and asked questions. Little has been done in the last 25 years to the Public Works complex and he is appalled at the conditions in which our Public Works employees are working. Four open house sessions were held when all residents were invited to tour the facility and a total of 13 people attended those sessions. After his investigation he reluctantly agreed that it is justified and needed. He believes the City is following the proper bonding procedures. Funds have not been set aside by past City officials and we are now in a position that action needs to be taken. Doing nothing will still end up costing the citizens

because the need will still be there. Federal and State agencies like OSHA could place demands and restrictions on the City. He urged the Council to go with option C.

Barbara Schuster, 530 E 2500 N, applauded the City Council for having the foresight to look ahead. She said she has lived in a lot of very small towns and people don't realize the town has to keep up with things. She expressed her appreciation for the information presented tonight. She has heard a lot of rumors but has not seen any real hard information. There are three options that don't cost \$10 million and she said she wants it to cost less. We need to look at the Blalock report and decide what we need. She said she likes option C and again thanked the Council for doing this because it is important.

Wright Shupe, 958 E 3100 N, said he has lived in North Ogden City for 76 years. He stated that Mel Blanchard is the hardest working manager in any city. A lot of people talk about the city employees and how they just ride around in the grey trucks but they have somewhere to go and things to do. Mel Blanchard is not just burning gasoline, he is using the manpower. Mr. Shupe said he doesn't know how many people have recently had a vacuum cleaner salesman come to their home but his pockets are pretty well sucked dry and he doesn't remember the last time he got a notice that his utility rates are going to go down. It's a privilege to live in this town but he doesn't want to be taxed to death. He pleaded for some relief in spending over our income. He indicated that he recognizes the need for the new facility. He said he wasn't at the open house but whenever he has trouble he is one of the first people over to the public works facility.

Brian Russell, 1151 E 3400 N, said he appreciates the efforts that have gone into this and he enjoyed the presentations tonight. The Blalock Study makes sense and the Council is giving the residents the same advice he is giving his kids, buy now. He mentioned that he is in favor of the actions the Council has taken so far. He accepts that there is a need and he is in favor of option A.

Ryan Lewis, 1737 N 850 E, said he thinks he represents a lot of the citizens when he says they don't want it to have the possibility to go to \$10 million and asked the Council to put it in writing that it will be less. This is a great community and he enjoys living here. The Council needs to set a limit that is agreeable with the majority. To expedite the process he suggested the City go and put on the election options so that we can proceed. He suggested giving the people the choice of options a, b, c, and letting the people have the choice.

Gary Lyells, 961 E 3400 N, said he has spent over 30 years in North Ogden City and he appreciates the City Council and Mayor for their time. He said he has a business background in commercial buildings and the Blalock study gave you a complete wish list of everything you could ever want in a Public Works building. You can't do the whole wish list; you see what you can do and what you really need. He said he watches buildings go up and can guarantee it can be done for a whole lot less. He is not against borrowing now but feels there is too much leeway. He said he likes the Pleasant View option; \$2.5 to \$3 million, more people would be in favor of it. He said he thinks a good sound common sense approach is the way to go.

Roger Howell, 1093 E 3050 N, thanked the Council and Mayor for their service. He stated there should be absolutely no bonding without a public vote. It might be inconvenient but is the only moral and ethical decision this body can come to in light of the magnitude of what is involved. He said he believes the citizens can decide what's best for North Ogden City.

Gary Attebery, 3030 N 425 E, said you don't have to be very smart to drive down by that building and see that it's a dump. He said something has to happen and he doesn't understand why it has taken this long to do something. That place has got to be replaced but you should build what you can afford and add on to it as you have the money. He said the design is ridiculous. The existing building has three bays and this proposal is showing eight bays. We probably need four bays to start with that you can get a truck in but why do we need doors on both ends. He assumes our drivers are professional drivers, don't they know how to back up? Regarding the winter storage argument he said those trucks can go in a pole barn, which is cheap to build and when it says we're going to have a storm go out and plug the block heaters in; that's what he does with his tractor. Mayor Harris asked him

to summarize. He said this meeting was moved to tonight. It was scheduled for last week and he thinks it was really a dirty deal for the Council to pull on Mr. Bigler. He had his vacation scheduled and you all fixed it so the one guy opposed to this wouldn't be here to say his piece. He said he truly believes the reason to move the meeting is because when you post the notice for the meeting, that's when the 30 days started to get the signatures on the petitions. He said in precinct three we had a meeting with Council Member Bigler last Thursday night and started collecting signatures on Friday morning and we have collected nearly 400 signatures. The people of North Ogden City are angry, real angry. He proposed that the Council would have nerve enough to take the vote tonight so the people can see how you're going to vote, if you don't the petition is going to the County.

Keith Ashdown, 193 E. Pleasant View Dr., said he lives across from shops right now. He has been there many times and the shop needs help. It is not falling down right now but it needs help. Regarding the safety violations that were discussed tonight he said shame on you for allowing the safety issues to be there. He said he has more heavy equipment at his business and it is kept outside so that argument doesn't wash with him. We need a cost on how much money we have. People want to know what they are voting for, \$6 million, \$10 million. He suggested the City get a bid first and tell the people what it's going to cost and let them vote on it.

Aaron Avner, 2995 N 150 W, said he doesn't agree with putting it at \$10 million. It doesn't seem like we need everything right now. He understands the needs of planning for the future. We need to plan ahead but to go up to 6% and up to \$10 million, which is an astronomical amount, is ridiculous. He thinks this could be planned better. Pleasant View had a great idea. He agreed the Public Works building needs to be completely redone.

Gene Johnson, 2080 N 250 E, asked if it is true that we have 17 public employees. He said if we do a building for \$7 million, that's a lot of money for 17 employees and it doesn't make any sense. That's over \$400,000 per person and he doesn't think anyone is worth that kind of money. If someone can't back a truck out of the building they shouldn't be hired.

Lynn Satterthwaite, 1143 E 2750 N, said this is unprecedented for over 300 people to be here and we need to search for the reason why. We are in the mode of buyer beware. We look at the actual numbers and options are showing up tonight. The numbers vary and go up to \$11.50 million on the website. The question is, to be in the buyer beware approach, are those really the costs involved? He pursued this with the \$9.5 million because those were the numbers that were throughout in a meeting. Marc Edminster gave us some total numbers, at the end of the day we are going to pay back a certain amount of money. When all is said and done it will be a little over \$18 million. That said, he is concerned by going into this kind of debt we are setting precedent. He teaches his kids that they need to see the whole amortization schedule so they know exactly what they are going to pay. Interest is money down the toilet. He is not against going into debt but we need to look at things very closely. People are on a fixed income and can't afford it. He said he read recently that McDonald's did a study and the reason they take credit cards is because those people pay 40% more on average.

Justin Fawson, 2539 N 1600 E, said he sees a need for the Public Works facility but he would choose the Wade Bigler option. He did look at cost said regarding Salt Lake County and the cost of their building, their population is much higher, South Jordan was also compared to our population. The RFPs on line indicated a not to exceed number and \$10 million is absolutely unreasonable as a cap. A lower number needs to be considered.

Taylor Spendlove, 830 E 3550 N, said he is worried about being here because of his mom but this has nothing to do with her and he has every right to say his opinion. He is a student at the University of Utah studying architecture. He has worked on different building, bigger buildings and has learned about what it takes to build a safe building, that is usable and workable. Our building is horrible; it's not a building that he would want to work in. He agreed with Brian Russell that this is a good time to buy, if he could buy a home right now, he would. In the future it would benefit him and sometimes there is good debt. He said he is all for option A which would give us the best bang for the buck. He considers himself a fiscal conservative and he trusts the numbers that a professional like Debbie Cardenas says. He asked Council Member Taylor whether he would trust his

commanders. He asked Council Member Bigler whether he would trust President Monson. He said he has confidence in those people who have the education and he is for option A. He said he also trusts Mayor Harris.

Jim Suhr, 2877 N 1050 E, said he is like a lot of people here that got emotionally upset about this. He went to Salt Lake County to find out what was going on and Salt Lakes County's building is one building, one piece of the complex. When it says the 'complex' will be the most expensive 'building' that is very misleading and confusing. If we do an election, we should not be swayed by this type of misinformation. The Salt Lake County building being referred to is the administration building it is unfair and misleading to compare the administration building with this proposed public works complex. There are three big buildings with bays, other storage buildings, if it goes to a vote, let's use good information. Regarding the cost he said he doesn't have some things like cable TV because he doesn't view cable as a necessity but he believes Public Works is a necessity and he is perfectly willing to pay for that. Water, sanitation, streets, and all the other things done by Public Works are necessities.

Shauna Miller, 2903 N 1050 E, is a lifelong resident. She said no one is saying that we don't need it, the issue is the cost. She said she has no problem with the bond but at a lower cost. Her family taught her about wants and needs and tonight's presentation shows a lot of wants. She would love to have a 4,000 sq. ft. house, but she can't afford it. She asked if we have thought about spreading the buildings out, can we use land we already have? She hopes that we would be fiscally responsible and find a way to make everybody happy. The problem is how much to spend. She said she is glad this has happened in the community because she will not let things slip by her again.

Carl Jeerings, 1074 E 3200 N, let the City Council know that Saturday morning there was no water. He looked on the flier and called Public Works, there was staff there in short order going to work and dug an eight foot hole. They put in new pipe and he watched it very carefully because he wanted to take a shower. He said he bought a pizza for them but they wouldn't touch it until they were done. They worked very hard to put them back in service. The point is they were eager, they were helpful and they were efficient. He said he is the Staff Treasurer for a Methodist Church in Ogden and some years ago they decided to move to a new building. Those dreams had to be put down on paper. They put down things they would like to have and got ball park figures. You won't have a true estimate on what it will cost until you get architectural drawings and get it bid. That's a problem. The issue is not the money itself, the issue is the amount. The church finally found a piece of property and paid it off early. They saved and over several years they went to the architect for plans and got bids. They wanted more but had to cut back to fit it in the budget. Phases are planned and when they are ready they will do it. He thinks the City should buy the property and get the plans from the architects. Do it in phases. The question is not so much whether we need the facility because we do. It will cost more later on but what can we do now to get us by for a few years and then move on.

Harrison Spendlove, 830 E 3550 N, said this does not reflect on his Mom at all. He is a student at Weber State University in the school of business. He said regarding the numbers being thrown out they show that the people who know how to make those calculations know how to do them correctly while others who don't understand how to do those calculations don't get the right numbers. When Debbie Cardenas says what the numbers are going to be that's what they are going to be. She is a trained professional. Plan A is really the best option for us. If we were to wait, the cost of living goes up, the cost of building goes up, and in ten years we won't have the funds to build. Regardless of what we do as a city the funds have to be generated somehow. In the long run this is the best bang for our buck. We have placed the \$10 million cap on that. The proposed cost is well below that. The process here is down to the t. We can't send this out to bid until we know where our funding is coming from. There is a lack of understanding on the part of the public in this process. He has worked for the City and he knows what the facilities are like and he knows what OSHA codes consist of. The proposed facility is necessary. There is nothing else we can really do but by picking and choosing what we want we won't be able to serve the citizens as they deserve. Even option A has expansion options and that's what we need. We need to prepare for the future. This will continue to be pushed on to the next generation. He believes that option A is the best option.

The facility we have now is not an issue that has just been since Mayor Harris has been in office. This has been discussed for years.

Kent Bailey, 859 E 2850 N, said he has been a resident for over 40 years and appreciates the work that has gone into this process. He believes there has been no malicious intent on the part of any City Council member through this process. He said he has a degree in finance and is a business owner and this is not the whole story of where the money is coming from. Even with the new facility it is not going to improve the water or sewer, we still have infrastructure issues. The operating costs of going from a small facility to a very large facility that we will be heating to keep vehicles in. He asked if anyone has calculated those costs. He mentioned a study he read 30 years ago that said cars kept in carports last longer than cars kept in garages because they don't constantly go through the freeze/thaw cycle. The study is a wish list. There is an old adage that says an elephant is a mouse built to government specs. There has been a lot of talk and he has not heard of options a, b, c until tonight. There need to be more options. There are ways of doing this and we have not exhausted them with the few options presented tonight. He has been involved in the petition drive and went to 100 homes the first night. There was not one person that supported the direction you are headed now. He proposed that the City buy property and build as you can afford to. There is no doubt we need to do something.

Jerry Shaw, 651 E 3125 N, said he has been referenced tonight and feels like he needs to say something. He and his wife have taken a trip to Europe and when he came back he had a great appreciation for the Country and the State of Utah and North Ogden City. Throughout the years he has had a tremendous view of the City's shops because he owns the land to the west. His grandfather purchased that land in 1911 and passed it on to his sons and daughters. He has a great deal of love and interest in that piece of property. The Mayor and City Manager came to him wanting to purchase it. Mr. Shaw said he told them he didn't want to sell but they could make him an offer he couldn't refuse but they didn't make that offer. He said the extra acreage and location on 2550 N would be better for the City. He said he agrees we need a new City complex but he feels more in line with what Council Member Bigler said. If you have the land you can expand. His equipment sits out even though he would like to put it inside too. The extra acreage is a better way to go and we can do it for less money, maybe with less luxury items.

Nicole Thompson, 1228 E 2625 N, said they just built a new house. The City has \$500k saved and needs to bring the debt down. She stated any home owner would need 20% down.

Cheryl Stoker, 2447 N Mountain Rd., said this is a thankless job and she appreciates the Council and Mayor. It is needed and she is not opposed to the location or acreage but she thinks if it goes to ballot there should be some options. She feels that the City should build in phases and added that the citizens are tired of being told what they are going to do and what they can't do. No one knows what the future will bring; maybe in the future we will be a better position to pay for it.

Dave Hulme, 513 E 1700 N, asked how it could be that someone with his background could come down where he has on this. He has run and lost to all members of the City Council, he is a fiscal conservative and a Marine Corps veteran. Why would he be opposed to a public referendum on this issue? He reminded those in attendance that we live in a republic, not a democracy and added that he is grateful for that every day. The fact is that there is always more information. The South Jordan building has nothing to do with culinary water. Everything needs to be compared equally. If you are frustrated in the direction this is going, it has been going this direction for two years. There have been countless hours of Council meetings and Public Works meetings and there are minutes available for all of those meetings. He opposes a public referendum because he has been to 95% of those meetings. A lot of the public didn't even want two hours of information and he believes if you are going to vote on something you should have the information. The Council has all the information and they deserve his support whichever way they choose to vote. The Blalock Study got their information on the needs of the City. There are few people he has come to know and respect more than Mel Blanchard and the needs of this building come from Mel Blanchard. He is the one that has to find the safest way to do what needs to be done. When Mel Blanchard stands up and says "I need this." I believe him. He knows what the City needs; he has worked here for 25 years.

Please research the information and come up with the facts. Many of these questions asked have been answered in the minutes. The people deserve to know the answers.

Doug Anderson, 574 E 1900 N, asked does the City Council have the authority to make a decision tonight and is it your intension to do so? Mayor Harris answered yes they have the authority. Mr. Anderson said if you don't make a decision tonight, he would like to know when you will make a decision. He made a motion that we approve something in between 1/3 and 1/2 of the \$10 million figure and prioritize the needs.

Jim Mackley, N. Hwy 89, said he is a Christian and we are all brothers and sisters. This has been a rancorous issue and he appreciates the service of the City and the workers in the City as well as the citizens here tonight who took time out to come and listen. He said he is the Managing Editor of the Sentinel but is here speaking as an individual tonight. As a City there are enterprise functions and roles. There are two different sides to the function the City has taken. The passing of the bond for a public works facility is a combination of those two functions. The City is acting as a corporate body which is different than acting as the overseers of the City. This connects to the Constitution. He suggests some people, City Council members and the Mayor look into those two different functions' work. To say there is no other way to have utilities than through the City is not true. If you go out in the country they have their own water and sewer. Maybe it would reduce costs to the City to allow the residents to find some of their own services. The facilities need to be upgraded but he feels you have too much burden placed on the backs of the citizens.

Julie Anderson, 940 E 2600 N, said she really enjoyed the comments. She did not grow up in this country; she was born and raised in England. When she moved here her first goal was to be an American citizen. She wanted to have a say in how this country is run. She asked the Council to allow the citizens of North Ogden to do the same thing. Share their vote. She said Mel Blanchard has put up with a lot from her and no one denies that they need a facility to work in. She asked that the Council just show them the numbers. It would have been nice to have something on the screen tonight. The City needs to allow the public to speak, to use their voices. This is the only country that allows it. Let us be a part of it. She believes it has been rushed through a little too fast. She goes to the website to see what is being discussed. It is her responsibility to be here and stand up and let her voice be heard. She feels they still need a little more clarification.

Scott Russell, 2930 N 1025 E, thanked the Mayor and Council for the opportunity to speak as citizens. He asked Council Member Flamm, regardless of the numbers, whether the bond is going to be funded all at once. Council Member Flamm asked Marc Edminster to correct him if he is wrong and said his understanding is that once we go out to issue bonds that amount is issued at that time. He explained that we have to have one total amount that is issued at one time. It isn't possible to issue \$1 million now for the property and another amount later and so on. Marc Edminster said that is essentially right. There are other kinds of bonds such as incremental advance bonds but that is not what is being contemplated here. Mr. Russell said the reason he asked is that if you bond for the entire amount you are paying interest on the entire amount. He said he appreciates everyone for allowing him to communicate with them through emails. He referred to a friend of his that took the time to review all the agendas and sent an email to the City. That friend deserves a response to his questions. He does object as a citizen that a City Council member had to buy a plane ticket to be here to voice his concerns in the minutes. Mr. Russell said people might think he is Wade Bigler supporter and he does support him somewhat but not as much as Mr. Bigler may think he does. Mr. Bigler has that right under law and the way this meeting was changed, Mr. Russell said he doesn't think it's credible. He said ten years ago, who would have thought the State of New York, New York City, the State of California, the City of Los Angeles and many others in this country would be bankrupt by the government's definition. He said under State law we have to run with a balanced budget and if the Council doesn't fine tune this it has the potential to put us in a bad position. He said he hopes the Council makes the right decision on this. He indicated that he has visited the website and studied the numbers and he supports a vote of the people on this because of the magnitude of it. We need a basic building and we need to factor in operating costs. Ben Bernanke, Chairman of the Federal Reserve, made a public statement today and said he intends to keep interest rates very low for the next two years. He asked the Council to use wisdom in their choice.

Phillip Swanson, 1066 E 3300 N, said he is grateful to the City Council members and Mayor for all that they do. The math is that we have a City that's divided and the gulf between the extremes is multiplying. He mentioned that he has only been a resident of North Ogden for 6 years. What we need as a community is a way to come together. Both sides of this division are equally guilty, bad information and confusing information led to suspicion and that will do nothing but harm this community. The division that has occurred will last for generations and it has become ridiculous. He said he is grateful for this country and the process and saddened that there haven't been more people at more meetings. We need a wakeup call, if we are that concerned, we should be move involved. He indicated that he likes Option C.

John Vondrus, 3048 N 300 E, said we are looking at \$9.5 million for 25 years and asked what if the project comes in over budget? Who pays for that? What if it is only \$8 million? What happens to the \$1.5 million extra? Do we have information on population increase in last 10 years; are there projections for population increases for the next 10 -20 years? Those extra people will have to pay the same, where does that money go to? Will the rate be less because there are more people? He said he hasn't heard answers to these questions.

Ben Albrechtsen, 3135 N 1150 E, echoed Mr. Bailey's comments about the need to include operational costs and infrastructure deterioration. He noted that he has been involved in bonding for large mining companies in the western United States and they shop their bonds. They buy bonds incrementally based on the phase they are developing and he believes we can shop those bonds and obtain them in increments.

Wright Shupe, 958 E 3100 N, remarked that he supports what Don Colvin said. He then asked, because we have a 'AA' rating now according to Mr. Edminster, would now be a good time to sell the swimming pool?

**Council Member Bigler moved to close the public hearing. Council Member Turner seconded the motion.**

**Voting on the motion:**

<b>Council Member Taylor</b>	<b>yes</b>
<b>Council Member Turner</b>	<b>yes</b>
<b>Council Member Harris</b>	<b>yes</b>
<b>Council Member Flamm</b>	<b>yes</b>
<b>Council Member Bigler</b>	<b>yes</b>

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

The public hearing closed at 9:50 pm.

**11. DISCUSSION AND/OR ACTION TO APPROVE THE PUBLIC WORKS COMPLEX DESIGN OPTION AND TO PROCEED WITH DESIGN.**

Council Member Bigler asked if we need to do a new parameter like we did last time. Mayor Harris said that will be the next item. Council Member Bigler suggested it would be irresponsible to not look at the options before voting. Mayor Harris asked for discussion on the options presented tonight or other options.

Council Member Taylor said he was one of the two City Council members who preferred to not vote on this tonight. He indicated that he is comfortable with these options because he was at the Public Works Committee meetings when these were presented. There were a number of public meetings held that only one member of the public attended. He said he breezed through the options tonight quickly and asked that the public look at the different options as well as the lists of the needs of the complex. If anyone has suggestions we need specifics. He asked that people bring those to the next Public Works meeting. He said the document he referred to tonight, the Blalock Study, has all the information on the current facility and the proposed complex.

Shawna Miller, 2903 N 1050 E, whether the information in the study is listed by priority, in phases? Council Member Taylor said you have to look at the numbers; land, buildings, etc... He stated the entire presentation is also on the website.

Council Member Harris said she would like time to look at the options as well and stated if item 11 moves to the next meeting it would be logical that item 12 would move also. She suggested moving those two items to the August 23, 2011 agenda.

Council Member Flamm said one reason these options were not brought forth previously is that we needed the land first. The designs just came out from the architects with some estimated costs. He and Council Member Taylor started working with the numbers and contacting the architects with questions. They just received the information yesterday and are starting to work with those numbers and try to figure out what is best for the community. He said he personally feels that the rest of the City Council needs time to review the information also. He said we are looking at winter and if we get the bonding done soon, so we can buy the property we can save on construction costs. He recommended waiting another two weeks to consider all this and the comments heard tonight.

Council Member Bigler said it seems to him that at this late hour with these proposals, it almost seems like it was done intentionally so it wouldn't be voted on tonight in front of the residents. He said we have saved \$100,000 a year for 6 years so we have \$600,000. Mayor Harris said we have five years and if we include this year budget we have \$600k. Council Member Bigler said we are paying \$85,000 per acre for the land and the study calls for 4.5 to 5 acres. That equals \$425,000 for 5 acres. If we did 7 acres at \$85,000 per acre it would be \$595,000. He said including this year's budget we have saved \$600,000 and asked Debbie Cardenas to fill him in on how much has been spent so far. Debbie Cardenas we spent about \$70,000 on the Blalock study, \$42,000 on the utility rate study, \$2,000 to \$3,000 to print the necessary notices for the meetings. We have set aside approximately \$342,000 for the architect. We have pretty much gone through most of what we have saved just on the initial costs to move forward with the process. Council Member Bigler asked how much we have paid the architect. Debbie Cardenas said she doesn't know. Council Member Bigler said so what we have is \$42,000, \$70,000, \$3,000. Ms. Cardenas said there are also some miscellaneous amounts as well. She explained that she is not the project manager; she is giving him the information she has. She said there is a contract with the architect but she is not responsible for it. Mayor Harris said it is important to note that we have not purchased the property yet, we are still in negotiations. We also need to build the collector road to that property which will bring the total cost of the property to close to \$1 million by the time we do those things. Council Member Bigler said there are a lot of improvements to be done and said the Project Manager doesn't have a blank check to spend. He said somebody has to be approving the expenditures so somebody has to know how much is in there. Mayor Harris said he does not have a blank check and we are monitoring those transactions. Council Member Bigler said he was hoping we could take the remaining funds and put it toward the property and then bond for our needs now.

Council Member Bigler asked how many service bays this calls for. Mayor Harris said there are five double bays and one single bay shown on the initial construction. Council Member Bigler said South Ogden has two drive through bays. Council Member Taylor said there is a difference between mechanics bays and storage bays. Council Member Bigler said the new Pleasant View shop will have three with the \$650,000.

Council Member Taylor said he is tired of the accusations such as was just made about information being willfully withheld from the City Council, making decisions to exclude someone from being able to attend. Let's go to the minutes that were unanimously approved at the beginning of this meeting. There was a motion made on page 13 after much discussion as early as page 11. Did Mr. Bigler make his scheduling conflicts known at that point? No, he did not; he did not make that known until after the vote was taken. We had no idea he had a scheduling problem. Council Member Taylor said he is sorry to have to do this during a public meeting because it is embarrassing for our City but he is trying to show that these accusations being made of us intentionally hurting someone, they are not helpful to a healthy discussion and neither are they true. The scheduling conflict was brought up after the motion had been made, the vote was taken and the next item had been done. We had no idea there was a scheduling conflict. That was not brought up until later in the meeting.

Council Member Bigler said that is a half-truth which is as good as a falsehood. He said the date was changed to the 9<sup>th</sup> as part of another issue and he did vote for that issue. He said when he realized they decided on the 9<sup>th</sup>, he

even apologized. He said he would be gone and the Council said they would not change it. There was discussion about not holding meetings on the first Tuesday of the month, but the first Tuesday of each month is set aside for a special meeting and this is probably the most special meeting since he has been on the Council. Council Member Taylor said his point is that there was no malicious activity; they had no idea of Council Member Bigler's schedule when they took that vote. He said, regarding information not being posted to the Council, he and Council Member Flamm were working on this presentation after 5 pm tonight. That's why he asked the Mayor to postpone the vote so all the Council members have the chance to review the information. There is no malintent and he is sad to see the accusations. He said he sat in a meeting in our City library and heard someone say the Martha Harris wanted to build this complex as an edifice to herself and everyone in the library was outraged. That kind of statement with no evidence is not what we should be seeing in our City. These are examples of the character assassination that upset him. The numbers have been brought up repeatedly and it's a good question, how does the math balance. The City sets aside \$100,000 out of existing utility funds every year; we no longer will save that if we build the complex. That \$100,000 will go toward paying back the bond, which will make the calculations different. Everything in this facility has gone through a very deliberate process. He would like to see everyone take the facts tonight; there are some things that he feels that we didn't get information out which have led to a lot of confusion but it was not with malintent. He said he hopes everyone here can take the facts that they have about the project and look at the misinformation; those things have been discredited they are not true. He stated that he hopes we can come to an agreement as well.

Council Member Bigler said a lot of this could have been avoided without this. There have been emails sent out saying his name and that we have no idea how much it's going to cost at this point. The brochure was put together by Council Member Taylor with the Public Works Committee approval. Council Member Bigler said that is where he got his numbers from. He has never, with the figures, misled anyone with false accusations as emailed by Council Member Taylor he simply stated the parameters of the bond and what was in the brochure that he put together.

Council Member Turner said the discussion is to approve a Public Design option. We have had three Council Members who have just seen this so he doesn't see how we can take action on this like Council Member Harris said; we need to move them to another meeting. There has been a lot of things said about everybody and it is sad.

**Council Member Turner moved to table items 11 and 12 until the next Council meeting on August 23, 2011. Council Member Taylor seconded the motion.**

**Voting on the motion:**

<b>Council Member Harris</b>	<b>yes</b>
<b>Council Member Flamm</b>	<b>yes</b>
<b>Council Member Bigler</b>	<b>yes</b>
<b>Council Member Taylor</b>	<b>yes</b>
<b>Council Member Turner</b>	<b>yes</b>

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

Mayor Harris said item 12 will probably include lowering the \$10 million cap on the bonds. He agreed it is wise to wait until the next meeting which is what both Council Member Taylor and Council Member Flamm proposed as they were working on their presentation tonight.

**12. DISCUSSION AND/OR ACTION FOR THE CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF NORTH OGDEN CITY, UTAH (THE "ISSUER"), AUTHORIZING THE MAYOR AND FINANCIAL DIRECTOR TO AUTHORIZE AND FINALIZE THE TERMS OF THE CITY'S UTILITY REVENUE BONDS, SERIES 2011; AUTHORIZING THE EXECUTION OF A GENERAL INDENTURE OF TRUST AND A FIRST SUPPLEMENTAL INDENTURE, AUTHORIZING AND APPROVING A PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL STATEMENT, A BOND**

**PURCHASE AGREEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTION CONTEMPLATED BY THIS RESOLUTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

This item was tabled until the August 23, 2011 Council meeting.

**13. PUBLIC/COUNCIL COMMENTS.**

Carl Jeerings, 1074 E 3200 N, asked Council Member Flamm to clarify the cost of utilities and Geotech study was part of the cost of the process, does that include the land or is the land separate from that? Council Member Flamm said the land is approximately \$1 million. According to the information we received from the architects yesterday it was about \$2.4 million estimated on site work. We contacted them and are trying to figure out different options. He said it is a process and it does take time.

Gary Attebery, 3030 N 425 E, said if we wait two weeks we don't have an option, the people don't have an option because when you announced the meeting we had 30 days to go through the American process to get the petition and by not taking a vote tonight you are forcing us. He said he doesn't know if we have the number of signatures we need but before the next meeting we will have them. You are forcing us to take it to the County to take it for a vote. That means spending more money that we don't have. He has over 400 names. If you don't vote it down tonight it is going to cost the city and the people a lot of money. He said he really does appreciate the fact that we live in this wonderful country.

Don Mathewson, 2277 N 515 E, asked when the next Public Works Committee will be held. Edward O. Dickie III replied Thursday, August 18<sup>th</sup> at 5 pm.

Jim Suhr, 2877 N 1050 E, there are a lot of people involved in this. If you want to be successful you need to use correct data, use the data correctly and work together as a team. It's like a symphony orchestra, everyone has different roles but they are all playing the same performance. He recommended that the Council get on the stick right away and get out of the bickering business.

Lavern Cottrell, 645 E 3300 N, President of the North Ogden Historical Museum, she wanted to thank the Council for voting for the museum to have a permanent place. She has been here as long as Mr. Shupe has too and it's a wonderful place. She said she is a single person with a home here in North Ogden and \$5 a month won't hurt her.

Bill Treadway, 667 E 3100 N, said he did not anticipate this tonight. He said he is a national certified mortgage and one of the things they are required to do every day as part of their job is to sell our clients two instruments as part of their mortgage package. They are the good faith estimate and truth in lending document. What we need here is a good faith estimate and a truth in lending document. We don't have all the pieces of the puzzle.

Emma Baker, 1252 E 3200 N, said she has lived in a lot of different places but moved back here because she and her husband grew up here and this is where they wanted to raise their kids. She has spoken with Mayor Harris and attended the open house and found it very interesting and educational. She feels bad for these employees working their guts out in the freezing cold and the heat. They do a lot for us and we need to do something for them. The City Council has taken the time to look at all the angles and is tightfisted and analytical. She doesn't believe we should put up the cheapest thing. She has a lot of pride in living here and it should look like what it is; this is a great place to live.

Council Member Turner said he has lived here 40 years and with that being said he suggested that we need to be careful with the backbiting stuff. We all know a lot of people and we hear everything so if you have an issue with us, call us and talk to us. Thanks to all those who signed up for City Council. We have 14 people who have

signed up. Council Member Turner confirmed that he did throw his hat back in the ring as did Martha Harris and Ron Flamm. He mentioned the next Parks Committee meeting is tomorrow.

Council Member Taylor reminded everyone the next Public Works Committee meeting is next Thursday at 530 pm. He said he hopes to see everyone there and invited everyone to review the presentation and other information from tonight.

Council Member Bigler asked if the presentation and the proposals are going to be on the website. Annette Spendlove said they are always part of the minutes. Council Member Bigler asked that these be sent to the Council members before next week. He said he does respect that there are five Council members and everyone can speak their own voice. He thanked everyone for coming tonight.

Council Member Flamm thanked everyone for bringing used oil to the City shops because that is how the City shops are heated.

Annette Spendlove reminded everyone that early voting is August 30<sup>th</sup> through Sept 9<sup>th</sup>, 2011

Debbie Cardenas mentioned that she has a copy of the Fitch Ratings announcement.

Council Member Flamm asked Annette Spendlove to explain the petition procedure. Annette stated that is in section 20A-7-601 of the Utah State Election Code.

Edward O. Dickie III said the Tour of Utah is going through North Ogden City tomorrow.

#### **14. ADJOURNMENT.**

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

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

<b>Council Member Harris</b>	<b>yes</b>
<b>Council Member Flamm</b>	<b>yes</b>
<b>Council Member Bigler</b>	<b>yes</b>
<b>Council Member Taylor</b>	<b>yes</b>
<b>Council Member Turner</b>	<b>yes</b>

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

The meeting adjourned at 10:50 pm.

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Richard G. Harris, Mayor

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S. Annette Spendlove, MMC  
City Recorder

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Date approved