

# NORTH OGDEN CITY COUNCIL WORK SESSION MEETING MINUTES

June 16, 2015

The North Ogden City Council convened in an open meeting on June 16, 2015 at 6:32 p.m. at the North Ogden City Council Chambers at 505 East 2600 North. Notice of time, place and agenda of the meeting was delivered to each member of the City Council, posted on the bulletin board at the municipal office and posted to the Utah State Website on June 11, 2015. Notice of the annual meeting schedule was published in the Standard-Examiner on December 21, 2014.

PRESENT:	Brent Taylor	Mayor	
	Kent Bailey	Council Member	
	Lynn Satterthwaite	Council Member	
	Cheryl Stoker	Council Member	
	Phillip Swanson	Council Member	
	James Urry	Council Member	
STAFF PRESENT:	Bryan Steele	City Administrator/Finance Director	
	Stacie Cain	Deputy City Recorder	
	Jon Call	City Attorney	
	Dave Espinoza	Public Works Director	
	Kevin Warren	Police Chief	
	Rob Scott	City Planner	
VISITORS:	Don Waite	John Hansen	Rob Johnson
	Ryan Barker	Mike Monson	

## **REGULAR MEETING – 6:30 P.M.**

Mayor Taylor welcomed those in attendance.

Rev. Gage Church, Congregational United Church of Christ offered the invocation and led the audience in the Pledge of Allegiance.

## **AGENDA**

### **1. PUBLIC COMMENTS**

Mike Monson, 2250 North, stated he is concerned about the proposed \$3.00 monthly fee to fund transportation; he is concerned about the use of a fee for this purpose. He indicated he understands the politics of raising fees and taxes are difficult, but it is necessary to understand that a fee is the same thing as a tax. He stated he is not supportive of a fee for transportation for

the following reasons: one is the it spreads the burden unfairly by distributing the burden to residents though businesses should be paying more; second is that some people do not have utility connections, but use City streets and they are avoiding the fee altogether; third is that the fee is regressive. He recommended that the Council give more consideration to a property tax increase rather than creating a new fee because the fee would be spread among users proportionately. He stated that residents are also not allowed to deduct a fee from state or federal property taxes, but there are deductions for property taxes. He stated he hopes that the Mayor and Council will consider his suggestions and recommendations. Mayor Taylor noted he has spoken with Mr. Monson about this issue and has included some of his comments in the presentation that he plans to make later this evening.

2. **DISCUSSION AND/OR ACTION TO CONSIDER A RESOLUTION AMENDING RESOLUTION 12-2014 DESIGNATING THE USE OF AN IGNITION SOURCE, INCLUDING FIREWORKS, LIGHTER, AND MATCHES IN CERTAIN AREAS WITHIN THE CITY**

North View Fire Marshall Ryan Barker approached the Council and summarized the proposed resolution regarding the use of fireworks within the City. He reviewed a map prepared by the Fire District and identified the areas in which he is recommending fireworks be banned; this includes all property east of Mountain Road and all property north of 3300 North. He added he is also working on a permanent resolution that would provide for these bans without the need for the adoption of an annual resolution. He added that residential fire pits are now permitted as long as residents work with the Fire District to comply with defined regulations. Council Member Bailey asked if fire pits are regulated by the Fire District or the City. Mr. Barker stated they are actually regulated by State Law, but enforcement is handled by the Fire District. There was a brief general discussion regarding limitations on fire pits.

**Council Member Swanson motioned to adopt resolution 03-2015 designating the use of an ignition source, including fireworks, lighter, and matches in certain areas within the City. Council Member Stoker seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

### **3. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING ORDINANCE 11-11-5 E, & 11-12-4F, PARKING REGULATIONS**

A staff memo from City Planner Scott explained when the City Council is acting in a legislative capacity they have wide discretion. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically the criteria for making a legislative decision requires compatibility with the general plan and existing codes.

The City Council conducted a public hearing on this issue on June 9, 2015. This item was tabled pending additional information being researched regarding the relationship between the tandem and visitor parking ratio and the rationale of the Planning Commission recommendation.

Staff spoke with Don Waite who clarified that the Planning Commission wanted to adjust the parking ratio in conjunction with tandem parking; not to be an exclusive standard. Don will be in attendance to share the Commission's insights. (See Exhibit D)

To summarize, the Planning Commission wants to maintain the requirement for some surface visitor parking while allowing some visitor parking to be tandem parking. Legal Counsel and Planning Staff have revised the ordinance to retain the 1 stall per 2 dwelling unit standard. A new condition has been added to the tandem parking provision where up to a half of the visitor parking requirement can be met with tandem parking.

#### Tandem Option - Summary

- Allow tandem parking as long as it is for the same unit.
- Require that one of the tandem spaces be enclosed.
- Require any tandem parking pad to meet a size requirement, e.g., 10 feet wide by 20 feet in depth.
- Tandem visitor parking may be used to satisfy up to one half of a projects visitor parking requirement.

The General Plan calls for "All development in the community should be built on land suitable for the intended use."

"All existing and new development should be required to fairly and uniformly provide improvements according to city standards."

#### Zoning Ordinance

Suggested improvements for the city of North Ogden Zoning Ordinance include the following.

- (1) Update the Zoning Ordinance to allow for a variety of current housing types.

#### Housing

A variety of housing opportunities should be available to the citizens of the City. Quality residential development will be measured by design, maintenance, preservation of community resources, and open space.

The memo offered the following summary of potential City Council considerations:

- Is the proposal consistent with the General Plan?
- Is the flexibility of design for an amended visitor parking standard appropriate?

The Planning Commission recommends that the City Council adopt the amendment.

Mr. Scott reviewed his staff memo.

The Council engaged in a discussion regarding the difference between tandem parking and traditional visitor parking, with a focus on the fact that tandem parking spaces are not considered traditional parking spaces in a single family home because the traditional parking space is the space enclosed within the garage. Mr. Scott then referenced parking availability in other multi-family developments throughout the City and explained if the proposed ordinance is adopted the design of similar future projects will be improved in that driveway approaches will be larger to accommodate tandem parking. He also reviewed the conceptual design for The Ranches PRUD and noted that the developer has indicated he will provide 198 total parking stalls for 79 units; this includes 22 total visitor parking stalls. Each unit will have a two car garage or a garage and a parking pad and the design will exceed the total parking requirements if the proposed ordinance is approved. He concluded that the design works for the subject property.

Council Member Bailey asked if there are unintended consequences associated with approving the recommendation that tandem visitor parking may be used to satisfy up to one half of a project's visitor parking requirement. Mr. Scott stated that he conferred with Planning Commission Vice-Chairman Waite about this issue and he indicated that the Planning Commission did not want to see all visitor parking satisfied by driveway or tandem parking so the 50 percent rule is a nice compromise; the recommendation will require developers to provide visitor parking areas away from the actual units or driveways. He added that the fact that roads within group dwellings and PRUDs must now be wider and meet public street standards which will increase parking availability as well because on-street parking will be feasible. General discussion to gain clarification on the Planning Commission's recommendation ensued, with Council Member Satterthwaite stating it is important for the Council to be aware of the fact that the proposed ordinance would impact all future group dwellings and PRUD developments, not just The Ranches PRUD.

Planning Commission Vice-Chairman Waite stated the Planning Commission had extensive discussion regarding this issue and they considered a number of factors to ensure balance by providing adequate visitor parking in group dwellings and PRUD developments. He stated that given the fact that street widths within these types of developments have been increased and on-street parking is an option, the Planning Commission felt it appropriate to allow tandem parking to be counted towards visitor parking. He noted that the visitor parking ratio was also discussed at length, but no clear decision was reached; the Planning Commission was comfortable shifting the ratio to one visitor stall for every four units in larger developments, but not in smaller developments.

Council Member Satterthwaite stated he would like to see examples of developments outside of North Ogden that have more liberal visitor parking ratios and observe how that is functioning. Mr. Waite agreed and stated the Planning Commission can research that issue and consider the visitor parking ratio in more depth. He reiterated that the Planning Commission would be comfortable maintaining the visitor parking ratio of one space for every two units while making the change to allow 50 percent of tandem parking spaces to be included in the visitor parking calculation.

**Council Member Bailey motioned to adopt Ordinance 2015-10 amending Ordinance 11-11-5E and 11-12-4F, parking regulations. Council Member Urry seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**4. DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT TO PURCHASE PROPERTY IN THE LEGACY PRUD PHASE IV SUBDIVISION**

Mayor Taylor reviewed a draft purchase agreement whereby the City would purchase a portion of property within Phase V of the Legacy PRUD Subdivision. The property is not buildable and the City is interested in acquiring it to preserve it for a future parking area for the North Ogden Senior Center and detention basin. He reviewed a plat of the subject property and identified the portion of the property that is subject to the agreement. He reviewed the site preparation section of the agreement, indicating the City shall provide site preparation work for the Legacy IV PRUD including removal of the existing home, barn and shed structures, fences, and all other obstructions so as to create a clear site (trees are expressly excluded from this removal requirement). The City will salvage and make available to the developer 25 cinder blocks from the barn structure. Pertaining to fencing, the Developer shall install a 6 foot high privacy fence (comparable to Smith's fencing) along the north side of lots 7, 8, and 9 and the west side of lot 9. The City will share in the cost of these fencing improvements. Mayor Taylor concluded that the City Attorney has reviewed and is comfortable with the agreement.

City Attorney Call noted it is important to clarify that there will be no ordinance modification associated with the agreement; rather, the City is entering into a development agreement to define certain development terms for the subject property.

Council Member Satterthwaite asked if the purchase of the property is based upon an appraisal. John Hansen indicated the price reflects what the developer paid the previous owner for the property; the purchase price per acre was \$75,000 and the City is paying \$65,000 for .891 acres

of property. He stated that an appraisal could be ordered, but the appraiser would consider the cost that the property previously sold for.

**Council Member Satterthwaite motioned to approve Agreement A14-2015 to purchase property in the Legacy PRUD Phase IV Subdivision. Council Member Bailey seconded the motion.**

Mayor Taylor stated he feels this agreement is good and will benefit both parties to the agreement.

Council Member Urry asked if there are plans to provide additional parking on the south and east sides of the Senior Center, to which Mayor Taylor answered yes. Council Member Urry stated that he is hopeful that the plans for that parking will be finalized at a future date. Mayor Taylor stated that the design of the parking space is not directly tied to this agreement and can be discussed in more detail at a future date.

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**5. DISCUSSION AND/OR ACTION TO CONSIDER A DEVELOPMENT AGREEMENT WITH UINTAH LAND INVESTMENTS (WOODFIELD FARMS)**

Mayor Taylor provided the Council with information regarding a proposed development agreement between Uinta Land Investments and the City for the Woodfield Farms Subdivision. He reviewed a map to identify the location of the subject property that is located between 1500 North and 1700 North and east of an existing residential development east of Washington Boulevard. He noted that the intent of the development agreement is to address sewer and storm water utility connectivity between the proposed development and existing developments. The long range plan is to run sewer and storm water infrastructure to the west across Washington Boulevard and ultimately into Harrisville; the development agreement proposes a short term plan that would allow the developer to build a small retention basin on the southwest corner of the subdivision rather than a detention basin because that is not infrastructure of sufficient size to carry the storm water from the development to the Mud Creek Basin. Other options have been investigated, but are too costly or have not been permitted by other property owners. The City Engineer has offered his support for the retention basin concept, but has indicated it would be best to convert it to a detention basin when possible in the future.

Council Member Bailey asked how it is possible to determine that the retention basin is deep enough that water will drain into the aquifer rather than cause ground water problems for residents in the area.

Rob Johnson, 1157 Galena Circle, Syracuse, stated he is representing the developer Rainey Homes; he noted that Uinta Land Investments is the previous owner and it will be necessary to amend the agreement to reflect that JMR Development now owns the property. He noted his engineer has worked closely with the City Engineer to develop an appropriation retention basin concept and he is confident that the retention basin designed by both parties will be satisfactory and will not cause ground water problems for other property owners. It is more than likely that the bottom of the basin will be at the depth of ground water levels.

Council Member Swanson asked about mosquito abatement associated with standing or stagnant water in the basin. Mr. Johnson stated he is not sure that there will be stagnant water in the basin, but mosquito abatement may be necessary. Council Member Satterthwaite stated that mosquitos are more attracted to shallow bodies of water, but it would be possible to ask the Mosquito Abatement District to give some attention to the area.

The Council reviewed the subdivision map again and Mr. Johnson pointed out the location of the retention basin and had a discussion about existing infrastructure in the area and what future improvements are necessary to eventually provide connectivity to areas west of Washington Boulevard. Mayor Taylor noted that the current proposal is that the sewer connection work to be completed at this time will be paid for by three parties: 40 percent by the developer, 40 percent by the City, and 20 percent by Wasatch Peaks (an owner of an adjacent property). Other utility issues have been resolved, but it was more difficult to resolve sewer and storm sewer issues. Other utility improvements will occur upon development of properties to the east and west of the subject property. He stated he feels the agreement is a good solution and is fair to all parties involved.

Council Member Urry inquired as to the size of the retention basin in comparison to the basin located at the park behind Green Acres Elementary School. Mayor Taylor stated it is much smaller than the basin at Orton Park. Council Member Urry inquired as to the number of residential lots that will be included in the development. Mr. Johnson stated that there are 33 lots in the first phase, with 87 total lots in all phases of the project. Council Member Urry asked if the layout of the development has been improved, to which Mayor Taylor answered yes. Discussion centered on the design of the homes in the subdivision, with Mr. Johnson stating the theme is active adult residential and the homes will be customer homes. He stated Rainey Homes has built a large number of homes in Daybreak and they have been very successful.

Council Member Bailey stated he feels it is important to clarify that the reason that the City is participating in this agreement is to honor agreements that were made by previous employees of the City who had no authority to make agreements or commitments; he understands that the previous owner was given incorrect information about infrastructure connectivity in the area, but the Council never participated in any of those discussions or approved any type of document that should have given that owner assurances that it would be possible to connect to existing



infrastructure at minimal costs. He stated he is comfortable proceeding at this point in good faith. Mayor Taylor agreed and stated he feels the agreement is fair to all parties.

City Attorney Call provided a brief overview of the agreement, with a focus on the section that details the breakdown of the costs that will be paid by all parties to the agreement. He recommended approval of the agreement with the amendment that the owner of the property be changed to JMR Development.

Council Member Bailey asked if impact fee revenues can be used to pay for the infrastructure work associated with the agreement. Mayor Taylor answered yes and noted there will be more discussion regarding the budgeting of those impact fees later tonight during the budget discussion. Council Member Bailey asked how much money the City will collect in impact fees for the proposed development. Mayor Taylor stated that the City will collect approximately \$130,000 in storm drain impact fees for all 87 lots.

**Council Member Satterthwaite motioned to approve Agreement A15-2015 with JMR Development for the Woodfield Farms Development. Council Member Swanson seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**6. DISCUSSION ABOUT NORTH OGDEN CITY MASTER PLAN CONCERNING COMMERCIAL/MIXED USE ZONE**

A memo from Mayor Taylor explained earlier this year the owner of approximately 30 acres of ground south of Country Boy Dairy requested consideration of a mixed use project at this location. On April 14, 2015 the City Council and Planning Commission held a Joint Work Session to discuss the creation of a Master Planned Community Zone (MPC Zone). The purpose of this zone would be to allow mixed use developments in North Ogden, meaning a mixture of commercial and multi-family residential units in the same development. The City Council instructed the staff to formulate a proposed ordinance with the assistance of a planning consultant. The attached MPC Zone draft ordinance has been accordingly developed. A second joint City Council-Planning Commission work session has been planned for June 23, in which this proposed zone will be discussed. The purpose of this presentation tonight is simply to provide a brief overview of the proposal and prepare the City Council for the Work Session with the Planning Commission.



Mayor Taylor reviewed his memo and asked that the City Council accept the documentation regarding the proposed zone for review in preparation of the upcoming joint work session with the Planning Commission. He noted there are two different developers interested in building mixed use projects, but there is currently no zone that allows that type of project.

Council Member Satterthwaite stated it is important to note that the proposed zone represents a departure from the type of development that has occurred in North Ogden City in the past; the zone would accommodate growth in a different manner and that growth could be positive but could generate some concerns among residents. It is necessary to work closely with the Planning Commission and citizenry to ensure that concerns are addressed. Council Member Bailey agreed and stated it is important to tread very carefully when considering this new frontier. Council Member Swanson agreed and stated he does not want to feel pressured by the fact that there are projects waiting in the wings. Mayor Taylor stated that the developers of those projects understand that the Council will work through the process appropriately and will not be rushed.

Mayor Taylor then noted that during the June 23 joint work session with the Planning Commission the draft updated General Plan will be presented and there will be a discussion about conditional uses in the City. He asked that the City Council read all documentation in advance of the meeting to be prepared for productive discussion.

**\*\*Mayor Taylor moved item eight ahead of item seven on the agenda\*\***

**8. PUBLIC HEARING TO RECEIVE COMMENTS ON THE TENTATIVE BUDGET FOR FISCAL YEAR 2015-2016**

Mayor Taylor opened the public hearing at 8:36 p.m. There were no persons appearing to be heard.

**Council Member Swanson motioned to close the public hearing at 8:37 p.m. Council Member Stoker seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**7. DISCUSSION AND/OR ACTION TO CONSIDER A RESOLUTION TO ADOPT THE CONSOLIDATED FEE SCHEDULE**

A staff memo from Finance Director Steele introduced the Consolidated Fee Schedule with the changes highlighted in yellow and the previous fee struck through. The changes that are reflected in this schedule are:

- Several recreation fees
- Water usage fees
- Shutoff and after hour restoration fees

Fees yet to be decided upon include:

- Sewer Fee (proposed \$1.00 increase)
- Storm Water Fee (proposed \$1.16 increase)
- Solid Waste Fee (proposed \$1.00 decrease)
- Transportation Utility Fee (\$3.00 increase)

Mr. Steele reviewed his staff memo and reviewed the actual consolidated fee schedule to highlight the proposed changes.

Mayor Taylor noted that he has talked with the City's AYSO representative about the fact that the Council would like to consider increasing participation fees for AYSO and he asked for their feedback on that issue; he has not received that information yet. He added that AYSO has already completed registration for the current year and he would not recommend adjusting the fees until later in the year. Discussion ensued regarding the AYSO fees, with Mayor Taylor asking that Council Member Urry participate in future discussions between the City and AYSO. He added that Parks and Recreation Director Staheli has also reached out to other cities to get feedback on their feelings about the AYSO fees charged to them. Council Member Urry stated he would be willing to participate in any discussions about AYSO fees or their operation in general.

Mr. Steele continued his review of the proposed changes in the fee schedule. There was a brief general discussion throughout his review in order for the Council to gain clarification on the purpose or intent of various fees. There was a focus on the proposal to increase the non-residential water usage fee from \$1.19 to \$2.62 for every 1,000 gallons of water used, with Council Member Bailey asking for additional information about the proposal. The Council concluded to delay making the change to the rate and wait for more information about the types of users that would be impacted by the increase. There was also a discussion about water reconnection fees following an occurrence where a user has had their water shut off, with Council Member Swanson asking if there is a way to require recurring offenders that have their water shut off to pay a deposit or some other type of fee to penalize them for continued failure to pay their bills. The Council indicated they are supportive of the proposal to increase the water restoration fees and implement two tiers of the fee for first offenders and repeat offenders. Mayor Taylor then reported on a change to the utility billing operation; utility billing will be moved to the Public Works Facility, which will make it easier to coordinate billing issues between the Public Works Director and his staff. Payments will still be accepted at City Hall, but all billing will be done from the Public Works Facility.

Mr. Steele concluded his review of the fee changes with a focus on changing the late fees associated with late renewal of business licenses in the City. He then shifted his focus to the section of his memo regarding the fees that are yet to be discussed and determined.

Mayor Taylor then stated that he has asked City Engineer Hartvigsen to determine what road projects could be completed in the event that the \$3.00 transportation utility fee is approved. He reviewed a map prepared by Mr. Hartvigsen and identified the new projects that could be completed in order to address failing or deteriorating roads. Council Member Urry asked if it will be possible to charge the \$3.00 fee against properties that do not have a structure on them; is there a way to assign the fee according to land serial numbers. Mayor Taylor stated that the fee will be included on the monthly utility bill so it will be charged to everyone with a City utility account. City Attorney Call stated it would be somewhat difficult to assess the fee against properties without a structure and that work may not be worth the return. Discussion then centered on the concept of implementing a rate tier where different users would be charged a different fee, such as businesses paying more than residential properties, with Mayor Taylor noting that his recommendation was that all users in the City be charged a flat fee and that tiering not be used at this time. The Council then discussed options for communicating with residents about how the revenue generated by the \$3.00 will be used, with the Mayor indicating he is very supportive of this type of communication because he wants the fee to be very transparent.

**Council Member Swanson motioned to adopt Resolution 04-2015 adopting the consolidated fee schedule with the following changes:**

- **Leaving the non-residential water user fee for 1,000 gallons at \$1.19**
- **Including the recommended changes for fees associated with later renewal of business license; and**
- **Including the \$1.00 sewer fee increase, \$1.16 storm water fee increase, \$1.00 solid waste fee decrease, and \$3.00 transportation utility fee increase in the consolidated fee schedule.**

**Council Member Bailey seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**\*\*The meeting recessed at 9:37 p.m. and reconvened at 9:45 p.m.\*\***

**9. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2015-2016**

A staff memo from Finance Director Steele explained there have been a couple of minor changes to the proposed Fiscal Year 2015-2016 budget since the last Council Meeting as follows:

- 1) Due to the new accounting regulations, I have included the amount the General Fund would have received from the properties in the RDA area in the General Fund Property Tax revenue with a corresponding amount transferred to the RDA fund
- 2) We decreased the recreation fees by \$10,000 from the tentative budget based on the council's decision to increase the fees by a smaller amount this year.
- 3) I had to reassign some of the salary and benefit numbers from Planning to Administration. Prior to this budget part of our Deputy City Recorder's salary and benefit was paid for from the Planning Department. With the new administrative assistant position in the Planning Department, all of the Deputy City Recorder's salary & benefit will now come out of the Administration Department.
- 4) I had found an error in the Administration Department's Salary account. It was subtracting out a part time person's wage it shouldn't have been. So it added \$16,000 to that line item.

In the final budget ordinance, the City agrees to accept the certified tax rate the County Auditor calculates. This year the rate is decreasing from .001584 to .001485.

The Council can make changes to the budget but any changes have to be included in the motion when the final budget is approved.

The memo concluded City Administration is appreciative of the Council's hard work and participation on the budget. Staff feels it is a good budget because it was possible to implement a lot of the Mayor and Council's priorities into it.

Mr. Steele reviewed his staff memo.

Council Member Satterthwaite stated that he has talked to some members of the Council regarding a proposal he would like to make to increase the capital projects fund; the Public Works Facility project is nearing completion and the complete parking structure that has been designed for the space is unfunded. He has spoken with the project manager who has recommended that the complete construction of the parking structure be funded at this time to save on things like mobilization costs and to avoid an increase in material costs. He stated the cost to complete the project is approximately \$431,000 and he discussed funding sources (such as not funding the purchase of the leaf truck) available to the City for the work. He would also like to plaster the salt and sand building, which would cost approximately \$2,000.

Council Member Bailey asked for specific details about how to fund the project; he stated that the Council has indicated that they do not want future Councils to dip into the City's reserve funds and now the recommendation is being made to do just that. He noted that the City has used general fund reserves throughout the Public Works Facility project and that is concerning to him. He asked how much money would be available if the leaf truck was not purchased, to which Mayor Taylor answered \$160,000. Council Member Satterthwaite agreed with Council Member Bailey's comments, but noted he feels the completion of the Public Works Facility

project is very important and there may not be another project like this in the City in the next 40 years.

Mayor Taylor reviewed funding options for Council Member Satterthwaite's proposal, including rededicating funding allocated for the leaf truck (\$180,000), rededicating a portion of the funding allocated for the 1500 North piping project (\$100,000), and using \$75,000 from the water fund, and \$50,000 from the solid waste fund. This would total \$435,000 and would reduce the general fund reserves by \$50,000 or less than one percent without impacting other projects included in the budget. Discussion regarding Council Member Satterthwaite's proposal and the funding options ensued, with the Council ultimately concluding to proceed with Council Member Satterthwaite's recommendation while being cautious about how it will impact the budget. Council Member Urry added that he would like to review the original bids for covering the parking structure to determine the difference between the original cost and the newly proposed cost. He stated he would like to understand that the price that has been proposed is the best price the City could get.

**Council Member Satterthwaite motioned to amend the proposed budget by changing the capital project fund to expend \$431,000 to complete the parking structure at the Public Works Facility – according to the funding sources referenced by Mayor Taylor, - with the provision that the Mayor discuss the cost with the contractor to determine if it is the lowest price that they can offer and to adopt Ordinance 2015-11 adopting the Final Budget for Fiscal Year 2015-2016 with that change. Council Member Stoker seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>nay</b>

**The motion passed on a four to one vote.**

Council Member Urry offered an explanation for his 'no' vote; he indicated that he supports City employees, but does not feel that the City is being fiscally sound relative to the contribution made to employee benefits.

**10. PUBLIC HEARING TO RECEIVE COMMENTS TO AMEND THE BUDGET FOR FISCAL YEAR 2014-2015**

A memo from Finance Director Steele explained each year amendments to the current fiscal year budget are necessary to cover expenditures not accounted for in the original budget.

Mr. Steele reviewed his memo and reviewed a spreadsheet detailing the budget amendments. Revenues are being increased by \$9,421 to cover expenses in the same amount. The budget increases are described as follows:

- Accounting requirement to recognize RDA Property Tax in General Fund and then transfer it to the RDA Fund.
- State requirements to identify how much of each Enterprise Fund service is being used by City Buildings.
- Recognition of the amount that is being spent on the Monroe Boulevard right-of-way (ROW) purchase; this is a pass through amount as the funds come from the Corridor Preservation Funds.
- Anticipation of transferring ½ of the surplus in the General Fund to the Capital Projects Fund.
- Cherry Days Fireworks.

Mayor Taylor opened the public hearing at 10:54 p.m. There were no persons appearing to be heard.

**Council Member Bailey motioned to close the public hearing. Council Member Satterthwaite seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**The public hearing was closed at 10:55 p.m.**

**11. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE FOR AMENDMENTS TO THE FISCAL YEAR 2014-2015 BUDGET**

**Council Member Bailey motioned to adopt Ordinance 2015-12 amending the Fiscal Year 2014-2015 budget. Council Member Satterthwaite seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**12. DISCUSSION AND/OR ACTION TO CONSIDER A CHANGE ORDER FOR THE PUBLIC WORKS FACILITY**

A memo from Finance Director Steele indicated there is a proposed change order for the Public Works Facility to add field drain lines to help with ground water issues around the vehicle storage building; the cost of the work is \$10,500.

Mayor Taylor reviewed the memo and presented the Council with photographs detailing the water issues on the site. He explained where the lines would be installed in order to drain the water away from the building. He noted that if the Council would like to include funding to cover plastering of the salt and sand building as discussed during the budget presentation, that would take an additional \$1,870. Mr. Steele reviewed a spreadsheet detailing the money available in the contingency line item for the project, noting there is \$33,791.50 still available.

**Council Member Swanson motioned to approve a change order for the Public Works Facility project to add field drain lines to help with ground water issues at a cost of \$10,500 and to plaster the salt and sand building at a cost of \$1,870. Council Member Satterthwaite seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**13. PUBLIC COMMENTS**

There were no public comments.



#### **14. COUNCIL/MAYOR/STAFF COMMENTS**

Council Member Swanson thanked the rest of the Council for being willing to engage in the deliberative process; it is lengthy and sometimes very wordy, but he feels the Council is accomplishing great things.

Council Member Urry stated that he received an email from someone regarding cell phone tower contracts and he asked if an item can be added to a future agenda to discuss the issue. He then referenced a past presentation from Jeff Randall who asked that a sign be erected on Fruitland Drive naming it Randall Drive; he did a lot of research about Dalbert Randall being the first resident on the street. He stated he followed up on the issue and found that the historical board of the City denied it; when visiting with the historical board he was told that it was denied because the Public Works Department indicated they would not install the sign. He stated that it does not make sense to him and the Council should have the ability to make the decision whether or not to erect a historical sign. Council Member Bailey stated that the only problem with that is that erecting signs could become political rather than historical. Mayor Taylor asked if the sign was denied for historical reasons, to which Council Member Urry answered no. He added that he will follow up on the issue further. He then reported the Council received an email from Julie Anderson about concerns she had and he thanked those members of the Council that responded to her to satisfy her. He then asked City Attorney Call if the City has received a response from the Property Rights Ombudsman regarding the Baguley case, to which Mr. Call answered no. He added he would forward to the Council the letter that he sent to the Ombudsman. There was a brief general discussion about the process of engaging the Ombudsman in this type of case, with Mr. Call stating that he will keep the Council apprised of any developments.

Council Member Satterthwaite stated it is significant that the Council made budgetary decisions and fee increases were properly evaluated. He stated that he feels the fees should be monitored and it is important to continue to educate the residents regarding the need for the fee increases, particularly the new transportation utility fee. He added that the discussion regarding the parking amendments for PRUD was somewhat confusing and he wondered if there is a way to ensure that future recommendations from the Planning Commission are clearer. Mr. Call stated that Mr. Scott plans to make a recommendation to the Planning Commission that any time they are making a recommendation to the Council they elect a member of the Planning Commission to come to City Council to present information and answer questions. Council Member Satterthwaite stated that would address that issue.

Council Member Stoker referenced an email the Council received from a resident regarding a complaint about construction debris. Mayor Taylor stated that he and Building Official Kerr visited with the owner of the property where the construction debris is located and he has committed to clean it up. Council Member Stoker then reported that the Cherry Days Committee is meeting Thursday to discuss final preparations. She stated that the Cherry Days Celebration falls on a Saturday this year and she has volunteered the City Council to participate in clean-up following the celebration on Sunday morning. She stated community youth will participate in that effort as well. She then reported a recent windstorm blew down a tree at Barker Park and she thanked Ms. Staheli for dispatching employees to remove the tree. She thanked them for making the City look good. Council Member Urry agreed, but noted he has been disappointed in

local LDS Stakes for their unwillingness to volunteer; Jody Deamer sent an email to all Stake leaders asking that they recruit volunteers for the Cherry Days Celebration and only one Stake responded.

Council Member Swanson stated there is an ornamental cherry tree on Barker Parkway that was blown sideways by a windstorm about six months ago and it is leaning into the street; it is creating a hazard and needs to be removed.

Council Member Urry stated that he and the Mayor will be meeting with the Senior Center Board in two weeks and he solicited input from any member of the Council that would like certain issues discussed.

Council Member Bailey asked about the status of the removal of construction trailers located near the Rands property. Mayor Taylor stated that the Planning Commission has not made a final decision regarding the issue. Mr. Call stated the City has an ordinance that requires trailers and vehicles be parked on impervious surfaces, but the issue with the trailers in question is that they are no longer trailers in that their wheels have been removed and they are being used as sheds. Council Member Bailey stated that he will be bringing some information to the City Council during the joint work session with the Planning Commission next week. He requested that the Council read the Planning Commission minutes of June 5, June 12, and June 19, 2013 dealing with the request for Rands roofing. He would like to focus on conditional use permits and some major problems that have been created by these types of permits.

Mayor Taylor reported the Public Works Facility Open House will be held July 9, 2015 at 5:00 p.m. and people will have the opportunity to tour the facility. The General Plan Open House will be held July 14, 2015 prior to the City Council meeting. The employee barbeque will be held July 30, 2015 at noon.

## **15. ADJOURNMENT**

**Council Member Satterthwaite motioned to adjourn the Council meeting and convene in an RDA meeting. Council Member Swanson seconded the motion.**

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

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**The meeting adjourned at 11:32 p.m.**

**RDA**

**1. PUBLIC HEARING TO RECEIVE COMMENTS ON THE RDA TENTATIVE BUDGET FOR FISCAL YEAR 2015-2016**

Mayor Taylor opened the public hearing at 11:32 p.m. There were no persons appearing to be heard.

**Council Member Satterthwaite motioned to close the public hearing. Council Member Stoker seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**The public hearing closed at 11:32 p.m.**

**2. DISCUSSION AND/OR ACTION TO CONSIDER THE RDA FINAL BUDGET FOR FISCAL YEAR 2015-2016**

Finance Director Steele referenced page 42 in the City budget document and noted that the only changes to the budget over last year's RDA budget are the inclusion of funding for the City's participation in the construction of the Intermountain Health Care (IHC) Trail and a \$50,000 budget for beautification efforts in the business areas of the City.

There was a brief discussion about the grand re-opening of Besst Realty in the old Graystone Plaza as well as other activities included in the Cherry Days Celebration.

**Board Member Swanson motioned to adopt the RDA final budget for Fiscal Year 2015-2016. Board Member Satterthwaite seconded the motion.**

**Voting on the motion:**

<b>Board Member Bailey</b>	<b>aye</b>
<b>Board Member Satterthwaite</b>	<b>aye</b>
<b>Board Member Stoker</b>	<b>aye</b>
<b>Board Member Swanson</b>	<b>aye</b>
<b>Board Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**3. DISCUSSION AND/OR ACTION TO APPROVE A RESOLUTION AMENDING RESOLUTION #13-2014 AUTHORIZING PROJECT AREA TO BE STUDIED**

A memo from Mayor Taylor explained in July 2014 the City began preparations to create a Community Development Area (CDA) in order to stimulate commercial development in North Ogden. A proposed project area was developed, including a map of properties to be included into the CDA.

After having hired Zion's Bank Public Finance (ZBPF) as a project consultant to assist with the formation of the CDA, we have identified some recommended changes to the proposed project area, and are proposing some modifications to CDA map. These include adding additional properties around the Cannery Building and north of Big-O Tires into the CDA. The purpose of adding these additional properties into the CDA is to have a more cohesive and connected project area.

Mayor Taylor reviewed his memo and the amended map for the proposed CDA. He noted there is overlap between the proposed CDA and RDA, but that is allowed.

Council Member Urry referenced commercial properties along Washington Boulevard that are not included in the proposed CDA and he inquired as to why they are excluded. Mayor Taylor noted that the CDA is meant to focus on areas that are likely to be redeveloped and produce a higher amount of tax; those properties that have been excluded have either already been redeveloped or are already located in the RDA. Council Member Urry stated that there is a residential property north of the King's Plaza that could potentially be developed for commercial use at a future date and he recommended including it in the CDA. Mayor Taylor noted that the recommendation is that only properties that can develop within a five-year window be included in the CDA; it will be possible to create another CDA in five years for any properties that have greater potential to develop or redevelop. Brief general discussion regarding the boundary of the CDA continued, with Mayor Taylor reiterating that the City will have the option of creating future CDAs as needed.

**Board Member Satterthwaite motioned to approve Resolution 05-2015 amending Resolution 13-2014 authorizing a CDA project area to be studied. Board Member Bailey seconded the motion.**

**Voting on the motion:**

<b>Board Member Bailey</b>	<b>aye</b>
<b>Board Member Satterthwaite</b>	<b>aye</b>
<b>Board Member Stoker</b>	<b>aye</b>
<b>Board Member Swanson</b>	<b>aye</b>
<b>Board Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**4. ADJOURNMENT**

**Board Member Satterthwaite motioned to adjourn the RDA meeting. Board Member Stoker seconded the motion.**

**Voting on the motion:**

<b>Board Member Bailey</b>	<b>aye</b>
<b>Board Member Satterthwaite</b>	<b>aye</b>
<b>Board Member Stoker</b>	<b>aye</b>
<b>Board Member Swanson</b>	<b>aye</b>
<b>Board Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**The meeting adjourned at 11:57 p.m.**

**Council Member Satterthwaite made a motion to convene in a Closed Meeting to discuss pending or reasonably imminent litigation and a strategy session to discuss the purchase, exchange, or lease of real property according to Utah Code 52-4-205. Council Member Stoker seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

The Closed Meeting began at 11:59 p.m. The meeting reconvened at 12:05 a.m.

**Council Member Satterthwaite motioned to adjourn the meeting. Council Member Swanson seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**The meeting adjourned at 12:06 a.m.**

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Brent Taylor, Mayor

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S. Annette Spendlove, MMC  
City Recorder

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Date Approved