

NORTH OGDEN CITY COUNCIL MEETING MINUTES

April 28, 2015

The North Ogden City Council convened in an open meeting on April 28, 2015 at 6:10 p.m. at Oaklawn Park, then reconvened at 6:39 p.m. in the North Ogden City Council Chambers at 505 East 2600 North. Notice of time, place and agenda of the meeting was delivered to each member of the City Council, posted on the bulletin board at the municipal office and posted to the Utah State Website on April 28, 2015. Notice of the annual meeting schedule was published in the Standard-Examiner on December 21, 2014.

PRESENT:	Brent Taylor	Mayor
	Lynn Satterthwaite	Council Member
	Cheryl Stoker	Council Member
	Phillip Swanson	Council Member
	James Urry	Council Member
STAFF PRESENT:	Bryan Steele	City Administrator/Finance Director
	Annette Spendlove	City Recorder
	Jon Call	City Attorney
	Trent Wilkins	Sanitary Sewer Superintendent
	Gary Kerr	Building Official
	Rob Scott	City Planner
EXCUSED:	Kent Bailey	Council Member
VISITORS:	Julie Anderson	Dale Anderson
	Bob Buswell	Jilly Marcott
	Penny Dean	John Hansen
	Rachel Trotter	

OFFSITE VISIT – OAKLAWN PARK – 1200 E 2500 N – 6:00 P.M.

REGULAR MEETING – 6:37 P.M.

Mayor Taylor welcomed those in attendance.

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

CONSENT AGENDA

- 1. CONSIDERATION TO APPROVE THE MARCH 31, 2015 CITY COUNCIL MINUTES**

City Recorder Spendlove noted for the record that page 14, line 603 should read “Council Member Bailey indicated Utah Code, Title 10, 9A, 511, allows municipalities to provide for an amortization schedule”.

Council Member Satterthwaite motioned to approve the consent agenda with the recommended correction to the minutes. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Urry	aye

The motion passed unanimously.

ACTIVE AGENDA

1. PUBLIC COMMENTS

Dale Anderson, 940 E. 2600 N., referenced item nine on the agenda and stated he appreciates the help the Planning Commission has been in dealing with the proposed rezone of property. He added, however, that he has reviewed the proposed ordinance for the rezone of the property and had concerns about some of the restrictions included in the development agreement. He added the owners name is listed as Dale Chatelain, but there are actually two properties: one owned by Chatelains and one owned by Chambers. He stated he wants to ensure the development agreement is tied to the rezone since so much time was spent working to get restrictions put in place for the development of the property. He then addressed the creation of a dog park in the City and noted that the location that has been selected is adjacent to his property; he has heard that a no parking sign will be erected on his property and he asked if that is correct. Mayor Taylor answered yes and noted that Mr. Anderson’s concerns regarding the property rezone will be addressed at the time that item is considered during tonight’s meeting.

Julie Anderson, 940 E. 2600 N., discussed the Junior Posse activity that will take place during the Cherry Days celebration and she asked the City’s permission to rename the activity as the “Ron Brown Memorial Activity”. She stated Mr. Brown was a great supporter of the kids in the community and he was actually one of the first members of the Posse upon its inception. She stated she would also like to coordinate a fundraising event in conjunction with the activity to raise funds to be donated to cancer awareness and research efforts. She then also addressed the proposed rezone of property listed as item nine on the agenda and thanked City Planner Scott for his efforts in addressing the concerns raised by citizens. The Council briefly discussed Ms. Anderson’s request and stated they would support changing the name of the annual Junior Posse event.

2. DISCUSSION AND/OR ACTION TO CONSIDER MODIFYING THE BETTER CITY AGREEMENT

Mayor Taylor stated the biggest implication of the agreement modification is termination of the previous agreement between North Ogden City and Better City and replace it with the proposed agreement that will continue services for a few specified projects. He briefly reviewed the terms of the agreement, with a focus on the four projects Better City will continue to work on for the City as follows:

Senior Living Project: The Firm may continue to work on the development issues related to the land between the municipal block and the old Smith's store, currently slated for a senior housing project. The Firm may continue to work on securing the property from current owners and get it under contract with developers. The Firm will work with city officials to make sure the zoning is properly aligned for the proposed use and that the utility issues are resolved. The Firm will address the other items listed in the Letter of Intent to satisfy all of the pre-development issues so that the developer can finish their due diligence, close on the property, gain City approval for a building permit and build the project.

- i. North Ogden City (City) will cooperate in a timely manner with the Firm in providing the scope of work described above and will pay in a timely manner, per the existing contract, for all completed work. The City will pay the Firm \$20,000 for a final payment upon application for a building permit by a developer upon the proposed site.

Old Public Works Property: The Firm will continue to solicit developers for this property. The proposed Downtown Plan shows that site being rezoned for townhome development, therefore, the Firm will solicit developers and a housing product that will meet that product type. The Firm has solicited several such developers already and will make every effort to consummate a transaction. The Firm understands the goal of this property is to provide as much funding as possible to construct a storage facility at the new public works site. The Firm will have a one year period in which to pursue this project. This period may be extended by North Ogden City, for a specific developer, if the Firm is in productive negotiations with a specific developer at the end of the one year period.

- i. Ogden City will cooperate with moving existing uses on that block as a developer is secured, and will do so in a timely manner to facilitate a reasonable development timeline. The City will cooperate with zoning issues to meet this proposed use and will sell the land for a price that is reasonable given market conditions. The City will pay the Firm for work completed according to the contract in a timely manner with a final payment of \$15,000 upon the sale of the Old Public Works Property to a developer recruited by the Firm for the proposed townhomes use.

Washington Boulevard Project: The Firm will continue working on two projects along Washington Boulevard for development or redevelopment. The projects and associated payment structures are as follows:

- i. Wasatch Peaks Credit Union Parcel: (south of theater): The Firm will pursue a commercial or mixed-use development at this site. The Mid Point

payment shall be made upon Better City's negotiation and creation of a development plan accepted by the landowner and the city. The midpoint payment shall be \$7,500. The final payment for this project shall be paid when a developer agrees to complete the project and signs a development agreement. The final payment shall be \$10,000. The Firm will have a one year period in which to pursue this project. This period may be extended by North Ogden City, for a specific developer, if the Firm is in productive negotiations with a specific developer at the end of the one year period.

- ii. Froerer Property: The Firm will pursue a commercial or mixed-use project at this site. The Mid Point payment shall be made upon presentation of a Better Cities Transition Agreement Page 3 of 5 development plan accepted by the landowner and the city. The midpoint payment shall be \$5,000. The final payment for this project shall be paid upon completion of a signed development agreement. The final payment shall be \$10,000. The Firm will have a one year period in which to pursue this project. This period may be extended by North Ogden City, for a specific developer, if the Firm is in productive negotiations with a specific developer at the end of the one year period.

Mayor Taylor concluded the first two projects were included in the previous agreement, while the last two projects are new projects that have been identified.

City Attorney Call noted many of the terms of the agreement are the same as in the previous agreement, specifically the terms regarding confidentiality and development/payment timelines.

Council Member Swanson addressed the senior living project referenced in the agreement and stated that there is no time frame for that project, while all other projects have a one year time frame. Mayor Taylor stated he assumes that time frame can be added to the agreement.

Council Member Satterthwaite asked why the final two projects are being added to the agreement. Mayor Taylor stated the addition was at the request of Better City as they are projects they are actively working on and feel they could accomplish within the year. Council Member Urry stated he is opposed to adding the two projects. He stated he has attended Utah League of Cities and Towns (ULCT) meetings where he has been told there are many developers that are willing to develop properties within cities without being paid a fee or given concessions by the city. He stated Better City can continue their work to complete the projects, but the City should not pay them to do that. Mayor Taylor stated that he would typically agree with that opinion, but in this case Better City has begun work on the projects and it is appropriate to add them to the agreement. Council Member Urry argued that a list of projects was initially identified and timelines were assigned to those projects to determine when Better City would be eligible to be compensated for their work; these two projects were not on that list and the City should not pay Better City. He stated if Better City started the projects on their own, they should finish them on their own. Mayor Taylor stated that the initial agreement actually includes a Washington Boulevard project. Council Member Urry stated that he feels Better City is trying to get the City to pay for work that he has done; Better City has approached other cities and proposed to perform the same work for them and they have rejected those proposals.

Council Member Satterthwaite referenced the original agreement and stated it included statements that made him worry about conflicts of interest and he has some of the same concerns regarding the two new projects.

Council Member Urry stated he has always questioned how the mid-point of a project is measured. Mayor Taylor stated that some of the concerns that have been raised are the reason he is supportive of terminating the original agreement, but he wants that termination to be fair. Council Member Urry stated it would be fair for the City to say the agreement is terminated and refuse to issue additional payments.

Council Member Satterthwaite reiterated his concerns regarding a potential conflict of interest related to Better City's work on the two new projects and he is not willing to vote to support the new agreement until those concerns are addressed. Mayor Taylor asked City Attorney Call to recommend language to address Council Member Satterthwaite's concerns. Mr. Call stated that he does not understand what conflicts of interest Council Member Satterthwaite is referencing. Mayor Taylor stated the previous agreement included a provision to allow Better City to work as a consultant for someone else involved in a transaction.

Council Member Swanson stated he is not in favor of adding the two new projects to the agreement; he has not seen a lot happening with those two projects and if the City is parting ways with the firm it is not necessary to include additional projects. He asked if the Administration's concern is that significant opportunity would be lost or development would not occur on the credit union parcel and the Froerer parcel if Better City is not involved. He stated he does not feel it would be too difficult for the current property owners to develop their property without the aid of Better City.

Council Member Urry stated there are many other developers that do what they do without being compensated by the City. He stated John Hansen has brought many businesses to the City and the City has not compensated him for that work. Mayor Taylor clarified that John Hansen is a real estate professional and Better City is an economic development consulting firm. He stated he agrees with Council Member Urry's philosophy, but the City has entered into an agreement with Better City to complete projects, including a project on Washington Boulevard. He stated the agreement was somewhat nebulous, but Better City has indicated they have started work on the project. He stated negotiations have taken place that narrowed the scope of work to be done on the Washington Boulevard project and he does not feel the proposed agreement is unreasonable. Council Member Urry stated that the City has not heard anything about the two projects until threatening to terminate the agreement.

Council Member Satterthwaite stated that he has been convinced that Better City has performed on other projects that were included in the initial agreement, but the statement that gave him pause in that same agreement read "the firm reserves the right to negotiate a payment structure that will be generated from the projects orchestrated by the firm on behalf of the City. The City shall maintain the right to review and approve any such payment structures". He stated that he is concerned that the payment structure for projects outside of the City's purview could be based on any number of factors. Mayor Taylor stated that language is from the original agreement and has since been removed. Mr. Call agreed and stated the language would have allowed Better City to

work for the City and another party involved in a project, which would have given them the opportunity to make money from both sides of an agreement. He stated he is not aware that ever occurred.

Council Member Urry stated that he does not understand why the City is concerned about hurting the feelings of the representatives of Better City; it is not uncommon for people to terminate agreements for failure to perform. He stated the City should not be considering paying a fee in order to terminate the agreement. Mayor Taylor stated that the only fees that would be paid to Better City would be based upon performance acceptable to the City. The Council then engaged in a discussion regarding the timeline for the Washington Boulevard projects, with a focus on the work that would need to be performed in order for Better City to be eligible for mid-point and final payment.

Council Member Stoker asked if Better City has proven that they have done work on the two new projects. Mayor Taylor stated that Better City has indicated they have two developers interested in the properties, but the City has forwarded a new idea to relocate the library to one of the properties and Better City is waiting to see if that will happen before they proceed with a project. Council Member Stoker stated she is asking about the two new projects, the Wasatch Credit Union property and the Froerer property. Council Member Swanson added that the agreement states that Better City is eligible for an extension of the time period for a project “if the Firm is in productive negotiations with a specific developer”. He stated he is comfortable including the two Washington Boulevard projects in the new agreement if Better City is actually in productive negotiations with a developer; if such negotiations are not taking place there is no reason to include those projects in the agreement. He added that he is comfortable with the mid-point criteria for the Public Works property project. Council Member Stoker agreed and stated the Council does not know what is happening relative to negotiations with a developer for the two properties.

Council Member Satterthwaite inquired as to the City’s financial obligations should the Council choose to terminate the agreement. Mayor Taylor stated the City would be responsible to pay the monthly retainer fee of \$1,000 for 90 days. Council Member Satterthwaite suggested that the City request a progress report for the two new projects and wait to approve the agreement until the next Council meeting. Mayor Taylor stated he would actually recommend the Council remove the two new projects from the agreement and approve it with that change. Discussion and debate regarding the Mayor’s suggestion ensued, with the Council ultimately concluding remove the two new projects from the agreement and to add a time limit for the first project listed in the agreement similar to the time limit for the second project

Council Member Swanson motioned to approve Agreement A8-2015, with the following changes: add a one year time limit in subsection ii of paragraph “a”; and strike the two projects referenced in paragraph “c” and its subsections. Council Member Satterthwaite seconded the motion.

Voting on the motion:

Council Member Satterthwaite **aye**
Council Member Stoker **aye**
Council Member Swanson **aye**
Council Member Urry **nay**

The motion passed on a three to one vote.

3. SECOND PUBLIC HEARING FOR THE 2015-2016 COMMUNITY BLOCK DEVELOPMENT GRANT (CDBG)

A staff memo from Building Official Gary Kerr explained North Ogden City has been awarded a Community Development Block Grant to fund the retrofit of the Oaklawn Park restrooms so they comply with the requirements of the Americans with Disabilities Act (ADA). One of the stipulations attached to this funding is the City’s obligation to hold a second public hearing to discuss the project determined to be applied for in the CDBG Small Cities Program in Program Year 2015-16. Comments will be solicited on project scope, implementation and its effects on residents. Notice of this public hearing has been published in the Standard-Examiner on April 17, 2015.

Mayor Taylor and Mr. Kerr reviewed the staff memo. Mr. Kerr indicated the purpose of this hearing is to allow all citizens to provide input concerning the project that was awarded under the 2015 Community Development Block Grant Program. North Ogden City has amended our Capital Improvement Plan and has decided to apply for funds on behalf of the OakLawn Park ADA Restroom Renovation Project. Mr. Kerr indicated he will be the Project Manager. The City application was successful in the regional rating and ranking process for the Restrooms Renovation Project and the City was awarded \$235,095. The total cost of the project will be approximately \$300,000. The project will include the demolition of the existing restroom, construction of a new 760 square foot restroom, site work and parking restoration, and the installation of a 2" waterline and sewer line lateral. This restroom will have 10 water closets and urinals and 4 lavatories. The public hearing purpose will be to ask the audience if they have any comments, questions or concerns and to reply to their comments, questions and concerns.

Council Member Urry inquired as to the grant award amount. Mr. Kerr stated the City was awarded \$235,095. Council Member Urry inquired as to the total projected project cost, to which Mr. Kerr answered \$300,000 for the restroom, but noted the cost is \$375,000 if the storage facility is included in the total. He added the restroom at Oaklawn will be identical to the restroom that was built at Orton Park. Council Member Urry stated that the City did not pay \$375,000 for the facility at Orton Park. Mr. Kerr agreed, but noted it is necessary to bring in a large amount of fill material to the Oaklawn Park site to raise the restroom facility and the City is also required to pay Davis Bacon wages for the project since it is partially funded by a grant. Council Member Urry asked what the City’s cost will be for the restroom. Mayor Taylor stated the City will pay approximately \$60,000 for the restroom and another \$75,000 for the storage facility, but the storage facility is not under consideration during this public hearing. Mr. Kerr stated he is hopeful it will be possible to reduce the actual cost of the restroom project, which will reduce the City’s financial responsibility in the project.

Mayor Taylor opened the public hearing at 7:27 p.m. There were no persons appearing to be heard.

Council Member Stoker motioned to close the public hearing at 7:27 p.m. Council Member Satterthwaite seconded the motion.

Voting on the motion:

Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Urry	aye

The motion passed unanimously.

4. DISCUSSION AND/OR ACTION TO CONSIDER A RESOLUTION FOR THE MUNICIPAL WASTEWATER PLANNING PROGRAM ANNUAL REPORT FOR 2014

Solid Waste Superintendent Trent Wilkins noted that he is required to provide an annual report regarding the City's Waste Water Planning Program; he briefly reviewed the report that will be provided to the State for 2014. Mayor Taylor noted the only points against the City were related to the lack of funding plans for long term improvement projects. City Administrator/Finance Director Steele indicated the City's Waste Water fund balance is fairly healthy and could accommodate needed five to 10 year projects. Mayor Taylor noted he feels there is room for improvement relative to the utility rates charged to residents; it is necessary to determine whether the City is charging enough to cover future needs. He added the City has a great sewer staff and they have been very focused on continuing with slip lining projects that will protect the City's sewer system against breakage and leaks.

Council Member Swanson motioned to adopt Resolution 01-2015 relating to the Municipal Wastewater Planning Program Annual Report for 2014. Council Member Stoker seconded the motion.

Voting on the motion:

Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Urry	aye

The motion passed unanimously.

**5. DISCUSSION AND/OR ACTION TO CONSIDER A CITY-WIDE CLEAN UP
MAY 16 – MAY 23**

Mayor Taylor reviewed a flier included in the Council packet to provide the Council with information regarding a proposed City-wide clean up event from May 16 to May 23. If the project is approved, large dumpsters will be staged at the Green Waste Facility to accept the following items for free:

- Large household trash items (furniture, mattresses, bed frames, etc.)
- Used tires and car batteries will be accepted for recycling
- Green waste, including branches, leaves, tree stumps, weeds, etc.
- Used oil (uncontaminated) will be accepted at Jiffy Lube and Auto Zone
- Paint (must be dried with kitty litter)
- Cardboard, plastic, and glass for recycling (large items accepted)
- Appliances & electronics for recycle

Items that will not be accepted include:

- Commercial waste or dumping
- Household garbage that belongs in weekly garbage pickup
- Hazardous waste or materials
- Waste from residents of other cities

Mayor Taylor added the Green Waste Facility will be staffed by City employees or volunteers. In advance of the event, the City's Code Enforcement Officer will be visiting with property owners throughout the City to inform them of the event and to let them know that if their property is not cleaned up during the event they may be at risk of being cited for any code violation that exists on their property. The event will be advertised to local religious and civic groups in hopes that they may coordinate service projects to assist needy residents during the week. Mr. Steele reported any costs associated with the clean-up day will be paid from the City's waste management budget as there are funds available due to the savings the City realized by contracting with a new waste hauler.

Council Member Urry asked how much the City saved by contracting with a new hauler, to which Mr. Steele answered approximately \$15,000. Council Member Urry stated he feels this is a good project, but he is concerned about the fact that there are still unsightly yards in the City one year after hiring a Code Enforcement Officer. He stated the citizens will be asked to participate in City-wide cleanup of messes that the Code Enforcement Office should have cleaned up before now. Mayor Taylor stated that there are many cities that offer this type of event and it is a service for all residents in the community that have items to dispose of. Council Member Urry stated his concern stems from the fact that the City saved money by changing garbage haulers, but now wants to spend that money on this event. He added he would like a report regarding the work that has been done by the Code Enforcement Officer in the year that he has been working for the City. Mayor Taylor stated that the Code Enforcement Officer has accomplished great things during his tenure with the City, but he would be happy to ask him to provide a report to the Council. He concluded by summarizing the cost estimates for the project. Council Member Urry stated he is supportive of the project, but he does not want it to become an annual event that citizens rely upon. He stated there is a yard on Washington Boulevard that has

several violations and it has been that way for over a year. Council Member Swanson agreed and stated there are many yards in the City like that and he is pleased to hear the Code Enforcement Officer will be working with owners of those properties to encourage them to clean their property during this event.

Council Member Satterthwaite motioned to approve the City-Wide Clean Up event scheduled for May 16 to May 23 and to require a report regarding the event as well as Code Enforcement actions over the past year at the following City Council meeting. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Urry	aye

The motion passed unanimously.

6. DISCUSSION AND/OR ACTION TO CONSIDER AN ACCESS EASEMENT AND ENCROACHMENT ONTO CITY OWNED PROPERTY, LOCATED AT APPROXIMATELY 615 E 2100 N

A memo from City Planner Scott explained the applicant is requesting from the city an encroachment onto approximately a foot and a half wide section onto city property. The property is located at 615 East 2100 North, and the City Park – Orton Park abuts to the south of the applicant’s property. The park is a City owned park but also serves as a detention pond basin for the surrounding area. When the park was built, a retaining wall was put in place on the North West end perimeter of the park. The rock retaining wall is built onto both sides of the property line. The applicant proposes to construct a fence along the property line, however, the rock retaining wall imposes a physical barrier that cannot be overcome, except to remove the rock retaining wall.

The memo reviewed the requests compliance with City zoning ordinances as follows:

12-2-2: Definitions EASEMENT: That portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner or owners of the property or properties. The easement may be for use under, on, or above the lot or lots.

3-1-9-E: DISPOSAL OF CITY PROPERTY E. Alternative Disposition: In accordance with the terms of Utah Code Annotated section 10-8-2, the city may make a finding that a use or disposition of certain city property provides for the safety, health, prosperity, moral well-being, peace, order, comfort or convenience of the inhabitants of the city, in which case the city council may authorize the purchase, receipt, holding, selling, leasing, conveying and other disposition of real and personal property for the benefit of the city, whether the property is within or without the city's corporate boundaries and under the terms of such a finding is not obligated to sell such

property at bid but may improve, protect, and do any other thing in relation to this property that an individual could do.

The memo summarized the following potential Planning Commission consideration:

- Does the proposed use meet the requirements of the applicable City Ordinances?
- Are there any potentially detrimental effects that need to be mitigated by imposing conditions of approval; and if so, what are the appropriate conditions?

The memo recommended the following conditions of approval:

- Applicant to obtain appropriate building permits.
- Applicant to maintain the encroachment.
- The City may revoke the easement at any time.

The memo concluded this is a policy decision. If the City Council determines that granting an easement is appropriate with the recommended conditions; then the easement can be granted.

Mr. Scott reviewed his staff memo and photographs of the area to identify the location and purpose of the easement to accommodate the erection of a fence by the applicant.

Council Member Urry asked if the rock wall was in place when the detention basin was constructed and when abutting properties were sold as residential lots. Building Official Kerr answered no and indicated the rock wall was installed a few years ago to protect the detention basin. Council Member Urry stated he believes the rock wall would have had to been in place in order for the existing fence to be erected in its current location, which means the rock wall would have had to been built when the detention basin was built. He stated if that's the case, the rock wall would have been built without a proper survey. He asked if the applicant is proposing to erect a fence on the south side of the rock wall. Mr. Kerr answered yes. There was a brief discussion regarding the configuration of the fence, rock wall, and the detention basin, with a focus on the survey and the percentage of the lot upon which the encroachment would be located. Mr. Scott stated that approximately 40 percent of the applicant's lot would be encroached upon. He added that other property owners abutting the detention basin may request similar consideration from the Council in the future. Council Member Urry stated it would be his preference for the City to require that the fence be lined up and rather than creating an easement, the property on the other side of the fence should be deeded to abutting property owners. Mayor Taylor stated that could be problematic because some private property owners may not want to assume responsibility for maintenance of the sloped property that would be deeded to them. The Council and staff continued to review photographs of the property, after which they determined to ask for additional information from staff regarding the exact location of the property line as well as the location of the fence prior to taking action on the applicant's request. Mr. Scott noted staff will be focused on access opportunities that would provide for the City to continue to maintain any property for which it would be responsible.

7. PUBLIC HEARING TO RECEIVE COMMENTS TO CONSIDER REZONING PROPERTY LOCATED AT APPROXIMATELY 786 E 2100 N, FROM RESIDENTIAL RE-20 TO RESIDENTIAL R-1-12.5

A staff memo from City Planner Scott explained when the City Council is acting in a legislative capacity as the land use authority the City Council has 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 decision, related to a legislative matter, require compatibility with the general plan and existing codes. The applicant is requesting that the property located at approximately 768 East 2100 North, be rezoned from Suburban Residential RE-20 to Single Family Residential R-1-12.5. The existing project has been included in the Coldwater Springs subdivision lot 5. The applicant currently has an existing building located in the R-1-12.5 zone. The project is proposing to add to this building. This applicant will place this lot into one zone. The applicants proposed land use for this property is a residential multi-unit living facility for the disabled. On April 1, 2015 the Planning Commission considered and gave a recommendation to the City Council of this item. The General Plan calls for "All development in the community should be built on land suitable for the intended use." Additionally, "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 Zoning and Land-Use Policy includes guidelines for how zoning changes should be considered:

General Guidelines

1. A definite edge should be established between types of uses to protect the integrity of each use.

Staff comment: The proposed land use will complement existing uses in the community as this project will be just an addition to an already allowed use on the zoning district adjacent to the proposed parcel.

2. Zoning should reflect the existing use of property to the largest extent possible, unless the area is in transition.

Staff Comment: This project reflects the existing use of property surrounding it.

3. Where possible, properties which face each other, across a local street, should be the same or similar zone. Collector and arterial roads may be sufficient buffers to warrant different zones.

Staff comment: 2100 North is a collector street which provides a sufficient buffer.

4. Zoning boundaries should not cut across individual lots or developments (i.e., placing the lot in two separate zones). Illogical boundaries should be redrawn to follow property or established geographical lines. Staff comment: The petition will have all properties in the same zone.

Residential Guidelines

8. Avoid isolating neighborhoods.

Staff comment: The proposed project will be located on an existing street, 2100 North, and will not isolate any neighborhoods. The proposed project will also include street improvements to the east of the property where the future 800 east will run north and south. The street layout provides for appropriate future connections.

The General Plan map calls for this property to be developed as single family residential, low density.

The recommended zoning is for R-1-10, R-1-12.5, and RE-20.

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

- Is the proposal consistent with the General Plan?
- Does the proposal meet the North Ogden Zoning ordinance standards?
- How does the proposal relate to the Zoning and Land-Use Policy for evaluating zoning requests?
- Is the R-1-12.5 request appropriate for this neighborhood?

The memo concluded this is a policy decision; the General Plan recommends this area as low density zoning, this infill property can logically be zoned R-1-12.5. The Planning Commission determined that the R-1-12.5 zone is appropriate; that the application is consistent with the North Ogden General Plan and recommends approval to the City Council. The Planning Commission recommends that the City Council rezone this property from RE-20 to R-1-12.5.

Mr. Scott summarized his staff memo.

Mayor Taylor opened the public hearing at 8:19 p.m. There were no persons appearing to be heard.

Council Member Swanson motioned to close the public hearing at 8:19 p.m. Council Member Satterthwaite seconded the motion.

Voting on the motion:

Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Urry	aye

The motion passed unanimously.

8. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE REZONING PROPERTY LOCATED AT APPROXIMATELY 786 E 2100 N FROM RESIDENTIAL RE-20 TO RESIDENTIAL R-1-12.5

Council Member Satterthwaite motioned to adopt Ordinance 2015-5 rezoning property located at approximately 786 E. 2100 N. from Residential RE-20 to Residential R-1-12.5. Council Member Stoker seconded the motion.

Voting on the motion:

Council Member Satterthwaite **aye**
Council Member Stoker **aye**
Council Member Swanson **aye**
Council Member Urry **aye**

The motion passed unanimously.

**9. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE REZONING
PROPERTY LOCATED AT APPROXIMATELY 2700 N 900 E FROM
RESIDENTIAL RE-20 TO RESIDENTIAL R-1-10**

City Planner Scott explained the City Council held a public hearing regarding this proposed rezone on March 10 and the development agreement for the property being rezoned was approved that evening; unfortunately, the ordinance formalizing the rezone was not available on March 10 and it is necessary for the Council to take action on such an ordinance in order for the rezone to take effect. The development agreement will not be changed as a result of this action, with the exception of both current property owners being added to the agreement.

Mayor Taylor asked if it would be possible for a future developer to purchase the property and complete a project allowed in the R-1-10 zone without the requirements of the development agreement in the event that the current developer does not proceed with his plans. City Attorney Call answered no and stated that the agreement indicates that if the developer does not proceed as planned, the zoning of the property will revert to what it was previously; the development agreement cannot be assigned to another party. Mr. Scott added that the City has received a preliminary plat application, which means the developer is moving forward with their project. He stated that the plat will be reviewed in detail by the Technical Review Committee, staff, and the Planning Commission.

Council Member Satterthwaite asked why the ordinance does not indicate that a development agreement has been approved for the property to be rezoned. Mr. Call stated such language could be added to the ordinance.

Council Member Satterthwaite motioned to adopt ordinance 2015-06 rezoning property located at approximately 2700 N. 900 E. from Residential RE-20 to Residential R-1-10, as amended. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Satterthwaite **aye**
Council Member Stoker **aye**
Council Member Swanson **aye**
Council Member Urry **aye**

The motion passed unanimously.

10. DISCUSSION AND/OR ACTION TO CONSIDER THE PRELIMINARY PLAN FOR THE RANCHES PRUD SUBDIVISION, LOCATED AT APPROXIMATELY 2250 N 150 E

A staff memo from City Planner Scott explained the applicant is requesting the approval of a PRUD/Subdivision/Conditional Use Permit for The Ranches Subdivision, a 79 unit apartment complex. The Planning Commission granted preliminary approval on April 1, 2015. Preliminary approval also included the approval of a conditional use permit. The preliminary development plan approved by the Planning Commission is being sent to the City Council for their review and comments. City Council Review and Comment: The preliminary development plan approved by the Planning Commission shall be sent to the City Council for review and comment. The Planning Commission shall consider any City Council comments prior to granting final development plan approval. The City Council comments will be addressed by the applicant as part of the final approval submittal. The Planning Commission shall consider any City Council comments as part of their consideration for final approval. The proposal consists of 17 buildings (3 triplexes, 5 four plexes, 4 five plexes, and 5 six plexes) and a clubhouse. The project will have two phases. The applicant has provided renderings of the apartment buildings. The buildings are a combination of one and two stories transitioning from approximately 15 feet to 25 feet in height (maximum is 35 feet). The building materials consist of a combination of brick veneer, hardie board panel siding, stucco, vinyl windows, and asphalt shingles. The colors are earth tones primarily browns and grays.

A Technical Review Committee meeting was held on January 27, 2015. All of these requirements must be complied with. The City Engineer has sent a letter dated February 2, 2015 that summarizes the comments from the Technical Review Committee along with his specific requirements.

The memo summarized the Planning Commission requirements:

- Compliance with North Ogden Zoning Ordinance.
- Compliance with any reviewing agency requirements.
- The site development standards for the R-4 zone regarding exterior setbacks have been met with the exception of the building fronting onto 200 East, this front setback will need to be adjusted to 30 feet.
- Submit a revised landscape plan showing the amount of plant materials and trail system.
- Submit information showing the calculation for the amount of open space per square footage of living space.
- Submit information on the amount of plantings from section 6 landscape design standards.
- Clearly identify all fenced areas.
- Locate trash enclosures and submit a design plan.
- Parking lighting will need to be shown as to the location, brightness, light pole and fixture design.
- A monument sign will need to be added and the Planning Commission will approve the final landscape plan.
- Revise the parking layout to provide the required number of stalls 158 for the dwelling units and 40 visitor stalls for a total of 198.

The above described application conforms to the North Ogden City General Plan due to its being able to be compliant with City Ordinances and the following Plan goal: All existing and new development should be required to fairly and uniformly provide improvements according to city standards.

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

- Does the proposed use meet the requirements of the applicable City Ordinances?
- What comments does the City Council have regarding this application?

The Planning Commission is requesting the City Council review and comment on the preliminary design plan. Those comments will be incorporated into the final PRUD design plan.

Mr. Scott reviewed his staff memo and the plat for the project, with a focus on visitor parking within the development; Mr. Scott noted the developer cannot meet the visitor parking requirements unless he reduces the amount of open space within the development, but he will be required to work through these issues with staff and the Planning Commission. He stated it may be necessary to consider an ordinance amendment to adjust the visitor parking requirements in the event that tandem parking spaces could be considered in the calculation of parking spaces available; if such a change is not approved, it may be necessary for the developer to reduce the number of units in his development or to decide against moving forward with the development altogether.

Council Member Swanson asked if there is a way to make concessions to address the parking issues for the proposed development without approving an ordinance amendment that would affect all future developments. Mr. Call stated that the best way to address the issue is to make a connection between parking concessions and other aspects of the development; for example, parking concessions may only be considered if a developer provides an adequate driveway or other improved standards within their development. Mayor Taylor agreed and stated in the case of the proposed development, 65 of the units will have two car garages with the remaining 14 units having single car garages, which equates to 150 parking spaces that are not considered in the parking calculation.

Council Member Urry stated he would like to have a more thorough review of the City's PRUD ordinance to ensure that all problems with the ordinance can be addressed before additional project applications are received by the City. Mayor Taylor agreed with that request.

Applicant's representative, John Hansen, addressed the Council and reiterated the Mayor's comments regarding the fact that there is sufficient parking within the development if the City allows for the tandem parking spaces to be used in the calculation.

Council Member Swanson indicated he likes the design of the development.

Council Member Urry stated he likes the design, with the exception of the reduced front yard setbacks.

Council Member Satterthwaite stated he would prefer to consider revisions to the PRUD ordinance before supporting the preliminary plat. Mr. Scott stated that it will be necessary to

either adjust the ordinance or require the developer to adjust his design to meet the parking requirements in the ordinance.

11. DISCUSSION AND/OR ACTION TO CONSIDER THE PRELIMINARY PLAN FOR LEGACY NORTH PRUD PHASE IV, LOCATED AT APPROXIMATELY 2400 N 500 E

A staff memo from City Planner Scott explained the applicant has submitted an application for Phase IV of Legacy North PRUD subdivision consisting of 22 lots. The subdivision design is consistent with the previous 3 phases of Legacy North PRUD. Five subdivision design variances for this project were granted by the City Council on September 23, 2014. 1. Allow a hammer head instead of a cul-de-sac at the end of North Legacy Drive. 2. The City accepting the same size roads as Legacy I, which is narrower than a city approved street. 3. Provide for a retention basin on the east side of the Senior Center in lieu of extending Legacy North Drive. 4. A 5 foot sidewalk on one side of the road. 5. The agreement from Legacy I that they will accept Legacy IV as a part of their home owners association. The Planning Commission granted preliminary approval on April 1, 2015. Preliminary approval also included the approval of a conditional use permit. The preliminary development plan approved by the Planning Commission is being sent to the City Council for their review and comments. D. City Council Review and Comment: The preliminary development plan approved by the Planning Commission shall be sent to the City Council for review and comment. The Planning Commission shall consider any City Council comments prior to granting final development plan approval. The City Council comments will be addressed by the applicant as part of the final approval submittal. The Planning Commission shall consider any City Council comments as part of their consideration for final approval. The Legacy Phase IV PRUD subdivision consists of 22 lots. The design is consistent with the referenced variances, i.e., has a hammer head instead of a cul-de-sac at the end of North Legacy Drive, allows the same size roads as Legacy I, which is narrower than a city approved street cross section, (roadways are shown within a 38 foot right of way compared to the city standard 60 foot right of way), accept the retention basin vs extending Legacy North Drive, (a retention basin is planned and will be donated to the City adjacent to 2550 North next to the Senior Center property, trails will be constructed to provide access to the Senior Citizen's Center and the trail to the west adjacent to the Smith's project, allow a 5 foot sidewalk on one side of the road, and provide an agreement from Legacy I home owners association that they will accept Legacy IV as a part of their home owners association. A technical review committee meeting was held on August 18, 2014. A follow-up letter from the City Engineer dated March 24, 2015 is also attached. As part of the geotechnical review an issue has been identified that potentially will impact the number of lots and the design of the project. A substantial area of peat has been located which will need to be addressed. The applicant will need to identify a solution to this circumstance and propose a solution, e.g., eliminate the impacted area and reduce the number of lots or dig out the peat and put in engineered fill. As part of the text amendment to provide flexibility for rear yards, neighbors discussed a concern about their existing back yard depths. The applicant has since done a survey and found that there is an old irrigation ditch that is on the other side of the existing fences. This ditch has since been abandoned and will be filled in thus

allowing the expansion of the existing back yards if the lot owners agree. Otherwise the items identified in the reports will need to be addressed.

The memo offered the following summary of City Council considerations:

- Does the proposed use meet the requirements of the applicable City Ordinances?
- What comments does the City Council have regarding this application?

The proposed subdivision meets the requirements of applicable North Ogden City Ordinances and conforms to the North Ogden City General Plan. The General Plan map calls for this property to be developed as single family residential, medium density. The Legacy North PRUD zone is consistent with this designation.

The memo summarized the following conditions of approval:

- Requirements of the Technical Review Committee
- North Ogden City Engineer

The Planning Commission is requesting the City Council review and comment on the preliminary design plan. Those comments will be incorporated into the final PRUD design plan.

There was a discussion regarding the geotechnical report for the property, with a focus on the location of peat material that is difficult to build upon.

****Item 15 was then heard out of order on the agenda****

15. DISCUSSION AND/OR ACTION TO CONSIDER AN ACCESS EASEMENT TO CITY OWNED PROPERTY, LOCATED AT APPROXIMATELY 2992 N 300 E

A staff memo from City Planner Scott explained the applicant is requesting the City grant a right of way access on city owned property, from 300 East to allow him better access to his garage. The property is currently not paved. The applicant's current driveway is narrow and difficult to access his garage. The applicant would like to build an approach to his cement pad that fronts onto the city owned land. The applicant has offered and proposes to maintain the right of way up until his driveway on his property. The applicant plans on replacing the old existing chain link fence with vinyl, to match their vinyl gates. The gate will be a swing or roll gate and the size of the gate and access would be 6 feet by 22 feet.

ZONING ORDINANCE COMPLIANCE

12-2-2: Definitions EASEMENT: That portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner or owners of the property or properties. The easement may be for use under, on, or above the lot or lots.

3-1-9-E: DISPOSAL OF CITY PROPERTY E. Alternative Disposition: In accordance with the terms of Utah Code Annotated section 10-8-2, the city may make a finding that a use or disposition of certain city property provides for the safety, health, prosperity, moral well-being, peace, order, comfort or convenience of the inhabitants of the city, in which case the City Council may authorize the purchase, receipt, holding, selling, leasing, conveying and other

disposition of real and personal property for the benefit of the city, whether the property is within or without the city's corporate boundaries and under the terms of such a finding is not obligated to sell such property at bid but may improve, protect, and do any other thing in relation to this property that an individual could do.

The memo summarized the following potential City Council considerations:

Does the proposed use meet the requirements of the applicable City Ordinances?

Are there any potentially detrimental effects that need to be mitigated by imposing conditions of approval; and if so, what are the appropriate conditions?

The memo also summarized the conditions of approval:

Applicant responsible for installing road grade fill in order to access the property

Applicant to obtain appropriate permits

Applicant to maintain the right of way

The City may revoke the easement at any time

The memo concluded this is a policy decision. If the City Council determines that granting an easement is appropriate with the recommended conditions; then the easement can be granted.

Mr. Scott reviewed his staff memo and reviewed the site plan detailing the applicant's request.

Council Member Urry indicated he is comfortable granting access to the property, but he feels the City should be following its own ordinances relative to weed control on vacant parcels.

Mayor Taylor agreed.

There was a discussion regarding measures to be taken to prevent the construction of permanent structures upon City property in the event that the property is needed for future road development, with Mr. Call noting such measures can be dictated in an agreement signed by the City and the applicant. The applicant indicated that she and her husband are willing to install a fence and maintain the portion of the property that they are requesting access to. Mayor Taylor stated he will work with staff to negotiate an agreement with the applicant that will govern use and maintenance of the property and bring the agreement and this request back to the Council at a future meeting.

12. PUBLIC HEARING TO RECEIVE COMMENTS ON AMENDING FISCAL YEAR BUDGET 2014-15

A staff memo from City Administrator/Finance Director Steele indicated 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 staff memo and reviewed a spreadsheet detailing the proposed budget adjustments.

Budget Opening April 28, 2015

Item No.	Source Description	Amount of Change	Uses Description	Amount of Change
#1	Donations	1,000.00	Community Programs	1,000.00
#2	Dog License Surcharge Fee	5,600.00	Dog Park Construction	5,600.00
#3	RDA Fund Balance	270,000.00	Offsite Improvements	270,000.00
#4	RDA Fund Balance	<u>25,000.00</u>	Professional Services	<u>25,000.00</u>
	TOTALS	301,600.00		301,600.00

Explanations:

#1 Donations received for the N.O. Limits Half Marathon/5k race

#2 This is for construction of the Dog Park that was approved at the April 14, 2015 Council Meeting

#3 Per an agreement with Smith's approved August, 2013 the City is responsible for \$346,000 in infrastructure improvements of which \$76,000 has already been paid for when the City constructed the storm drain detention basin next to IHC

#4 This is the amount to hire a financial consultant to help establish a CDA. It will be paid back from the CDA once it is established.

Estimated Unreserved Fund Balances after amendments:

- General Fund \$1,552,622.00 (24% of General Fund Revenues)
- Capital Projects Fund \$391,648.00
- Water Fund \$2,028,605.00
- Sewer Fund \$1,523,338.00
- Storm Water Fund \$1,962,480.00
- Solid Waste Fund \$28,461.00
- RDA Fund \$685,184.00

Mr. Steele reviewed his staff memo.

Council Member Urry inquired as to length of time that the \$270,000 RDA fund budget adjustment has been an issue. Mr. Steele stated it dates back to August 2013. Council Member Urry asked how the issue 'slipped through the crack'. Mayor Taylor stated that it did not 'slip through the cracks'; the City always understood its obligation as part of the Smith's/IHC agreement. Council Member Urry stated that the amount was initially going to be satisfied through impact fee waivers, but once the City understood that those waivers were not going to take place, yet the budget was not adjusted to provide the \$270,000 for the City's responsibility in the contract, the amount 'slipped through the cracks'. Mayor Taylor stated that he is unsure why the impact fees were not waived and it may have been an issue handled by the former City Manager who is no longer employed by the City. Building Official Kerr stated that he received specific instruction not to waive impact fees. Council Member Urry asked if that was contrary to an action of the City Council instructing that the impact fees be waived. Mr. Call stated there are several ways that the impact fee waivers could have been formalized. There was a discussion regarding the reasons for the failure to waive impact fees for the project as well as the reasons that the expense that the City is responsible for were not caught until now. Mayor Taylor stated

there have been several staffing changes since the Smith's project was approved and not all members of the Administration were aware that the City had agreed to waive impact fees or participate in the project via a contribution of \$270,000. Council Member Urry stated this is the reason the Council should be informed of all agreements the City enters into and review monthly financial reports.

Council Member Satterthwaite stated the City should have received monies in the general fund by way of Smith's payment of their impact fees, but since the property is located in the RDA project area, RDA funds can be used to pay the City's obligation. Mayor Taylor agreed and stated that was likely the reason the former City Manager acted in the manner he did. Discussion then ensued regarding the reason the City offered an incentive to Smith's for their project, with Council Member Urry noting he would like to receive a report regarding how the City arrived at the amount that it would contribute to the project. Mayor Taylor stated he would be happy to provide that report.

Mayor Taylor opened the public hearing at 9:50 p.m. There were no persons appearing to be heard.

Council Member Satterthwaite motioned to close the public hearing at 9:50 p.m. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Urry	aye

The motion passed unanimously.

13. DISCUSSION AND/OR ACTION TO CONSIDER AMENDING FISCAL YEAR BUDGET 2014-15

Council Member Satterthwaite motioned to adopt proposed Ordinance 2015-07 approving items one and two amending the Fiscal Year 2014-2015 budget. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Urry	aye

The motion passed unanimously.

Council Member Urry stated he does not recall the City opening the budget upon receiving donations for other purposes in the City. Mr. Steele stated that is because other donations are already included in the budget. Council Member Urry stated he would like to see a report ensuring that the donations are actually passing through the City's account for the purpose for which they were donated. Mayor Taylor stated he will provide that report.

14. DISCUSSION AND/OR ACTION TO CONSIDER A CHANGE ORDER TO CARPET OFFICES AT THE NEW PUBLIC WORKS BUILDING

A staff memo from City Administrator/Finance Director Steele explained currently, the only offices at the Public Works Building that have carpet are the Public Works Directors and the Administrative Assistant. There are four offices for the different division supervisors which do not have carpet and the staff has asked that the Council consider adding carpet to those offices as the echo in them is significant without carpet. Brent Chugg's opinion is that we should add the carpet: "This (the quote) looks reasonable and should be done in my opinion. The echo in these offices would be a deterrent to a good work environment." Dave Espinoza's opinion is, "I absolutely think we should pursue this. I agree with Mr. Chugg, that getting rid of that echo would make for a much better work environment. Also I believe that it would make the offices look more professional." The money that was previously set aside for the sidewalk but has since been eliminated could be used. There is also some money from the Special Inspector budget left as well and the cost for the additional carpet would be approximately \$2,300.

Mr. Steele reviewed his staff memo.

Council Member Urry stated he would be opposed to using money set aside for a sidewalk in the project because the Council committed to use that money for a walking path in the event that the sidewalk was not constructed. He added he is concerned about installing carpet in a high traffic area where employees may be entering with muddy boots.

Council Member Satterthwaite asked if furniture has been placed in the offices. Mayor Taylor answered yes, but noted that the furniture has not helped with the echo and it needs to be addressed.

Mr. Kerr stated there are ways to mitigate workers tracking mud into the building.

Council Member Swanson stated that he has worked in an office that had a terrible echo and it is very difficult; he is supportive of making efforts to reduce the echo. Council Member Satterthwaite agreed.

Council Member Satterthwaite motioned to approve a change order to carpet offices at the new Public Works building. Council Member Stoker seconded the motion.

Voting on the motion:

Council Member Satterthwaite **aye**
Council Member Stoker **aye**
Council Member Swanson **aye**
Council Member Urry **aye**

The motion passed unanimously.

Mayor Taylor invited the City Council Members to attend a construction meeting tomorrow at 2:00 p.m. to receive an update regarding the scheduled completion of the project.

16. DISCUSSION AND/OR ACTION TO CONSIDER AN INTERLOCAL AGREEMENT FOR THE VOTE BY MAIL HYBRID PLATFORM

A staff memo from City Recorder Spendlove explained that on April 7, 2015 City Council approved the Vote-by-mail Hybrid platform for the 2015 Municipal Elections. Weber County has presented an interlocal agreement to assist the City with these elections; City Attorney Call has reviewed the agreement and he and Ms. Spendlove recommend approval.

Ms. Spendlove reviewed her staff memo.

Council Member Swanson motioned to approve agreement A9-2015 approving an interlocal agreement for the vote-by-mail hybrid platform. Council Member Satterthwaite seconded the motion.

Voting on the motion:

Council Member Satterthwaite **aye**
Council Member Stoker **aye**
Council Member Swanson **aye**
Council Member Urry **aye**

The motion passed unanimously.

17. PUBLIC COMMENTS

There were no public comments.

18. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Swanson reported the Dog Park Committee has been concerned about a strip of property along 850 East where puncture weeds were removed and the area is now just dirt; when it rains the area will become very muddy and that could force people to walk into the street. The Committee was going to lay weed barrier and cover it with mulch, but the owner of Stone Supply

has graciously agreed to donate four yards of one-inch rock to be laid over the weed barrier. This will provide a nice surface for people and their pets to walk on to access the dog park. The owner of Stone Supply will also donate a three foot boulder that will be etched with North Ogden's logo for the dog park. He then reported that the flashing school crossing signs facing east on 2600 North are very difficult to see in the morning as the sun is coming up over the mountain. He stated the shaded hoods for the lights are missing and he wondered whose responsibility it is to replace those hoods. Mayor Taylor stated he will follow up on that issue.

Council Member Urry inquired as to the amount of top soil the City has sold to date. Mayor Taylor stated that City staff is tracking that information and he can provide a daily report to the Council in the future. Council Member Urry then stated there were several items on the agenda this evening and he thanked staff for facilitating quick discussions on each issue. He also thanked Ms. Spendlove for her work to coordinate a hybrid election.

Council Member Satterthwaite reported there have been a few meetings to discuss potential changes to the library project and a number of residents have asked questions and gotten involved; he recommended the City hold an open house meeting in the near future and ask Weber County to provide a report regarding the project. Mayor Taylor stated that is a great suggestion.

Council Member Stoker stated that it is her understanding that the recent electronics recycling day was a success. She asked if the City will be hosting a paper shredding event for citizens in the future. Ms. Spendlove stated the senior center has hosted such an event in the past, but the City has not because she has been unable to get a paper shredding company to agree to provide the service free of charge to the City. Council Member Stoker then noted in a recent meeting a resident complained to the Council about graffiti on frog rock and other vandalism in the area. She stated she has been told there is more vandalism activity on frog rock and the residents are complaining that the City's Police Department is not doing anything to address the problem. She wondered if that is because the vandalism is occurring on private property. She noted the owner has erected a no trespassing sign on the property. Mayor Taylor stated that if someone is trespassing and they are still on the property when the police arrive, they could be arrested and charged, but if someone is not caught dumping junk or vandalizing the area, it would be the owner's responsibility to correct the problem. He stated the Code Enforcement Officer could contact the property owner to discuss the issue.

Mayor Taylor provided the Council with a thank you card written by an employee to the entire City Council. He then echoed Council Member Satterthwaite's comments regarding meetings that have been held to discuss potential changes to the library project. He asked the Council to begin thinking about the level of participation they would consider in the project and stated there will be more discussions regarding that issue in the near future. He added the next library board meeting will be held next Tuesday. He then stated that during the next Council work session there will be an opportunity to discuss the proposed fiscal year 2015-2016 budget and he asked the Council to provide any questions or comments about the budget in advance of that meeting so that he and staff can be prepared to discuss them. He noted the Council will be asked to accept the tentative budget at the following business meeting.

19. ADJOURNMENT

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

Voting on the motion:

Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Urry	aye

The motion passed unanimously.

The meeting adjourned at 10:24 p.m.

RDA

1. PUBLIC HEARING TO RECEIVE COMMENTS TO AMEND THE RDA BUDGET FOR FISCAL YEAR 2014-2015

Mayor Taylor opened the public hearing at 10:25 p.m. There were no persons appearing to be heard.

Council Member Swanson motioned to close the public hearing at 10:25 p.m. Council Member Stoker seconded the motion.

Voting on the motion:

Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Urry	aye

The motion passed unanimously.

2. DISCUSSION AND/OR ACTION TO CONSIDER AMENDMENTS FOR THE RDA BUDGET FOR FISCAL YEAR 2014-2015

Council Member Stoker motioned to adopt ordinance 2015-07 amending the RDA budget for Fiscal Year 2014-2015. Council Member Satterthwaite seconded the motion.

Voting on the motion:

Council Member Satterthwaite aye
Council Member Stoker aye
Council Member Swanson aye
Council Member Urry aye

The motion passed unanimously.

3. ADJOURNMENT

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

Voting on the motion:

Council Member Satterthwaite aye
Council Member Stoker aye
Council Member Swanson aye
Council Member Urry aye

The motion passed unanimously.

The meeting adjourned at 10:26 p.m.

Brent Taylor, Mayor

S. Annette Spendlove, MMC
City Recorder

Date Approved