

NORTH OGDEN CITY COUNCIL MEETING MINUTES

April 27, 2010

The North Ogden City Council convened in regular session on April 27, 2010 at 5:30 p.m. at the City Offices. 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 26, 2010.

PRESENT:	Richard Harris	Mayor
	Martha Harris	Council Member
	Wade Bigler	Council Member
	Ron Flamm	Council Member
	Carl Turner	Council Member
	Brent Taylor	Council Member
STAFF PRESENT:	Edward O. Dickie	City Manager
	Annette Spendlove	City Recorder
	Debbie Cardenas	Finance Director
	Gary Kerr	Building Official
	Craig Barker	Community Development Director
	Julia LaSeure	Commercial Development Coordinator
VISITORS:	Eva Cowan	Pete Cowan
	John Reynolds	Lou Waikart
	Pam Trimble	Robert Denkers
	Bryce Hardee	Shelli Murdock
	John Murdock	Jeff Johnson
	Milena Spaulding	Donald Chantry
	Jenny Saunders	Tony Saunders
	Trev Wilde	Kalieg Saunders
	Lucille Chamberlin	Mary Lou Allen
	Paul Harding	Jim Chamberlin
	Natalie Nigro	Shirley Nigro
	Marie Bachison	Sarah Rhees
	John Webster	Dave Hulme
	Jill McCord	Zack Serna
	Cameron Serna	Rob McCord
	Shelene Woodhouse	Jim Huss
	Bob Christofferson	Mike Harding
	Michelle Harris	Melanie Shelton
	Tammy Goodrich	Matthew Mason
	Robert Mason	Helen Mason
	Ryan Mason	Jacob Bunner
	Ryan Goodrich	Bambi Saunders
	Dave Meents	Holly Proudfit
	Kim Love Killpack	Marilyn Nye
	Sarah Chugg	Jill Scoffield
	Hannah Rhees	Kelsey Spaulding
	Pat Smith	

WELCOME

Mayor Harris thanked the public for their interest and taking the time to come out tonight. He stated that agenda items 4 and 9 have been pulled from the agenda.

Annette Spendlove gave the invocation and led the audience in the Pledge of Allegiance.

CONSENT AGENDA

1. Consideration to approve minutes of the April 13, 2010 meeting.
2. Consideration to approve minutes of the February 26, 2010 meeting.
3. Consideration of Business Licenses.
4. Set May 11, 2010 as the date for a Public Hearing to receive comments on impact fees and user rates.
5. Set May 11, 2010 as the date for a Public Hearing to receive comments on consideration of “restaurant liquor licenses” and “limited restaurant licenses.”

Council Member Taylor move to approve consent agenda. Council Member Turner seconded.

Voting on the motion:

Council Member Turner	yes
Council Member Taylor	yes
Council Member Bigler	yes
Council Member Flamm	yes
Council Member Martha Harris	yes

Motion passed

6. Public Comments.

Mayor Harris asked the public to hold any comments regarding the public hearing until later in the meeting.

Paul Harding, 316 E 3575 N, presented a petition regarding a prolonged speeding problem. A copy of the petition will become part of the permanent record of this meeting. This petition includes signatures from everyone on the street except for 3 families who are out of town. They consider this an imminent safety danger to the children and it has been a problem for many years. This issue has been out there for a couple years. Last year they sent emails to the Council members and did get some action. The Police Department brought the trailer up, did a survey for a few days and gave out some tickets. It worked for a couple days and then people were speeding again. When they opened up the road to Pleasant View it seems to have become the exit route. There is a typical Utah neighborhood with many kids. They are not concerned with the amount of traffic; the issue is the speeding. He spoke with Council Member Flamm who suggested that maybe people don't know what the speed limit there is. Mr. Harding said that is possible but they certainly know it isn't 60 mph. They offered some solutions and ask for some help with this. They think there are some easy cheap solutions including stop and speed limit signs. Respectfully ask that the Council take this into consideration. The Police Dept. is not the answer either as they are not manned well enough to deal with it. The minute they are gone the situation returns. He asked that the Council consider their recommendations. He stated that he is not a traffic engineer but the city must have some folks that could go up and take a look at it. They believe there is a missing yield sign in that area also. Mayor Harris thanked Mr. Harding and stated that the City will take this into consideration.

Richard K. Brimhall said he realizes he is a little ahead of the schedule but he has concerns with licensing rentals. He has been a landlord for many years and has four 4-plexes in town. When he takes an application to rent he can go on the internet and go on the state court system and only rents to about one out of every three or four

applicants. It isn't because he is worried about the Police Dept., he is worried about a good rental community; he wants to make money. We as landlords do a reasonably good job. Ogden's Good Landlord law means that North Ogden is getting more of those renters. This program will only push up the rates of rentals by adding these fees. When there have been police calls to his property he has asked what happened and was told it was none of his business.

Melanie Shelton, 4245 N 300 W, director of Miss North Ogden Pageant. She stated that she is here tonight to ask that the City Council reconsider having the pageant this year. There were eight girls willing to participate prior to the deadline but a couple dropped out. On April 19th, she had nine more girls sign up. She feels strongly about this program and has been working really hard in preparation of the pageant. These girls really represent the City and it would be a shame to end a 75 year tradition. It's not just a beauty pageant; the girls learn so much through the process. As a former queen she feels really strongly that it would be wrong to cancel this.

Milena Spaulding came to voice her opinion and concern about the pageant. She was surprised to know the City will not have it this year. It is necessary to choose wisely which programs should be supported. She has had daughters in the pageant the last three years and this is one of the most rewarding events of North Ogden. She was able to offer a lot of support to her girls and has been able to see that this is a wonderful event. None of her daughters have been Miss North Ogden but this has been the most rewarding opportunity of their lives. They are able to work on knowledge, talent, social experiences and share themselves with the community. She knows that the adjacent communities have come to participate in North Ogden events but we put the quality into this event. Other cities have taken advantage of this event. The North Ogden scholarship gives a lot to the community and the benefits the City gets from the girls. The Queen has always been present at City events to give a touch of class to the event. People look forward to this entertainment. If the pageant is not held the girls will look for other cities and events to take part of. She has seen the growth that these ladies have developed and has seen the youth become adults. North Ogden has very good young ladies and they are the best of the area and are the most talented. It would be a shame to take it away from the people.

Kelsey Spaulding, a participant in the Miss North Ogden pageant, asked the City Council to continue to support the pageant. As for hometown values, Miss North Ogden is one of the biggest. Family, friends and the community come out to support it and the ladies learn to support themselves. They have been given opportunities through the program. They have the ability to get more self-confidence, to perfect her talents; voice and poise; she has had the opportunity to see girls pride in North Ogden and what it stands for. They have the chance to obtain a scholarship to learn more and give back to North Ogden. This is an opportunity to voice opinions and beliefs it is the most rewarding program in North Ogden for young ladies her age.

Hannah Rhees was Miss Cherry Days in 2005 and supports keeping the pageant. It is more than just a beauty pageant. The contestants are responsible to continually serve the community. Her passion for service came from the Miss North Pageant. She served 5,000 hours of service for her platform, Spina Bifida, and charities and six years later she is still involved in those charities. Her sister has Spina Bifida and she was able to speak across Utah and the western United States. People listen to a crown, it sounds silly but it's true. She has gotten countless jobs because of interview skills she learned through the pageant. She has received a letter from another former Miss North Ogden, Holly Child Spendlove. Ms. Spendlove wrote that this is a very important pageant and has an impact on the young women and the community. She was in a downward spiral and didn't know who she was. She wanted to compete and cleaned up her life and was inspired to get involved in the community. She was able to compete in Miss Utah and with the scholarship she won; she was able to go on to school and now has a rewarding career. She owes it all to Miss North Ogden. It has inspired her and many others. She asked that the Council consider keeping the pageant. The Council has such an impact on the community and the young women in the community. If the City cancels the pageant the Council may be responsible for thousands of dollars not raised for worthy causes and thousands of hours of service not served. Please reconsider this decision.

Kaleigh Saunders is the current Miss North Ogden. She said she is happy to represent North Ogden City and she has grown so much as a person. She thanked the Council for this opportunity and doesn't want the Council to stop this program. There are 15 girls that want to represent North Ogden. She has been able to spread the word about her platform; she has gone to schools, detention centers, etc... and spoken to many people about fetal alcohol syndrome. Without this opportunity she wouldn't have been able to speak and help other families. This pageant is not just a beauty pageant. She is excited to represent North Ogden City at Miss Utah and asked, after 75 years of tradition, why stop now. She is willing to try to raise the money if that is the issue. She has grown as a person, in her social skills and public speaking; she has matured and become an example for little sister. This is a great opportunity and she wouldn't have been able to do all the things she did this past year without the pageant.

Pat Smith, 1887 E 6450 S, Uintah, stated that she works at Weber Human Services in substance use prevention. When she and Kaleigh connected years ago she explained what can happen when a pregnant woman drinks alcohol. Kaleigh recognized the symptoms of fetal alcohol syndrome in her sister. They go out together now and Kaleigh has touched and spoken to thousands of people at Jr. High schools, High schools and detention centers. People do listen to a crown; that is true. She wants everyone to know who Kaleigh is representing and she always has her wear the sash and crown. The kids get restless of course but as she begins to speak, you can hear a pin drop. Kids listen when Kaleigh speaks, they are hearing the message and are learning that fetal alcohol syndrome is preventable. She wants the Council to know they need to be so proud of this young lady. She is doing great things in the community. North Ogden City should be very proud.

Jill Scoffield stated that she was born and raised in North Ogden and is proud to be part of the community. She is a former contestant, former royalty member, helper, co-director, director. She does not live in the community anymore but she comes back every year to help out with the pageant. In order to go to school she worked fulltime, had a partial scholarship and with the Miss North Ogden pageant she was able to graduate with a bachelor's degree. She now owns a small business here in North Ogden. The values she learned in this program are being passed down to her children. Women who are now lawyers and small business owners were a part of this program and have gone on to great things. She urged the City Council to reconsider; this is a very powerful tool for the education and growth of the young women in this community.

Bambi Saunders, 3534 Eccles Ave., Ogden, echoed the words of those who have already spoken. She is proud to have represented North Ogden at the Miss Utah pageant. It would be sad for the community to take this part of the community celebration away.

Julia Bachison, 2565 N. Fruitland Dr., is here as the spokesperson for her family. There are two former Miss North Ogden's in her family. Miss North Ogden was the launching pad for her pageant career. She has earned over \$20,000 for her education. She is modeling now but was scared to do Miss North Ogden that she had to talk herself into it. She is glad she did because it has taught her many priceless skills. What better role models for the young women of North Ogden? She asked the Council to please keep the program and thanked them for all that they've done.

Marie Bachison, 2565 N. Fruitland Dr., thanked the Council for the support they have given her family and children through this pageant. She asked that the Council please not do away with something good. This scholarship pageant is a big part of this community.

Tammy Goodrich stated that she thinks these young women have spoken well for this community. They grow into wonderful members of the community. Please don't take this away from the future Miss North Ogden's.

Sarah Chugg, 115 W. 4225 N., Pleasant View, is a former Miss North Ogden. She feels that every youth needs to find a niche in life whether it is sports, academics or a beauty pageant. Girls look forward to this pageant. The interview skills and confidence are priceless. She hopes the Council can keep the pageant.

Kim Love Killpack, 4473 N. Cottonwood Dr., Pleasant View, said she is another mom and last year she had three girls in this pageant. It was the most amazing experience. As a mom you send your kids out the door telling them 'you're beautiful', 'you can do this'. This pageant was an amazing experience for her girls. It helped her girls immensely. They have learned so much about themselves and their self esteem. North Ogden City is not North Ogden City without a queen. So many people plan on that pageant because it's fun.

Mayor Harris thanked everyone for coming out.

Helen Taylor, 94 E. 3275 N., suggested that we start a perpetual fund. Start with the former Miss North Ogden's to contribute to that fund; perhaps they would be willing to fund the pageant.

The City Council will have to make a decision on this but they can't take action tonight.

Council Member Flamm requested that this be on the next agenda.

Kayleigh Saunders said she doesn't think we need to wait any longer; the girls have things they need to do to prepare. She feels that it needs to be decided as soon as possible and she is not the only one who feels this way.

Mayor Harris suggested getting a consensus now and formalizing it at the next meeting.

Council Member Flamm would like to see it continue. There is a lot of growth and opportunity for these girls and it touches the lives of other people. He would like to move ahead with it.

Council Member Bigler asked, first of all, is it a possibility? April 8th was the deadline. Annette Spendlove stated that was the deadline the Council had set. Mayor Harris stated that because we have an extremely tight budget, we set April 8th as the deadline so we could look at other things. Council Member Bigler said this is tough because almost everyone who spoke is a very dear friend of his. The issue is who should pay for it. His children play sports in the city and he doesn't mind paying for that. The City Council decided if there are eight girls from North Ogden it would be more worth it. \$10,000 is a lot of money; he would like to see if all of these girls are from North Ogden. Annette replied that 14 from North Ogden and 1 from Harrisville. Council Member Bigler said he would be in agreement to go ahead and do it. In the future though he would like to see if there are enough people who are passionate, e.g. parents, friends, and former contestants go out and raise money. You didn't have to convince any of us that this is a good program. The only issue is that it's a lot of money and there are other things to consider. He would like to see a different approach in the future. If people are willing to put a group together and try to raise the money for next year that would be a good gauge of the importance.

Council Member Taylor shares the same thinking as Council Member Bigler. The difficulty comes when it is about paying for it. The proposal was to put \$10,000 in the budget. Maybe this year we set it for a lesser amount and have a smaller pageant. If the economy improves maybe we put more toward it. The full \$10,000 is too much for this budget. Edward Dickie reminded the Council that Harrisville will participate if they have contestants in the pageant.

Council Member Martha Harris said we have heard from many of the former queens and directors but she wants to make sure that the other girls are really interested. Are any other girls here tonight? Melanie Shelton replied they are not. She hopes the level of commitment coming from this year's contestants is that of the past contestant. She is disappointed that if there is that much interest on April 27 that interest was not that prior to the deadline. The deadline was well known. She will go along with what her colleagues have said.

Council Member Turner stated that his sister was Miss North Ogden in the 1980's. He was fine for canceling it, then they had the girls interested and he went along with having the pageant. We set the deadline and the number of girls. He feels like they should be required to meet those deadlines. He was a little sad that we weren't going

to have it because it was fun to go to and see. Whenever he has gone he has been very impressed with the young ladies. He will support it for now.

Mayor Harris said that we have the consensus from the council but will have to vote at next council meeting. Council Member Bigler said he would like to meet with Melanie Shelton on this.

Mayor Harris stated that a public hearing was held two weeks ago regarding business license fees. No decisions have been made on that and the City Council has backed off looking at that for a while. It will be considered in the future. The Business Development Committee has met one time and they will be looking at that. Business license fees are not on the agenda tonight and will not be considered. He asked if there were any other public comments.

7. Recognize the Kiwanis Essay Contest winners.

Don Chantry, 728 E 2850 N, thanked the Mayor and Council. Mr. Chantry is a member of the Kiwanis club. He would like to report that they finished their freedom essay contest. The winners have been chosen, judging is complete and they had wonderful results. They have gotten calls from mothers of participants about the knowledge and understanding their children have gained. Awards will be presented to the winners at a Kiwanis dinner. They put together a booklet of the best of each age group which he gave to the city and thanked the city for its support. He recognized the 1st place winner Mathew Mason, an 11th grader, who won 1st place honor and \$1,000 CD. He also recognized Sydney Huss the 3rd place winner who is in 12th grade at Freemont High. The Council congratulated the winners.

Mayor Harris stated that he is proud of these young folks and is appreciative to the Kiwanis for everything that they do.

8. CERT Presentation.

Lou Waikart, 3344 N 500 E, is the volunteer Emergency Coordinator for the City. The reason for the visit is to let the Council know who he is and what he does and to answer any questions. In an effort to bring the Council up to date on what CERT is, Jeff Johnson is here from the U.S. Department of Public Safety, Homeland Security.

Jeff Johnson stated that he has 25 years in law enforcement and knows all about long meetings and will be brief. He presented a PowerPoint presentation on CERT (attachment A). Services rendered to the city by CERT include, working with the Cherry Days parade, eight training sessions with church groups. This is an amazing free resource. Cert is priceless. Support these teams, make an effort. He encouraged the Council members to set the example and get CERT trained.

Lou Waikart stated that his background is wild land fire. His team didn't go out until it got really bad. His experience is going to those scenes and making sure people are fed, putting it all together. There is a CERT Council that is putting together a drill. They are updating the City emergency plan then will give the plan to the directors in the City so they can understand. They will do the parade again this year. He hopes to form a citizen council and then get money from the feds that could be used for upgrades to the City. He said he appreciates the opportunity to speak to the City Council.

Council Member Martha Harris stated that the City really appreciates Lou and what his group does for the community.

Council Member Bigler said that to anyone here tonight, he would highly endorse the CERT program. It is a very valuable program and he recommends it to everybody.

Council Member Flamm asked if there is a date set for the next CERT training course. Lou Waikart stated no.

9. Presentation by Lewis, Young, Robertson & Burningham on Impact Fees and User Fees.

This item was pulled from the agenda.

10. Discussion and/or action to combine the Trails and Parks and Beautification Committees.

Annette Spendlove stated that these committees were created as two separate committees. It has been suggested that these two committees be combined. It would consolidate everything and make it much easier on them. Because the City Council appointed those committees it has to come back to the Council for changes to be made.

Council Member Turner stated that they are supposed to have at least five members on the committee and they do not currently. He has heard from some folks who are willing to serve.

Council Member Turner moved to combine the committees. Council Member Bigler seconded.

Voting on the motion:

Council Member Turner	yes
Council Member Taylor	yes
Council Member Bigler	yes
Council Member Flamm	yes
Council Member Martha Harris	yes

Motion passed

11. Discussion and/or action approve Resolution 06-2010, which would amend the Consolidated Fee Schedule.

Annette Spendlove, City Recorder reviewed the changes to the Consolidated Fee Schedule. She stated that an updated copy of the Consolidated Fee Schedule has been emailed to the members with page numbers. The fees changing include the following:

Notary fee is increasing from \$3 to \$5.

Business banners (to set up, hang and use our brackets) \$15. This is a new fee.

Excavation permits road cut fee for taxing entities will be 75% of the normal fee. That fee schedule is on the back of the excavation permit.

Late fees as discussed during budget retreat: Business Licenses are due by January 15th. The late fee of 25% after applies after January 15th. The late fee of 50% will be applied after March 15.

Rental of the Senior Center: Staff is recommending \$400 for four hours plus \$100 refundable cleaning deposit and an additional \$100 per hour after 4 hours with a staffing fee of \$10 per hour.

Recreation Programs: Little Stars is \$30. Flag Football is \$30. This is a correction, the cost was originally listed incorrectly.

North Shore: Daily fee for children 3 and under – free with a diaper and plastic pants.
 Family night \$15 for a family of 10.
 The 10 punch pass for residents is gone.
 Fitness pass for a resident is \$75.
 Fitness pass for a non-resident \$90.
 Facility rentals - the bowery rental is gone.

North Shore rental fees are as follows:

‣ 2 hr Facility Rental (200)	\$200.00
‣ 3 hr Facility Rental (200)	\$300.00
‣ 2 hr Facility Rental (400)	\$400.00
‣ 3 hr Facility Rental (400)	\$600.00
‣ 2 hr Facility Rental (600)	\$600.00
‣ 3 hr Facility Rental (600)	\$900.00
‣ 2 hr Facility Rental (800)	\$800.00
‣ 3 hr Facility Rental (800).....	\$1000.00

Fitness program \$3 per class.

Cherry Days:

Booth Rental	
‣ Provide own canopy	\$60.00
‣ We provide canopy	\$100.00
‣ Electricity	\$10.00
‣ Late fee	\$10.00
Parade Fee	
‣ Entry fee	\$20.00
‣ North Ogden business	\$15.00
‣ Schools	\$10.00
‣ Late fee	\$10.00

Little Miss Pageant participant \$30

Dog licenses due March 1st - \$15 late fee applies starting March 2nd.

Annette Spendlove said that the Consolidated Fee Schedule is a working document and will likely come back to the Council as things change.

Council Member Flamm said he is bothered by reducing the 10 punch pass, making it the same for residents and non residents. Annette Spendlove said that was discussed at the budget retreat. Council Member Flamm stated that it still bothers him. We are struggling for funds and he hates to give non residents an advantage they didn't have in the past. Mayor Harris stated that the administrative cost to make that distinction is really not worth it.

Council Member Bigler said he was wondering that too. He asked if all of these things were already discussed and approved. Edward Dickie stated that anything else was sent out as part of his weekly update. Council Member Bigler thinks he'd like to have a week to look at this again. He thought on the Senior Center that we were going to discuss it. Edward Dickie stated that it is open for discussion now.

Mayor Harris stated that these items are all open for discussion tonight. Everything that we brought up tonight was either part of an update or discussed at the budget retreat. In looking at the pool fees we were concerned about the administrative costs that it would take to differentiate between residents and non residents. It became too much of a problem for those folks at the pool. There are breaks for residents in lessons, season passes, and things.

Council Member Taylor agrees with what Council Member Flamm had said, he is good with not increasing the one day admission for non residents, but wants to keep the 10 punch pass only available to residents. He thinks it will be easier to police the resident issue on the punch passes.

Council Member Bigler would really like another week to look at this.

Council Member Martha Harris has a concern about delaying as it will not be for just a week. The next meeting is not until May 11th. Zella is here from the Senior Center and one of the reasons for changes on the Senior Center cost is to keep the facility well maintained and safe. Are we opening the door on a two week period for people to reserve it now because it is cheaper? As Annette Spendlove said this is a constantly flowing document. Staff could bring it back to discuss certain items if necessary. Mayor Harris stated that we can look at this anytime.

Council Member Flamm would like the 10 punch pass available to residents only. Mayor Harris stated that a motion can be made tonight.

Council Member Taylor asked if there are a lot of non residents that are renting out the Senior Center. If so, why not let them rent it at a higher rate. Mayor Harris stated that the problem now is that we are not charging enough by far. A lot of non residents are coming in and reserving it all day long.

Council Member Bigler would prefer a higher fee for non residents but does not want to exclude them.

Annette Spendlove asked whether Pleasant View will be considered non-resident or resident. Edward Dickie stated that they give quite a bit and donated to the construction of the building. Council Member Bigler asked if they are obligated to pay that. Mayor Harris stated no. Edward Dickie recommended that perhaps North Ogden and Pleasant View residents pays a certain fee, \$300 for example and non-residents pay \$500 with everyone paying an additional \$100 refundable deposit. We want to keep the building nice. There are concerns from the seniors.

Council Member Flamm moved to approve the fee schedule with the changes of the punch pass being available to residents only and the Senior Center rented to North Ogden and Pleasant View residents for \$300 and non residents for \$500 plus \$100 deposit and \$10 per hour staffing fee. Council Member Martha Harris seconded.

Council Member Bigler would like to see the punch pass left as it is. If non residents use the punch pass that brings in more revenue. In the budget meeting he thought we talked about charging different fees on the single day rate to charge the same.

Council Member Martha Harris stated that if non residents use the punch passes they would get in for \$4 a day.

Council Member Taylor is concerned about the jump for non residents. Going from \$150 to \$500 on the Senior Center rental, it seems then we would be the highest of any city. That might be a big jump. Edward Dickie stated that Riverdale is the most compatible with our center. We may even be closer to Union Station.

Council Member Martha Harris said the other thing to consider is that we have one of the premier facilities on the list and it is hard to compare one to another but we should be very proud of ours. She likes Ed's idea of \$300 and \$500. Residents have a stake in ownership. She is in favor of that.

Council Member Taylor said he is totally in agreement but would like to see these enterprises, which are subsidized by the city, made as competitive as possible and bring in more revenue. He supports it as well but would like to watch it.

Council Member Bigler stated that we did say that this is an ongoing thing and we can look at it again and make adjustments later if necessary. Mayor Harris stated that it will be monitored.

Voting on the motion:

Council Member Flamm	yes
Council Member Bigler	yes
Council Member Taylor	yes
Council Member Turner	yes
Council Member Martha Harris	yes

Motion passed.

12. Discussion and/or action to approve a Beer License for Walgreens.

Annette Spendlove stated that Walgreen's has not had a beer license before but this is exactly like the ones at Lee's, Smith's and 7-11. All the background checks have come back fine and staff recommends approval.

Council Member Martha Harris moved to approve a beer license for Walgreen's. Council Member Bigler seconded.

Voting on the motion:

Council Member Bigler	yes
Council Member Taylor	yes
Council Member Turner	yes
Council Member Martha Harris	yes
Council Member Flamm	yes

Motion passed.

13. Discussion on an Off Road Vehicle Ordinance.

Edward Dickie explained that this is for information purposes only. It will be on the next agenda to set a public hearing. Allan Dalpias has asked the City Council to approve an ordinance allowing off road vehicle use on City streets. Staff plans on holding a public hearing on May 11th. Chief Afuvai will be present to give a presentation as well. Mr. Dalpias wrote this ordinance up himself for the Council to consider.

Council Member Flamm explained that last year the state legislature passed a law that cities could allow this type of use on certain streets. The only thing he wonders is that we don't really have any place where people can ride up in the hills. We need to look through that.

Council Member Bigler wonders if we can find out what Commissioner Dalpías' reasoning for this is. Is he going to be a part of that at that time? Mayor Harris stated the City Council can email Mr. Dalpías also for information.

Council Member Martha Harris said that at the time of the presentation the only reason that this would go any farther is if there was interest enough on the Council to continue with it. We wouldn't hold a public hearing unless there was enough City Council interest to have it continue. Mayor Harris said that a citizen has made the request and the Council is obligated to consider it. It would be up to the Council to proceed if they decided to. Council Member Martha Harris asked if it would be discussion only or action possible at that time. Mayor Harris stated discussion only and if there is interest in continuing it a public hearing could be set at that time. The reason this is before the Council is that it is not a land use item.

Council Member Turner stated that previously Nick McIntosh came in and talked about this. There are people looking at it.

Mayor Harris said this ordinance was passed originally by the State to accommodate these vehicles coming into towns to get to restaurants and hotels and then going back on the trails and heading to the next town.

Council Member Flamm stated that in Wyoming if people choose to make their vehicles street ready they can do that and have them licensed.

Council Member Turner stated that we need to be cautious he thinks they are kind of a nuisance. They go 30 – 40 mph. They have lights on them but they are not that easy to see. We can talk about it in a couple weeks.

Council Member Taylor wouldn't see the purpose in using atvs in town. If they are street legal they aren't that different from a motorcycle but thinks that would be a hard skill to transfer over to street driving. Mayor Harris agrees that those concerns are valid and will have to be discussed.

Council Member Flamm wants to find out if on the road going over the North Ogden divide if they would be street legal to go to the valley. If they can't go over the pass there isn't anywhere else for them to go.

14. Public Hearing to receive comments on a proposed amendment to the North Ogden City Zoning Ordinance Section 11-2-1 which would change the definition of a front yard.

Craig Barker, Community Development Director, explained that this is the first of two hearing tonight. State law, the Land Use Development and Management Act (LUDMA), refers to these ordinances as land use ordinances, zoning and subdivision. What we have proposed today is a slight amendment but it has some implications that were found interesting and caused some issues. We are trying to rectify what we had in our ordinance. We have to declare what yard spaces are because regulations say that yards have to be left open to the sky. On corner lots you have two yards that abut streets most cities do not say which of those is the front yard; it is wherever you oriented your house. Where does the front door face? The current ordinance says that the shortest width of a lot has to be used as the front yard even if your house faces the long side. It makes a difference when people want to fence their yards. We will now allow the property owner to choose which the front is as long as they meet the setback requirements.

Council Member Turner asked if the yard front ends at the lot line. Craig stated yes, the front yard goes from the front plane of the house to the front property line which is generally one foot behind the sidewalk.

Council Member Taylor moved to close the public hearing. Council Member Bigler seconded.

Voting on the motion:

Council Member Taylor	yes
Council Member Turner	yes
Council Member Martha Harris	yes
Council Member Flamm	yes
Council Member Bigler	yes

This will be an action item on the next agenda.

15. Public Hearing to receive comments on a proposed amendment to the North Ogden City Subdivision Ordinance Section 12-3-6 increasing the final approval period for a subdivision from 60 days to 1 year and correct the name of the approving body.

Craig Barker stated that this is the second land use ordinance we are dealing with tonight. This is the process that anyone who wishes to subdivide their land must follow. The ordinance used to refer to City Council as the approval body. The Planning Commission was the recommending body. The traditional method used to be a developer comes to the city with a proposal, the Planning Commission made a recommendation to the City Council, who then heard from the developer and they took the final action of the approval of a subdivision. When LUDMA passed that changed and made the Land Use Authority, the Planning Commission, the approval body for subdivisions. The City Council is the Appeal Authority if there is something the developer or city does not like. There is an appeal process. What we have done under the final approval process. We had a strange regulation in the process which made the final approval of a subdivision last for 60 days, that is really not enough time and there was no extension period. That was ok when we were going through the high development times. When we went in to this recession of building a lot of subdivisions are now null and void. They got final approval and did not record within 60 days. He doesn't know of any other city with a final approval of less than one year. There needs to be some expiration date because things to change, We are proposing to change the 60 days to 1 year with the potential of a one year extension. Also change the approval body title to the Land Use Authority. The regulations also require that the utilities sign off on subdivisions. We have to get the approval of all the public utilities that will serve the project. The developer will have to go to those utilities and get some sort of written approval. We invite them and they are made aware but we have never required a signature on the plat. That's what the other section of the ordinance is.

Council Member Taylor asked why The Cove came before the City Council. Craig Barker stated that their final approval expired and they had to come back. Council Member Taylor has a concern about allowing the Planning Commission the authority over the project for 3 years.

Council Member Flamm moved to close the public hearing. Council Member Turner seconded.

Voting on the motion:

Council Member Turner	yes
Council Member Martha Harris	yes
Council Member Flamm	yes
Council Member Bigler	yes
Council Member Taylor	yes

Motion passed.

16. Public Hearing to take comments on the tentative budget.

Debbie Cardenas referred to a handout. This is the tentative budget it has to be adopted by the first meeting in May. The tentative budget reflects the following highlights:

- An estimated 4% increase in General Fund revenues as compared to estimated year-end figures and a 4% increase as compared to last year's budget. An estimated 69% increase in the Fund Balance Appropriation.
- An estimated 4% increase in General Fund expenditures as compared to estimated year-end figures and a 4% increase as compared to last year's budget.
- There is a 2.5% cost of living adjustment, COLA.
- There is one new police officer, though he/she would not start until January 1, 2011.
- There is a 5.8% increase in health insurance, a 3% increase in dental insurance, and a 1.71% increase in the URS contribution rate 2.49% increase for the Police.
- The State has changed the Certified Tax rate formula and is allowing entities to adjust their rates to be held harmless. As in the past the City intends to maintain its tax rate.
- Equipment purchases in the general fund include 3 new vehicles, plus equipment in the police department, a new copy machine for the administration building, a snow blower and tilt trailer, a mower an ATV 4 wheeler, tables, a projector and screen for the Council room, a new server, and 9 new computers.
- The Enterprise Funds show a 16% decrease in the Water Fund, and a 4% increase in the Sewer Fund due mostly to increase in Central Weber Sewer Fees. We are tapping heavily into fund balances but are keeping them at the levels requested by Council.
- There is an 81% increase in the Storm Water Fund expenses due to the purchase of a street sweeper and leaf collector, and there is a modest 2% increase in the Solid Waste Fund as compared to estimated year-end and last year budget figures.

Council Member Martha Harris asked whether the street sweeper and leaf collector are to purchases or leases. Debbie Cardenas stated lease.

Council Member Martha Harris moved to close the public hearing. Council Member Bigler seconded.

Voting on the motion:

Council Member Turner	yes
Council Member Martha Harris	yes
Council Member Flamm	yes
Council Member Bigler	yes
Council Member Taylor	yes

Motion passed.

17. Council/Public comments.

Mayor Harris stated that this is an opportunity or the audience to make concerns known to the City Council.

Council Member Martha Harris wanted to compliment the Community Services and Public Works folks on the changes to Bicentennial Park. It is aesthetically pleasing. She asked that it be passed along to those folks.

Council Member Flamm said that he visited with Paul Harding regarding the petition and what came to his mind what that in some cities speed limits are 25 mph unless otherwise posted. Perhaps people don't realize that. He would like us to take a look at this and maybe provide some education for the public.

Council Member Bigler was going to say the same thing Martha said. Bicentennial Park looks beautiful. He thanked the community members for coming and giving their input.

Council Member Turner stated that an Arbor Day celebration is scheduled for this Friday at North Ogden Park at 1:30pm. Elementary kids will be planting trees. These are exciting times for the kids and the parks and trails people. Park Watch meetings are going on, he asked Edward Dickie to explain that a bit. Edward Dickie stated that he doesn't have too much information on that right now but he can check with Chief Afuvai. He will include some information on that in his update.

Annette Spendlove stated that as we deal with utility billing we have found that more and more people are not paying their bills then leaving and leaving a bill that the city writes off. We are thinking that we might require deposit when people sign up for services. We will pull some information on that if the City Council would like to look at that.

Ed Dickie welcomed Shirley and Natalie Nigro back. Touching on Bicentennial Park, we were having bad erosion problems. We are making little steps but it's looking really nice. We are making it safer too. We have taken a line from the stump that is going to the pond now so it will always be full and have nice fresh water. Regarding Paul Harding's petition he asked if that is to be an agenda item. Council Member Flamm stated yes. Edward Dickie will put on the next agenda. Council Member Bigler mentioned that one thing that caught his attention was the comment that there is a missing sign there. Edward Dickie said staff will take a look at that. Mayor Harris said that we've got this speeding problem all over town and our Officers are not on one road more than another. We have a responsibility as citizens of North Ogden to keep the law. We all ought to be doing that. When people are upset that they don't have an officer on their street all the time it's because that officer is on another street doing the same thing.

18. Adjournment.

Council Member Flamm moved to adjourn the City Council and convene the RDA. Council Member Bigler seconded.

Voting on the motion:

Council Member Turner	yes
Council Member Martha Harris	yes
Council Member Flamm	yes
Council Member Bigler	yes
Council Member Taylor	yes

Motion passed.

RDA

1. Public Hearing to receive comments on the tentative budget.

Debbie Cardenas asked the Council to turn to page 25 of the tentative budget. She explained that the tax increment money is budgeted high to ensure we get everything that we have coming to us. The only expense in there is the bonds.

Shirley Nigro asked what RDA is. Mayor Harris replied that it is the Redevelopment Agency.

Council Member Taylor move to close the public hearing. Council Member Turner seconded.

Voting on the motion:

Council Member Martha Harris	yes
Council Member Flamm	yes
Council Member Bigler	yes
Council Member Taylor	yes
Council Member Turner	yes

Motion passed.

2. Adjournment

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

Voting on the motion:

Council Member Martha Harris	yes
Council Member Flamm	yes
Council Member Bigler	yes
Council Member Taylor	yes
Council Member Turner	yes

Motion passed.

The meeting adjourned at 8:15pm.

Richard G. Harris, Mayor

S. Annette Spendlove, CMC
City Recorder

Date approved