

NORTH OGDEN CITY COUNCIL MEETING MINUTES

April 13, 2010

The North Ogden City Council convened in regular session on April 13, 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 8, 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:	Dave Hulme	Helen Taylor
	Glen Williams	Jadyn Williams
	Jim Suhr	Rachel Trotter
	Pam Trimble	

WELCOME

Mayor Harris gave the invocation and led the audience in the Pledge of Allegiance.

CONSENT AGENDA

1. Consideration and/or action to approve minutes of the March 9, 2010 meeting.
2. Consideration of Business Licenses.
3. Set April 27, 2010 as the date for a Public Hearing to take comments on the tentative budget.
4. Set April 27, 2010 as the date for a Public Hearing to take 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.
5. Set April 27, 2010 as the date for a Public Hearing to receive comments on proposed amendments to the North Ogden City Subdivision Ordinance Section 12-3 which would increase the final approval period for a subdivision from 60 days to 1 year and correct the name of the decision making body.

Council Member Taylor moved to approve the consent agenda. Council Member Flamm 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 drew the audience's attention to item 12 and asked that comments regarding that issue be held until then.

There were no comments.

7. Presentation of a 30 year service pin to Clark Crowther.

Chief Afuvai thanked the City Council for the opportunity to be here to recognize an officer. He is here tonight to present a 30 year service pin to Clark Crowther. Clark's family is here also, his wife Christie, son Cameron and daughter Crystal. Thirty years is a long time to be employed. Clark has been here since 1980 he began his career here. From 1980-1984 he worked in the Water Department. From 1982-1984 he also worked as reserve officer for Ogden city and North Ogden. He worked from 1984-1985 as a Harrisville Police Officer and attended the police academy. We stole him back in 1985 as patrolman. He worked in patrol and traffic then transferred to become the crime prevention officer. Officer Crowther was the first DARE officer in North Ogden. He transferred to detectives until he was promoted to sergeant in 1997. He currently supervises the Investigations Division, Animal Control, Evidence and Crime Prevention. He received an award in 1994 from Business Leaders against Organized Crime. He has also received several letters of commendation from the County Attorney's office, businessmen and private citizens for his success. Officer Crowther is an outstanding person and great leader and teacher of young men and officers. Officer Crowther works in scouting at his church and has been instrumental in helping young men reach their Eagle rank. He has done that for many years. He is very dedicated and has taught a lot of our young officers about the work and has done a great job. He is the type of officer who would take a young officer to a parking lot to teach them how to diagram an accident. Officer Crowther is a dedicated and loyal servant. His work ethic is impeccable. The Council congratulated Officer Crowther on his years of service.

Mayor Harris extended his appreciation to Chief Afuvai and all of his officers for their service to the community.

Mayor Harris stated that he had the opportunity to attend an award ceremony earlier today to present Tree City USA Awards. He asked Ken Kolb to come up to the podium. North Ogden City received their first Tree City USA award in 2007 and this is the third straight year. He explained that we have some catching up to do as Springdale, UT has 30 years. It is a great honor and award. North Ogden City can be proud of this. Mayor Harris stated that Ken Kolb has been the Parks Director and has done a lot of the work in getting us this award. He thanked Ken for his contribution.

8. Discussion and/or action to approve a variance request from Trev and Loni Wilde for the planting and harvesting of hay on property located at 1110 East 2750 North.

Edward Dickie, City Manager, stated that he is presenting Annette Spendlove's, North Ogden City Recorder, items tonight as she is not here.

He explained that we receive this request each year for a variance from our noise ordinance. The Wilde's plant and harvest hay early in the morning. The hay has to be harvested while the dew is still on the plants. They will continue to come in every year to ask for this variance.

Council Member Flamm moved to approve the variance. Council Member Turner seconded.

Council Member Taylor stated that he knocked on some doors and a few people had concerns about this. He asked if this is for an entire season or just a few days. Mayor Harris stated that it is for a few days a few times a year. Council Member Taylor stated that 1 in 4 asked that this not be approved but the majority didn't have a problem with it.

Mayor Harris stated that he is pleased that the Wilde's come in each year and follow the rules

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.

9. Discussion and/or action to approve Resolution 04-2010, a Resolution granting permission to the Museum Committee to use the copyright for the North Ogden history book.

Edward Dickie explained that the museum committee asked the City if they could use the City's copyrights for the following books, "The History of North Ogden: Beginnings to 1985" and "Our

North Ogden Pioneers 1851-1900". The City Council had no reservations with the request and asked staff to present this formally.

Council Member Martha Harris moved to approve Resolution 04-2010 granting permission to the Museum Committee to use the copyright for the North Ogden City history book. Council Member Taylor seconded.

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.

10. Discussion and/or action to approve Ordinance 2010-04, an Ordinance amending Chapter 22, 'Signs', of the North Ogden City Zoning Ordinance to include special events.

This item was pulled from the agenda for this meeting.

11. Discussion and/or action to approve Resolution 05-2010, a Resolution amending the Miss North Ogden Pageant.

Edward Dickie explained that at the March 30, 2010 meeting the City Council voted to allow Harrisville contestants to compete if at least eight North Ogden girls are competing. Harrisville's portion of the cost will be based on population. The only changes in the Resolution before the Council tonight are on numbers 1, 2 and 3 of Exhibit B. We are asking the City Council to approve this new Resolution allowing Harrisville contestants to compete.

Council Member Bigler asked if this is just a formality from the discussion last time. Edward Dickie stated yes. Council Member Bigler stated that he is still against it. It still costs the taxpayers a lot of money to have a Harrisville girl win the pageant. He feels that gambling with your own money is one thing but it is taxpayers' money that will be footing the bill.

Edward Dickie stated that it will save the City some money to allow the Harrisville girls to compete. Council Member Bigler stated that the North Ogden residents are getting no benefit if a Harrisville girl wins. He doesn't feel like it is right to spend taxpayer money to send a Harrisville girl to Miss Utah. Edward Dickie stated that there are only North Ogden girls registered currently.

Council Member Taylor stated that with the economy the way it is there is some benefit to the City and any help we get from other cities is welcome.

Council Member Martha Harris moved to approve resolution 05-2010 amending the Miss North Ogden Pageant. Council Member Turner seconded.

Voting on the motion:

Council Member Bigler	no
Council Member Taylor	yes
Council Member Turner	yes
Council Member Martha Harris	yes
Council Member Flamm	yes

Motion passed.

12. Public Hearing to discuss business license fees.

Debbie Cardenas reminded the City Council that back in June of 2008 the City asked Lewis, Young, Robertson & Burningham, Inc., (LYRB) to do an analysis. They are a local Utah firm with over 30 years of experience. We feel very confident in the analysis and study they have performed. They made presentations twice to the City Council. She is now here to make recommendations to the City Council that the fees in the study be implemented by the City with the exception of those relating to single-family and duplex rentals. She handed out to the Council and Staff the fees the City is currently charging for business license and pages 18-20 of the study. (Attachment A)

Debbie Cardenas reviewed the study line by line and explained that the City Council has the option of implementing these fees, a portion of these fees or keep the fees as they are now. She referred to the bottom of page 18 which shows the business types and number of businesses by type. The 4th column shows the recommended base fee, column 8 shows any disproportionate fee for that type and the amount of revenue we would receive. Business types include Professional, Business and Contract Services, Financial Institutions, Family Services, Automotive, Restaurant and Food Services, Fast Food, Small (Specialty) Retail, Larger Retail, Grocery, Cinema, Video, Personal Services, Major Medical, Self Storage (per Unit) and Convenience. Those are the fees recommended by LYRB as well as the disproportionate fees as listed for each business type. The one fee that the city does not currently charge is that relating to rentals of single-family dwellings, duplexes or multi-family dwellings. Staff is recommending that single-family dwellings and duplexes not be considered at this time. Ms. Cardenas said she would like the City Council to look at multi-family dwellings of 3 or more units. That would include the base fee, disproportionate regulatory (which covers administrative costs), and disproportionate fee (which covers the Police costs). She asked that the Council review these and give staff some guidance or recommendation as we would like to bring this back in two weeks and adopt the fees that the City Council feels comfortable with.

Council Member Taylor asked what the rationale is behind the multi-family but not the other rentals. Debbie Cardenas stated that it is just a recommendation. If the City Council wants to review that they can do that as well. Ed Dickie stated that it is more like a business for multi-family rentals; single-family rentals are more of a residential unit instead of a business.

Council Member Flamm struggled with trying to figure out what the charts are really showing. It appears that for base fees on the current schedule a business license is \$100. For example one of the banks is paying \$100 now. Debbie Cardenas stated yes. Council Member Flamm said that looking at the new fees, the base fee drops to \$64 and the disproportionate fee is \$766 for a bank. Debbie Cardenas stated yes and reminded the Council that these are recommendations. She explained that someone is paying for the additional services that are being provided. Council Member Martha Harris would like to have Debbie Cardenas reiterate that those disproportionate fees are currently being paid by whom? Debbie Cardenas stated that the citizens are paying for those services right now.

Council Member Bigler asked how LYRB came to the conclusion that single family rentals number 378. How do they know whether a home is a rental? Debbie Cardenas said the study shows how they came up with all the costs with everything broken down in processing a business license. Ed Dickie stated that the information came from the City. Julia LaSeure stated that it came from the utility billing department.

Council Member Bigler stated that the study shows that the reason for business licensing is to cover the City's costs. He said he asked the Chief of Police; for him, that was the key person to ask. Chief Afuvai stated that the rentals do not cost the city anymore; they do not generate more calls than others. Debbie Cardenas stated, with no disrespect to the Chief, that the chief does not do the numbers, the analysis, the costs. The numbers show that the disproportionate costs are there. The number of calls was taken directly from Weber County dispatch.

Council Member Flamm stated that the disproportionate fee for a convenience store is \$5,758. Debbie Cardenas stated that is correct. Those fees would cover the cost of police and administrative.

Council Member Bigler asked what we get their sales tax for. This doesn't take into account what the business brings to the City. Debbie Cardenas stated that sales tax is not paid by the businesses; it comes from the people who shop there. Council Member Bigler stated that we still get that money and we need to value what businesses bring to our City. She stated that we value the businesses and that is why we provide a base service for them. In 2006-07 to 2007-08 our sales tax went up \$82,117. From 2007-08 to 2008-09 we saw a decrease of \$178,053 and we are projecting that it will remain about the same this year and next. We did not decrease our level of service. Our property taxes in 2006-07 to 2007-08 increased by \$23,313; from 2007-08 to 2008-09 there was a decrease of \$236,225 and we have not reduced the services we provide. Another decrease this last year required that we had to dip into our General Fund. We did not reduce our police or our level of service. Total expenditures have gone up consistently while revenues went down. This meant that we had a total net shortfall of over \$2 million and we still did not reduce our police or level of service. These are disproportionate fees which address above and beyond the base service.

Council Member Flamm recommended not doing the disproportionate fee for rentals? Debbie Cardenas stated that she is not recommending that. The City can do all, a portion or none. She believes that the City does need to charge a disproportionate fee because we are not meeting our costs.

Council Member Flamm asked currently a rental does not do a business license fee. Debbie Cardenas stated that is correct. Council Member Flamm asked if the base fee is per unit or per building. Debbie Cardenas stated that is correct. Ed Dickie stated that staff is not recommending charging single-family or duplexes at all.

Debbie Cardenas stated that the good landlord program would be a good program for the city but it would be impossible to implement with the current staff. If the Council wanted to do the Good Landlord Program you would have to adopt these fees to pay for employees to implement the program; we do not have the staff. Ed Dickie that stated it could be any fee; not necessarily the full fee proposed by LYRB.

Council Member Flamm said it sounds like if they implement the Good Landlord Program we don't have the money to implement it. Debbie Cardenas said she recommends that the first year we adopt the \$28 fee so we can get the program going, do the classes and such. We could reduce the fee for the second year.

Council Member Martha Harris stated that when we discussed business license fees on multi-family dwellings and the potential for a good landlord program it was not designed to be a revenue generating program but to enhance the safety of the community. It might cost us some money to get it started but the long range benefits may be something that we are really grateful we did when we look back.

Council Member Taylor had a conversation with a head deputy from Farr West who said that they have seen a dramatic drop in the cases there when they implemented the Good Landlord Program. They do have more rentals than we do but there are benefits for sure. The deputy said he would like to come and share that with the City Council if they'd like him to.

Ed Dickie stated that basically what Debbie is saying is that at this time we don't have the money for a full-time person to implement the program; this would help to pay for that person. If we wanted to do the Good Landlord Program the City Council would seriously have to look at the disproportionate fees. We don't have to do the full amount. Debbie Cardenas stated that the recommendations from LYRB are what it would cost to fully recoup the costs to the City.

Mayor Harris said he isn't sure we all understand that in order to raise fees we had to have this study completed. Debbie Cardenas stated that is correct. Mayor Harris said we cannot charge more than these recommended fees. Debbie Cardenas stated that is correct. Mayor Harris mentioned possibly implementing a business license fee on rentals and talked about per unit. Is that a business license per owner or per unit; per apartment or per building? Debbie Cardenas doesn't have the answer to that question.

Council Member Martha Harris stated that she thinks in Ogden City it states 'per roof'; whether it is an 8-plex or duplex.

Council Member Turner is anxious to hear how the residents feel. His big concern is not the multi-family; it is more on the commercial end. If a large retail business is currently paying \$64

and we tell them they have to pay \$1,900 that would be a tough pill to swallow. He understands the fees and why but is concerned about how we present it to the public.

Debbie Cardenas stated that she is presenting what the study shows, what the City is losing and what we need to do in order to recoup those costs. The costs being borne now are being subsidized by the citizens. Mayor Harris stated that staff is looking for broad general direction from the Council for tonight. We are not taking any action tonight but wanted to have some information before the Council.

Mayor Harris opened the Public Hearing at 6:37pm.

Dave Hulme, 513 E. 1700 N., is curious if anyone has an opinion why the Good Landlord Program ends up lowering the disproportionate fees? Council Member Flamm stated that part of that program requires background checks and if a prospective tenant has an unsavory background they would not be rented to. Dave Hulme suggested, rather than charging the full disproportionate fee amount, reducing the fees if a landlord does background checks; implement a part of the program. The presence of the Good Landlord Program isn't what gives the landlord the right to do a background check. He made a comment regarding the question of per roof vs. per unit; while he was in England he knew of an apartment complex under one roof that housed nearly 10,000 people. His recommendation is that it be charged per unit. He asked whether the study took into account the amount of revenue that some of these businesses bring into the City. Is it possible to do that kind of comparative study so we can show the businesses the numbers? He is curious about the implementation in the study; what would the study say about someone who rents 20 single family homes? What happens if you have a duplex and are only renting half of it? He recommends that if the City tries to implement something that it is based on what is rented; more along the lines of if you are renting more than one property you require a business license.

Pam Trimble, 1229 E. 2600 N., owns two 5-plexes, two 4-plexes, three duplexes and nine houses. This will be very expensive for her. She stated that she pays taxes like everyone else. She screens her tenants and doesn't want to rent to people who are druggies. She doesn't need someone to tell her to do that. There are smoke alarms in all the units. She doesn't want the Good Landlord Program in North Ogden. She used to own properties in Ogden until it got so expensive, and then she bailed. The program showed her how to identify a drug addict; she is not going to rent to a druggie to begin with. The additional fees would have to be charged back to the tenants which cause more problems for the renters. This is a terrible time to start something like this with the economy the way it is.

Owen Allen, 473 E. 2800 N., feels good that the City Council is thinking this way. He has houses in Ogden also and he participates there but they don't get anything out of the program. He does screen his people and has for years. Financially right now things are rough and they are rough for everybody. He would like to second Pam Trimble's motion that we don't need this out here. Landlords do have the right to screen people and they do it to keep their properties nice. He would like to see it left alone and maybe put a little more burden on the landlords themselves to screen like they always have.

Helen Taylor, 94 E. 3275 N., agrees with Ms. Trimble and Mr. Allen, the economy is horrible right now. This is a tremendous increase for these people. Who else is going to pay this other than the consumers and the tenants? Former Council Member Jed Musgrave stood here and told the City Council that the Good Landlord Program wouldn't have the impact in North Ogden that it had in Roy or Ogden. Why impose a new burden on the business people of North Ogden. The City is desperately trying to convince the business people that it is business friendly. Council Member Bigler is trying to accelerate the process; the trend is positive. Debbie Cardenas mentioned that the citizens are sharing some of those costs. Mrs. Taylor said we are willing to subsidize those costs to be able to shop in North Ogden. On one hand you are saying "let's be more business friendly" but this is another anti-business tax. The people are screaming "We are hurting", we got to have some consistency here. She said if you're going to turn the corner on being more business friendly you have to be committed to it. These landlords don't need the City to tell them who to rent to or how to run their business. She thanked the City Council for the work they do and knows that their hearts are in the right place.

Council Member Flamm moved 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.

The public hearing closed at 6:55pm.

Debbie Cardenas said that staff is here to give the City Council the information. We bring you information based on facts, using studies done by credible firms and then the City Council is left with the task of making a decision based on that. City staff tries hard to keep emotion out of it. The City would love to be able to do our version of the Good Landlord Program but we don't have the staff. As for the sales tax and property tax information that businesses bring in; distributing that information would be an impossible task. Sales tax is not something that we can disclose, but if we wanted to try to determine how much of that it brings in from the business we would have to do a study on each individual business. She said that is totally unrealistic and that is why these studies are done. There is a perception that North Ogden City doesn't have problems, that this is the safest City. It is a beautiful City but every city has problems. The study has shown that rental units have these problems, the numbers speak loud and clear; we didn't make them up. We are paying the cost for the services that are provided. The numbers are there, the facts are there. We are not here trying to tell businesses how to do their business. The guidelines and regulations that businesses must follow is why North Ogden is so beautiful. Knowing that the City was paying more out in costs than what we were getting, we went out and did a bid for consulting services, we got the best firm out there, we got a study with accurate analysis and information that we can verify. We feel very confident in those numbers.

Council Member Bigler stated that he has tried to be thorough with things and has read through this thing twice. The Good Landlord Study states that it offsets the police calls. In our City if the purpose is truly to get the cost back we would end up paying out more and it is not a benefit. This is not justified at all in our City. There is no need for this here, we have a wonderful community, and the police do a great job. North Ogden City doesn't need the Good Landlord Program now. The costs will be passed on to the tenants or the consumers. Council Member Bigler feels like we are double taxing the large businesses. He said we are all in this community together and he is against raising taxes and fees. It doesn't seem justified; it will end up costing us more to have another government program. He thinks we ought to leave the businesses and rentals alone.

Debbie Cardenas explained that property taxes are based on value, not services, and the rate charged by the City is the same whether it is a business or a residence.

Council Member Taylor stated that funding local government is like squeezing water out of a rock; nobody wants to pay the fees. This is not a new fee; this is an existing fee that is being paid by the citizens. The number one complaint he gets from residents is taxes. If we are passing on a higher fee to the residents that should be borne by the businesses that isn't right. There is a disproportionate cost here; who is going to pay it. Will we continue to pass it to the citizens directly? He said he feels personally that in the long run this is something that needs to be looked at. He would like to see data on nearby cities. Is this something that is becoming the norm? He suggests that there is good logic for more discussion and for this to be implemented in the long run. Data regarding reductions in police calls and court cases would be helpful. He doesn't want to make a change at this time but rather gather data from other cities and get some more comparative data to see if this is wise.

Council Member Flamm asked what the current business license revenue is. Debbie Cardenas stated approximately \$30,000. Council Member Flamm stated that this shows more than \$100,000 in additional revenue. Debbie Cardenas stated that is correct. Council Member Flamm asked if we are increasing fees here shouldn't there be a decrease on the other side for the residents. If we charge that and don't reduce taxes somewhere else he doesn't feel it is looking at the best interests of the residents.

Council Member Bigler stated that he was thinking exactly that. If we decrease individual taxes in the City maybe he will take a look at this. He was going to suggest the same thing. Debbie Cardenas explained that she didn't ever say that the reason we are looking at this is because the cost is getting passed on to the residents. The residents are paying to cover the disproportionate costs for these businesses rather than funding other things that need to get done. Projects have been on hold for years and continue to go nowhere because the citizens' taxes are going to cover these costs instead.

Council Member Bigler stated that we have a certain number of police officers; don't we pay them anyway? Debbie Cardenas stated that we are paying them but if they take a call near the end of their shift they finish the call and get overtime.

Council Member Bigler stated that it could end up costing the City in ways we may never know if these fees keep businesses from coming here.

Council Member Martha Harris explained that we did this survey to gather data because if we wanted to do any adjustment we had to have scientific data to do that. She asked how long that data is good? What if the City Council sits on this data for three years, is it still good? Debbie Cardenas stated that she thinks it would be outdated. Council Member Martha Harris is concerned that the data has a shelf life. Debbie Cardenas stated that the City would also be three years behind. If we are not implementing the program then those less desirable renters may be pushed into North Ogden City.

Council Member Martha Harris would be very curious to see the numbers broken down by group; automotive, restaurant, etc... She asked if staff could come up with some figures based on implementation of 25% of the fee in the first year, 50% the next, etc; an incremental increase. We need to support and defend our business community but also our residential customers. Whether the City Council decided to do anything about it or not that would be the Council's decision. It is quite a jump from where we are now to what would be considered the maximum. It might be more palatable in phases. Concerning the multi-family rentals, home occupations or commercial businesses are required to have a business license. A multi-family rental is a business, an income generating business. Is it fair to everyone else paying for licenses that this group is left out? Should this be taken to the Business Development Committee (BDC) for discussion to get a feel for how the businesses feel about it?

Council Member Taylor said he really likes the idea that Council Member Martha Harris just suggested. He doesn't know if we have the time to look at it this year. He would like an incremental approach, talking to the business owners, helping them understand the position the City is in to see if we can get any support from them before making a final decision.

Council Member Turner stated that if anyone wants to see the LYRB report, they can go to www.northogdencity.com and select February 9th; under item 5, the entire report is there. He asked the public to please go look at it. This was presented to the Council two months ago and this is something that we all have some concern with.

Mayor Harris stated that we need to have a way to go but he isn't sure not doing anything is the way to do it. Debbie Cardenas stated that if the City Council wants data from surrounding cities to have comparative data that can be done but staff would need some guidance regarding the incremental approach.

Council Member Martha Harris stated that she is going to let Debbie Cardenas decide; it seems appropriate that we take the max and take 25% and then show what each group would stand to be paying, then do the same for 50%, 75% , etc... Debbie Cardenas asked if the Council wants that brought back in two weeks. Mayor Harris stated he is not sure we want to bring this up right away with the BDC. He thinks there are some things they need to be thinking about; the longevity of the data, the risk regarding the notion of pushing criminals out of areas that have this program into North Ogden. He said he thinks we are vulnerable from that point. He mentioned that lack of revenue adding that we have made some drastic cuts in our City budgets.

We have a number of projects that we need to move forward on. He would hate to see us cut the revenue stream too much. The size of the City staff; the recommendation that we should have one police officer per 1,000 people, we are going to have to be looking at providing some services that we have been forgoing up to this point. Public works needs new facilities or we won't be able to provide the services the City needs in the way of infrastructure. It's easy to say "don't raise my taxes", but the City provides an awful lot of good services. We wouldn't tolerate fraud, or waste or abuse, but we have solid data that shows we need to increase some fees. It looks like perhaps we will delay this for some time but there are things that are going to have to be addressed.

Council Member Turner agrees that two weeks is too quick but we need more information. Council Member Taylor proposed that staff get the comparative data and find out how common the disproportional fee schedule is. He suggested waiting until maybe June. That would give the City two months to think about it and still have seven months before the renewals are due. Debbie Cardenas stated that we can give the City Council the current data from surrounding cities pretty quickly. She doesn't know how common the disproportionate fee data is but will check. Feedback will depend on how soon the BDC is brought together, educated and polled. She mentioned doing a survey. The City could mail a flier asking for input from the citizens the business community and surrounding cities. We may get a limited response but we could at least make an attempt.

Mayor Harris also mentioned considering that on the BDC we have a resident cadre on that. We have to have some time to work with that committee.

Council Member Bigler stated that he is not saying no to all taxes, it is not that simplistic. There are shortfalls all around but before we increase these rates he would rather take a look at all the programs we're doing and maybe cut back on some of those niceties.

13. Public/Council comments.

Pam Trimble, 1229 E. 2600 N, stated that she was told that this would not be discussed tonight. She got a phone call at 5:20 pm informing her that it was on the agenda for discussion.

Dave Hulme, 513 E. 1700 N., wonders if one of the reasons that the landlords didn't show up is that they don't think that business license fees applies to them. He thinks it is not for lack of interest, they are probably just not aware of the numbers being thrown around here. He agrees with comments about cutting programs although he is aware that the reason we have those programs is because the citizens want them. In an ideal world the City could magically know where the money is being spent and charge accordingly. In general he is concerned that some businesses might look at their disproportionate fees and say that they are paying their share but the City is spending it on the pool. We need to be extremely careful where the money is spent so we don't have those comments coming up. He is glad we are putting off any decision on this. He hopes that we will look at ensuring that we don't do something like this before we cut programs that we could do without. Something has to change. A tax cut sounds nice but if it isn't

accompanied by a cut in spending then it isn't fiscally responsible. He appreciates all the time and effort from the City Council.

Helen Taylor, 94 E. 3275 N., it has been an incredible education process coming to these meetings. She has been impressed with the sincerity of the Members. Taking this idea to the BDC is wonderful because it was not taking the sign issue to them that caused all the problems. She suggested giving the business owners the opportunity to manage their disproportionate costs. She is concerned by the comment that if we aren't doing something that everyone else is doing... those are fear based reactions. We are approaching build out and have had a tremendous growth spurt in the recent years that we will likely not see in the next five years. She challenged the thought that the data will be outdated. She also likes the thought of stepping up the fees and added that we need to look at ways to reduce costs.

Debbie Cardenas clarified, stating the comment on the criminal element was not based on fear. As for the thoughts on the data being outdated, her concern is that we may spend more to update them later.

Council Member Martha Harris said that she represents North Ogden City on the Mosquito Abatement District which meets once a month. The prime topic on mosquito abatement lately has been West Nile. Our Mosquito Abatement has done a great job; there was only one case in Weber County and no human cases. That one case was a horse in Plain City. It is a very valuable resource that our county has and North Ogden enjoys a very low mosquito population.

Council Member Flamm appreciates the newspapers being here. He likes the way the City handles the agenda in that there is an opportunity for public comments at the beginning and end of each meeting. Though there were not many in attendance tonight, they do have that opportunity. The public has some time to come to any meeting and express their opinions and share them with the Council. He reminded those that are here that they can invite others to attend a future meeting.

Council Member Taylor appreciates the comments Dave Hulme and Helen Taylor made. The number two most common thing behind taxes is that people appreciate the Police Department. In support of what the Mayor said, capital improvements is a high priority of his. Some cities have put off some spending but old sewer pipes are in the city and they need to be replaced. He really thinks we need to look at that and about funding sources.

Council Member Bigler stated that these are tough times for cities and government in general. There are certain things that have to be done and updated. He hopes we would look at it as that it's not how much money it takes to run the City but how the money is spent. For example, the Miss North Ogden pageant, we just spent \$10,000 for eight people that wanted to participate. When a pipe needs to be replaced we won't have that \$10,000 and will have to take money from somewhere else. We need to look at where we are spending.

Council Member Turner stated that they are still looking for people to be on the Parks and Trails Committee. There are some really cool things coming up and they encourage everybody to go out and use the City's parks and trails.

Ed Dickie thanked Debbie Cardenas for her presentation. He does not envy the City Council in making these difficult decisions. We owe it to the residents to go out and have these studies done; this is good government. We have had these things professionally looked at and it is now up to the City Council to decide whether to follow those recommendations. Along with these studies, he wanted to mention, regarding the police, sometimes the officers are spending half their time at rental properties and that takes patrols away from other areas of the city. He reminded the City Council that there is more to come from this study.

Debbie Cardenas stated that it needs to be very; very clear that she absolutely trusts Chief Polo Afuvai. She does not have any disrespect for Chief Afuvai and she doesn't know what Council Member Bigler's conversation was with him. She wants to be very clear on that.

14. Adjournment.

Council Member Martha Harris moved to adjourn. Council Member Taylor seconded the motion.

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 8:05pm.

Richard G. Harris, Mayor

S. Annette Spendlove, City Recorder

Date approved