

NORTH OGDEN CITY COUNCIL MEETING MINUTES

March 10, 2015

The North Ogden City Council convened in an open meeting on March 10, 2015 at 6:32 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 March 6, 2015. Notice of the annual meeting schedule was published in the Standard-Examiner on December 21, 2014.

PRESENT:	Brent Taylor	Mayor	
	Kent Bailey	Council Member	
	Lynn Satterthwaite	Council Member	
	Cheryl Stoker	Council Member	
	Phillip Swanson	Council Member	
	James Urry	Council Member	
STAFF PRESENT:	Bryan Steele	Finance Director/City Administrator	
	Annette Spendlove	City Recorder	
	Jon Call	City Attorney	
	Dave Espinoza	Water Systems Supervisor	
	Craig Giles	Public Works Director	
	Rob Scott	City Planner	
VISITORS:	Penny Dean	Curtis Dean	Jay Johnson
	Ryan Barker	Dave Wade	Dale Anderson
	Julie Anderson	Jeremiah Jones	Gary Stoker
	Ned Jensen Malan	Brycen Hedgepeth	Porter Holliday
	Austin Coy	Erik Johnson	Elliott Hedgepeth
	Dennis Crezee	Jeff Newman	Shaylee Johnson
	Melodee Johnson	Bob Buswell	Tiffany Turner
	Brent Chugg		

Mayor Taylor welcomed those in attendance.

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

CONSENT AGENDA

1. **CONSIDERATION TO APPROVE THE FEBRUARY 3, 2015 CITY COUNCIL MINUTES**
2. **CONSIDERATION TO APPROVE THE FEBRUARY 10, 2015 CITY COUNCIL MINUTES**

Council Member Swanson motioned to approve the consent agenda. Council Member Bailey seconded the motion.

Voting on the motion:

Council Member Bailey	aye
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

Curtis Dean, 889 E. 2750 N., stated he has written a speech about his feelings about the rezoning of the property at 2700 North and 900 East. He stated he uses his lot for residential and agricultural use; he has 11 fruit trees and a 900 square foot garden. He freezes, dehydrates, and cans to make his crops last until the next year. He also has chickens and plans to start a honey bee colony to help with pollination next spring. The four years he served in the Marine Corps he protected the rights and freedoms of all Americans, not just a select few. He thought that elected officials are supposed to do the same; they should listen to the people and be the peoples' voice. He asked why should lots bordering the property on 850 East be 12,000 square feet, but those bordering 2750 North will not carry the same requirement. He stated there are lots on 2750 North that are just as large and he asked why the City Council would consider a plan that could be classified as spot zoning, which is against the law in Weber County. If the Council approves a zoning plan that locates a 12,000 square foot lot bordering his 43,000 square foot lot, that could be considered spot zoning. He stated that if he has to get a judge to decide upon the zoning, he will. He concluded he wishes elected officials would stand by his side so he is not standing alone.

Ned Malan, no address given, stated he has lived at the top of 1700 North for 65 years. He stated he would appreciate if the Mayor and Council Members could speak close to their microphones as it is difficult for him to hear.

Gary Stoker, 1172 E. 2950 N., stated he is representing an organization called Honor Flight; he and his wife had an opportunity to take his father-in-law to see the World War II memorial in Washington D.C. and it made him decide to get involved with the organization. He stated there are 8,000 World War II veterans in Utah and approximately 300 have had access to an Honor Flight to see the memorial; the organization is trying to get the word out to the veterans that they can take a totally free trip to see the memorial and he asked that this opportunity be advertised in the City's newsletter. He asked that the organization have access to a free booth at the Cherry

Days celebration to spread the word. He briefly provided additional information regarding the organization, after which there was a short discussion between the Council and Mr. Stoker regarding his request. Mayor Taylor asked Mr. Stoker to send him additional information regarding his request and concluded that he will be happy to work with him to put him in touch with the appropriate people in the City and on the Cherry Days Committee.

Mayor Taylor then recognized Boy Scout Troop 412 and invited Assistant Patrol Leader, Porter Holliday, to the microphone to provide information about the merit badge his troop is working on. Mr. Holliday stated his troop is working on the Citizenship in the Community merit badge and he thanked the Mayor and Council for their service.

2. NORTH VIEW FIRE BOARD PRESENTATION

A memo from City Recorder Spendlove noted she received a request from Jay Johnson summarizing his request for he and Dean Hunt – both recently elected to the North View Fire District – to meet with the Council during their March 10 meeting. Ryan Barker a North Ogden resident and the district's fire inspector is also planning to attend. The goal of the meeting is for the officials to introduce themselves and provide the Mayor and Council with some information and statistics on the Fire District and get them up to speed on the new fire substation that is in the works on the bench in Pleasant View. The officials also want to reach out to the Mayor and Council on a few items the Fire District could use their assistance with in working to get this fire substation up and going in Pleasant View that will ultimately assist in the quicker response times to both Pleasant View and North Ogden residents.

Jay Johnson used the aid of a PowerPoint presentation to provide the Council with information regarding the operations of the North View Fire District, with a focus on a proposal to build a new fire substation above Weber High School at 400 West 3400 North in Pleasant View. There are two representatives from each City on the District Board, with one at-large member. He and Mr. Hunt take pride in representing the City residents and the staff employed by the District go above and beyond in everything they do. Mr. Hunt reviewed the data and growth information relative for calls to service responded to by the District. He reviewed a map identifying the coverage area for the District, noting the District also have mutual aid agreements with other agencies that allow them to aid in fighting fires outside of the District boundaries. He concluded by indicating he and Mr. Johnson are willing to answer any questions the Council may have.

Council Member Swanson asked if the proposed substation in Pleasant View is located within the future Skyline Drive corridor, to which Mr. Hunt answered yes. Mayor Taylor inquired as to the timeline for completion of the substation project, to which Mr. Hunt answered approximately three years and he noted that staffing levels are being increased proactively in order to man the substation when it is open. The Council and District representatives engaged in a discussion regarding the rationale used to select the location for the proposed substation, with Mr. Hunt noting it was based heavily upon response time within the District boundaries.

Council Member Bailey stated that one of the things he has heard about since becoming a member of the City Council is the disconnect the residents feel between the City and the Fire

District; most of them do not realize the District is a separate entity. Since the time the Fire District was created and took over fire operations from North Ogden, Harrisville, and Pleasant View, it seems there has been a dramatic increase in the mill levy for fire services and residents wonder why the tax rates for the District continue to increase. He stated he would like to see information from the District regarding any tax increase that has taken place within the District; as a resident he pays two-thirds of the amount he pays to North Ogden City, but it seems the depth of services provided by the City are greater than the services provided by the District. Mr. Hunt stated that since the Fire District was formed there have been no tax increases; the mill levy was based upon the percentage each city was paying for fire services at the time that the District was created. He noted the participating cities also reduced their mill levy to adjust for the creation of the District.

Council Member Urry inquired as to the District's Board makeup. Mr. Hunt reiterated there are two members from each city and one at-large member for a total of seven members. Council Member Urry stated he does not know the percentage of funding the City provides to the District, but he assumes it is high; it appears the City is responsible for over 50 percent of the calls for service within the District. He stated that if the City is funding more than 50 percent of the District, he feels that 50 percent of the Board members should be from North Ogden City to ensure that the citizens are represented appropriately. Mr. Johnson stated the makeup of the Board was determined by the County Commission. Council Member Urry suggested that the City lobby the County Commission to change the makeup of the Board.

Council Member Bailey inquired as to the number of Board members who are current or past fire fighters. Mr. Johnson stated he and Mr. Hunt have both worked as fire fighters and approximately 75 percent of the Board is made up of fire fighters or retired fire fighters. Council Member Bailey asked if there is a perceived conflict with that makeup. Mr. Johnson stated that those serving on the Board are desirous of continuing to serve in some capacity related to firefighting; some are not in fire service, but have served in other public safety or public service arenas and it is good to have a great mix of different backgrounds.

Mayor Taylor inquired as to the routes that will be used by fire engines dispatched from the substation until the Skyline Drive extension is completed. District staff reviewed a routing map identifying the roads that will be used to respond to service calls, noting that crews from other agencies will be able to respond due to the mutual aid agreements that the District has entered into. The land in Pleasant View was donated to the District, with is another major reason the Pleasant View location was selected. Discussion between the Council and the District Fire Chief then focused on the types of calls, specifically medical calls, that the District paramedics respond to, with Council Member Satterthwaite requesting that the call data be broken down into specific medical categories in order for the data to be more meaningful. Council Member Bailey inquired as to whether most medical services are eligible for insurance reimbursement. Chief Wade answered yes and noted the District is successful at receiving reimbursement for nearly 70 percent of the medical calls it responds to.

Council Member Bailey asked if the substation will be the same size as the main fire station. Chief Wade stated the station will be approximately two thirds smaller as it will be located on a one acre parcel of ground; it will have three bays and four to five rooms for training and staffing.

Council Member Urry inquired as to frequency with which the District is willing to meet with the Council and provide information. Chief Wade stated he is willing to meet with the Council as frequently as once each month and noted that the District is very involved in the community.

Council Member Stoker stated she is pleased to see the proposal for a new substation in the location that has been selected; it is a wise move based upon the growth of the area. Council Member Satterthwaite agreed, but added that while it is nice that land has been donated for the substation, it makes more sense to locate the substation in an area where it can provide service in all directions. Chief Wade stated he feels the location will suit the needs of the area. Council Member Satterthwaite then inquired as to the financial responsibility the City will have for the District once the substation is built and staffing levels continue to increase. Chief Wade stated that he has been tasked with creating an operational plan for the District based on operating two stations and when that data is available he will have a firm cost for the construction of the substation and staffing. Discussion then refocused on the makeup of the Board and Council Member Urry's feelings that at least 50 percent of the Board should be made up of North Ogden residents since the City makes up more than 50 percent of the District area. Mr. Hunt added that the District is very aware of the tax burden the District places on the citizens and they do everything in their power to ensure that money is spent responsibly.

Mayor Taylor thanked the District representatives for the information shared tonight and stated that he looks forward to future discussions.

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

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 Planning Commission conducted an initial hearing but due to an incomplete notice continued the public hearing until December 3, 2014 after allowing those in attendance to make comment. On December 3, 2014 the Planning Commission received additional input from surrounding neighbors. The neighbors requested that the Planning Commission consider recommending an R-1-12.5 zone. It was further discussed that through a development agreement that with certain conditions an R-1-8 zone may be appropriate if the concerns raised by neighbors are addressed. On December 17, 2014 the Planning Commission considered this item. The applicant stipulated in the meeting that an R-1-10 zone is acceptable rather than pursue an R-1-8 zone with a development agreement. The City Council conducted a public hearing on January 27, 2015. The City Council upon hearing additional public comment tentatively approved the R-1-10 zone request; however the City Council desires that a development agreement accompany their final action. The Planning Commission reviewed the attached development agreement on March 4, 2015. The attached development agreement is

before the Planning Commission for your review and recommendation. The following development agreement summary is listed below:

- Average Minimum Lot Size. The average minimum lot size shall be no less than 12,000 square feet.
- Chambers Parcel. This lot will be a minimum of 20,000 square feet.
- Lots Abutting 850 East. The proposed lots which abut the existing 850 East lots will be a minimum of 12,000 square feet.
- Side Yard for Manley Property South of Proposed 950 East and 850 East Intersection. The subdivision will be designed to make sure that the existing home will have a minimum of 20 feet since this lot will become a corner lot.
- Lot Size Restrictions:
 - Lots will be a minimum of 10,000 square feet
 - A maximum of 7 lots can be equal to 10,000 square feet
 - A minimum of 10 lots will be equal to or larger than 12,000 square feet
- Rice Creek Requirements.
 - Lots abutting Rice Creek will have a minimum buildable area of 2,000 square feet
 - A buildable contour line will be established that no development can occur past it
 - Rice Creek will remain "reasonably open" for wildlife by providing one or more access points to Rice Creek.
- CC&Rs. The Codes, Covenants, and Restrictions shall include a provision restricting dumping of grass on neighboring properties.

Several comments were received from neighboring property owners. One of the identified parcels was not listed as a property on 850 East and all dumping should be prohibited not just grass clippings. The Planning Commission agreed with these provisions and the development agreement has been modified to address these issues.

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 applicant has provided a list of potential development agreement conditions that addresses lots sizes and buffers to Rice Creek.

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

Staff comment: This area is in transition from agricultural to single family subdivisions.

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: This neighborhood has R-1-8 zoning on the periphery with RE-20 in the middle. The lots along 850 East are sized to be consistent with the existing RE-20 lots. New corner lots will have the necessary side yard setbacks.

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 roadway design for this subdivision has been modified to connect to 850 East. The street layout provides for connections to provide connectivity to other neighborhoods. The General Plan map calls for this property to be developed as single family residential, low density. Both RE-20 and R-1-10 zones are allowed in this designation.

The memo offered the following summary of potential City Council considerations: does the proposal development agreement address the issues sufficient enough to guide the upcoming subdivision review process?

The Planning Commission determined that the proposed development agreement is consistent with the North Ogden General Plan and it addresses the concerns of neighboring property owners. The Planning Commission recommends the City Council approve the rezoning map amendment from RE-20 to R-1-10 and the development agreement.

Mr. Scott reviewed his staff memo. He referenced the public comments made by Mr. Dean earlier in the meeting and identified Mr. Dean's property on the map of the area; the lot that will border Mr. Dean's property is approximately 11,000 square feet in size.

Council Member Satterthwaite asked if efforts were made to increase the size of the lots that border 850 East and 2750 North properties. Mr. Scott stated that the issue of the size of the lots bordering properties on 2750 North was never raised by residents in that area, though the issue was raised by residents living on 850 East and that is the reason the sizes of the lots bordering existing properties on 850 East were increased. The development agreement for the project requires that all lots be a minimum of 10,000 square feet, with the exception of corner lots, which must be 11,000 square feet in size. The developer has met those requirements. Council Member Satterthwaite stated that concerns regarding the lack of frontage on the Manley property were raised in the past and it does not appear that has been addressed. Mr. Scott stated that Mr. Manley has frontage on 850 East and the lot may be a flag lot. He stated that the ability to build on the back portion of his lot is something for him to work through with the developer. Discussion then centered on the ability of the Council to recommend a plat amendment that would increase the sizes of lots five, six, and seven, with Council Member Swanson indicating he still has concerns about the lack of frontage for the Manley property, the building pad sizes on certain lots, and the size of the lots abutting the Dean, Young, and Butler properties. He stated he feels those lots should be a minimum of 12,000 square feet in size. He wondered if the developer would be amenable to reducing the number of lots in the development in order to increase the sizes of other lots. He concluded he is uncomfortable approving a zone change without seeing a concept plan for a development so that he can understand how the developer will interact with existing properties. Council Member Satterthwaite agreed and stated he would

have expected the developer to update his sketch to address the concerns that were raised during the last City Council discussion of this application.

Council Member Urry asked Mr. Dean to provide more information about his concerns related to the development. Mr. Dean stated that he would like more of a buffer between his property and the project; other existing property owners are fronted by lots that are at least 12,000 square feet. Council Member Urry stated he is not sure that the size of the lot that borders Mr. Dean's property makes a difference. He noted that he personally lives on an acre, but is bordered by lots of various sizes and it has not impacted his ability to keep various livestock on his property. Mr. Dean stated that the smaller the lot size, the closer a home on that lot will be constructed to his home and that will impact his view. He added that zoning laws have been created to provide appropriate distance between different zoning designations. He concluded he feels the same consideration should be given to the residents on 2750 North as has been given to the residents on 850 East relative to lot sizes.

Council Member Swanson addressed the applicant, Mr. Fielding, and asked how he feels about redesigning the development in a way that lots five, six, and seven be combined and split into two lots rather than three. Mr. Fielding stated his preference is to impose a minimum lot size rather than converting the three lots into two lots. He stated he was not informed that he should provide a definitive plan for the development; he has worked through seven revisions of his plan with his engineer, and that work is becoming quite expensive. He felt he could address the concerns raised at the last meeting with the development agreement that has been proposed. Council Member Swanson stated he would prefer that lots seven and five be a minimum of 12,000 square feet. Council Member Bailey stated that should be handled via the development agreement. He then addressed the Manley property and acknowledged that it is more appropriate for the owner of the subject property and Mr. Manley to work together to address the impacts the development may have on the Manley property. City Attorney Call agreed and indicated that mandating the developer to address the lack of frontage on the Manley property is outside of the Council's purview. Mr. Fielding stated he has met with Mr. Manley regarding the alignment of the road that would run adjacent to his property and indicated he is willing to work with him; both have mutually agreed that it would be best to follow the City's property rezone process before making concrete decisions regarding the road alignments.

Council Member Bailey motioned to amend development agreement A6-2015 by requiring that the lots immediately south of the properties on 2750 North be increased to a minimum size of 12,000 square feet and to approve the agreement with that change; and to approve the rezone of property located at approximately 2700 N. 900 E. from Residential RE-20 to Residential R-1-10. Council Member Swanson seconded the motion.

Mr. Fielding asked if the amendment of the development agreement will impact lots three and four in the development. He stated that those two lots have been designed in a way to accommodate a cul-de-sac in the development and he requested that the amendment to the development agreement only impact lots five, six, and seven. Council Member Bailey inquired as to the sizes of the existing lots on 2750 East that will be abutted by the development. Mr. Scott answered they average half-acre to one acre in size. Mr. Call added the smallest lot is .46 acres; they are located within the RE-20 zone, which requires a minimum lot size of 20,000

square feet. Mr. Scott reviewed a map and stated the size of each lot along 2750 North that would abut the development. Council Member Satterthwaite that he would prefer that all lots abutting properties on 2750 North be a minimum of 12,000 square feet. Council Member Bailey agreed. Mr. Fielding then identified the border of the property included in the rezone request.

Council Member Urry asked if similar restrictions were imposed upon Fawn Hollow and Deer Hollow subdivisions. Mr. Scott answered no; those subdivisions are zoned R-1-8, which requires a minimum lot size of 8,000 square feet. Council Member Urry asked how the City can legally impose greater restrictions on the subject property. Mr. Call referenced the City's zoning map and stated that the R-1-10 zoning could be considered as a transition zone between R-1-8 and RE-20 zoned properties. The Council's decision to approve R-1-10 zoning and require minimum lot sizes for certain lots would not be considered arbitrary and capricious.

Voting on the motion:

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

The motion passed unanimously.

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

A staff memo from Finance Director/City Administrator Steele explained each year amendments to the current fiscal year budget are necessary to cover expenditures not accounted for in the original budget. The memo referenced an attached file explaining the expenses which require the Council's approval and the source of revenues from which the expenses will be paid.

Mr. Steele reviewed his staff memo and reviewed the five budget amendments being recommended.

Item No.	Description	Amount of Change
#1	Developer Payments	\$1,795.30
#2	Water Fund Retained Earnings	\$390,000.00
#3	Grants	\$9,649.00
#4	General Fund Excess Revenues	\$20,000.00
#5	General Fund Excess Revenues	\$445,444.30

Item no.	Use Description	Amount of Change
#1	Street Signs	\$1,795.30
#2	Department Supplies	\$390,000.00
#3	AED's & Radar Units for Police Department	\$9,649.00

#4	Solar Street Safety Signals	\$20,000.00
#5	Engineering & Economic Development Services	\$445,444.30

Detailed Explanations:

1. Used portion of developer paid escrow to install street signs in a subdivision
2. This is for the purchase of fixed based read water meters to replace the ones that are failing. This amount also includes money for installation (\$5 per meter) so they can be installed soon
3. Grants the Police Department received to pay for AED's & radar units
4. This would be for the purchase of two sets of Solar Pedestrian Activated Lights (\$5,500 per set) and 2 Solar Speed Displays (\$4,345 each)
5. Payment for services rendered this fiscal year are more than budgeted

Estimated Unreserved Fund Balances after amendments

General Fund	\$850,000.00	15% of General Fund Revenues
Capital Projects Fund	\$319,753.00	
Water Fund	\$1,961,668.00	
Sewer Fund	\$1,531,283.00	
Storm Water Fund	\$1,937,019.00	
Solid Waste Fund	\$28,461.00	
RDA Fund	\$980,184.00	

Council discussion then centered on item two, purchase of fixed based read water meters to replace the ones that are failing, and item four, solar pedestrian activated lights. Council Member Bailey noted that for budget amendments for which the money has already been expended, he would prefer that Administration provide more detail about the expense than just the dollar amount. Mayor Taylor directed Mr. Steele to provide detailed information to the Council Members via email regarding the expenditures that have been made.

Mayor Taylor opened the public hearing at 8:07 p.m.

Penny Dean, 889 E. 2750 N., thanked the Council to the amendment to the development agreement for the previous item. She then addressed Mr. Scott's comments regarding the lack of comments about lots abutting existing properties on 2750 N. and stated that she did comment about that issue once the development application was filed.

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

Voting on the motion:

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

The motion passed unanimously.

The public hearing closed at 8:08 p.m.

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

Council discussion regarding the proposed budget amendments ensued, with a focus on the proposed locations of the flashing pedestrian signs. Council Member Stoker stated she would like to have more discussion regarding the locations at which those signs are needed.

Council Member Satterthwaite asked if City staff has given any thought to problems that could be associated with installing 2,000 water meters at once; he wondered if it would be more appropriate to stagger installation to eliminate the need to replace such a large number of meters again in the future. Public Works Director Giles stated staff has considered staggering installation, but the City is dealing with problems associated with the inability to read failing meters in the City. He added that it will take approximately four months to install all 2,000 meters. Council Member Bailey inquired as to the failure rate for the new meters. Mr. Espinoza stated the failure rate is estimated to be 14 to 17 years. Council Member Bailey proposed that going forward the City begin building financial provisions for radio read replacements so that when the City gets to the point that it becomes necessary to replace the meters, the funding will be available. Council Member Satterthwaite agreed and stated he would like to earmark funding for that purpose. Mr. Steele stated it is possible to create a dedicated fund for that purpose; future Councils could take money from that fund for other purposes, but it would take a formal action to do so. Discussion then refocused on staggering the installation of the 2,000 new meters as well as the installation practices that will be used by staff, with Council Member Urry recommending that installation prioritization be complaint driven; if a resident is monitoring their meter reading data and they contact the City to complain about an error, they should be added to the replacement list. Council Member Bailey stated he would actually prefer that staff install all new meters in the most practical order possible. Mr. Espinoza stated that he has learned a lot from the process Ogden City followed to replace new meters and that knowledge will aid City staff in being more effective over the several months it will take to install all new meters. Council Member Bailey inquired as to the number of additional meters that will need to be replaced after this initial wave of replacements, to which Mr. Giles answered an additional 2,000 with 1,000 to be budgeted for in the next fiscal year budget.

Council Member Bailey motioned to adopt ordinance 2015-01 amending the Fiscal Year 2014-2015 budget, with the change to remove item four for the installation of two solar operated pedestrian signs. Council Member Stoker seconded the motion.

Voting on the motion:

Council Member Bailey	aye
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 ON CHANGE ORDER CONSIDERATION AT THE NEW PUBLIC WORKS FACILITY

A staff memo from Finance Director Steele provided a review of the change orders presented for consideration for the Public Works Building:

- 1) Change order for sidewalk for installation only on Pleasant View Drive:
 - a. Cost - \$7,512
- 2) Change order to put the east well in a vault
 - a. Cost - \$2,994
- 3) Change order options for Vehicle Storage Building
 - a. Cost of full structure:

Sitework/Concrete Design -	\$233,411
Building/Doors/Insulation/Electrical/Firewall -	\$427,689
<u>Mechanical -</u>	<u>\$31,165</u>
Total	\$694,265

****Changing to a different building manufacturer with a longer lead time would save \$38,000****

- b. Cost of building 1/2 of the structure:

Site work/Concrete/Building/Electrical & Mechanical -	\$469,504
<u>Site work/Concrete for 2nd half -</u>	<u>\$79,543</u>
Total	\$549,047
 - c. Cost of Pole Barn Type Structure

Site work/Concrete/Building/Electrical-	\$492,646
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The memo reviewed funds available for the change orders, including the original contingency of \$149,592 and the imported fill budget that has not been spent of \$180,000 for a total of \$329,592.

The memo also reviewed the change orders that have been reviewed to date:

- Special Inspector \$18,659
- Split Face Block on Shop \$4,668

• Demolition of house on property	\$2,595
• Conduit for future Animal Shelter Building	\$6,102
• Cement pad for future generator	\$2,739
• Wetland drainage pipe	\$14,721
• Fencing on east side of property	\$14,894
• Landscaping	\$90,000
• <u>Land drain installation</u>	<u>\$34,726</u>
• TOTAL	\$189,104

This leaves a remaining amount of \$140,488. Change orders currently under consideration include a sidewalk on Pleasant View Drive at a cost of \$7,512; a vault for the east well at a cost of \$2,994; and a vehicle storage building at a cost of \$492,646 to \$694,265. Other change orders that have been approved but did not affect the contingency amount include upsizing of the detention basin at a cost of \$69,935 (which was paid out of Storm Water Fund to be reimbursed by CDA once it is established); and the reimbursement of building permit fees in excess of allowance at a cost of \$72,286 (this amount will be put back in the budget).

Mr. Steele reviewed the staff memo. Mayor Taylor noted he would recommend that the Council not take action on the change order for the vault for the east well until after a closed session scheduled to be held later during tonight's meeting.

Council Member Urry addressed the different costs for the vehicle storage building and stated that he does not understand why reducing the scope of work by half still costs two-thirds of the original price; if the scope is cut in half, the price should also be cut in half. Public Works Facility Committee Chair Chugg stated that engineering of the building is very costly no matter how it is finished. Discussion centered on the options for the vehicle storage building aspect of the project, with Mayor Taylor noting this item is being revisited because there is roughly \$140,000 available in the project contingency fund and it is up to the Council to determine the scope of the project. He asked Mr. Chugg and Mr. Giles if they were aware of any additional change orders that may be on the horizon that would consume the \$140,000. Mr. Chugg stated that Lundahl has been very good to work with and they have not requested multiple and significant change orders for the project; the majority of the change orders are a result of amendments to the project requested by the City. Mr. Giles added that he cannot guarantee that there will be no additional change orders for the project, but it is his feeling that any additional changes would be minor. Mayor Taylor again reviewed the options for the vehicle storage building. Council Member Bailey stated he is not interested in appropriating additional funding to the project in order to proceed with the more intensive scope of work for the building. Council Member Urry agreed. He then stated he is concerned about constructing a sidewalk on Pleasant View Drive because he feels the sidewalk goes nowhere. Council Member Satterthwaite stated that he would approve the concrete pad on the site to facilitate future construction of the vehicle storage building. The Council discussed this recommendation, with Mayor Taylor noting the project is scheduled to be completed mid-April and it is necessary to make a decision fairly soon.

Council Member Urry motioned to approve the change order three sitework/concrete design option for the vehicle storage building at the Public Works Site using available contingency funds and up to \$100,000 of the available utility fund balance. Council Member Swanson seconded the motion.

Council Member Bailey asked that the design be done in a manner that the building could be finished by different contractors rather than the City being locked into using one contractor.

Voting on the motion:

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

The motion passed unanimously.

Council Member Bailey motioned to approve change order one, sidewalk installation only on Pleasant View Drive.

Mr. Chugg stated that he would recommend that curb and gutter be installed as well to prevent vehicles from driving onto the sidewalk. Discussion regarding this recommendation ensued, with Mr. Giles noting that the sidewalk is an adequate distance from the roadway and he does not feel vehicles will drive on it.

Council Member Satterthwaite seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

7. PUBLIC COMMENTS

There were no public comments.

8. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Swanson inquired as to when operations of the Senior Center and the makeup of the Board will be discussed. Mayor Taylor indicated the topic will be discussed in a future work session meeting.

Council Member Urry stated that he has received complaints from residents about a company that is delivering paper materials to homes; they have been asked to stop delivering, but continue to do so. Mayor Taylor stated staff will review the City's solicitation ordinance to see if it addresses the issue.

Council Member Satterthwaite addressed the potential library renovation project and noted the South Ogden library has 150 parking spaces; the only way to ever get that kind of parking capacity at the North Ogden site would be to eliminate City Hall and the Senior Center. He stated he would like to revisit the issue at a future date.

Council Member Stoker expressed her concerns regarding spam email she is receiving at her City's email address. Mayor Taylor stated he will follow-up on the issue with the City's information technologies contractor.

Mr. Call then provided the Council with an explanation of the term amortization when considering what type of home based businesses should be permitted and which should be prohibited. Council Member Bailey stated it will be necessary to consider this information when having continued discussion regarding the City's home occupation ordinance and whether to implement a period during which prohibited businesses will have to transition from their home to a commercial area or to close their business.

Mayor Taylor then reviewed the schedule of upcoming Council meetings as well as the schedule of future meetings for the General Plan Steering Committee. He asked for a motion to cancel the March 24 City Council meeting.

Council Member Urry motioned to cancel the March 24, 2015 City Council Meeting. Council Member Stoker seconded the motion; all voted in favor.

Mayor Taylor provided information about the upcoming Utah League of Cities and Towns (ULCT) conference. He noted the Council previously cancelled the April 7 meeting to accommodate attendance at the conference, but that is not necessary and he would like to add an April 7 meeting back to the Council's schedule. Council Member Bailey indicated he is not available April 7. Discussion centered on other potential meeting dates, with Mayor Taylor concluding he will be in touch with all Council Members to discuss the issue further.

9. DISCUSSION AND/OR ACTION TO CONSIDER A CLOSED MEETING TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION AND A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, AND TO DISCUSS THE CHARACTER, PROFESSIONAL, AND MENTAL COMPETENCE OF AN INDIVIDUAL ACCORDING TO UTAH CODE 52-4-205

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

Voting on the motion:

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

The motion passed unanimously.

The closed session began at 9:50 p.m.

The meeting reconvened at 11:36 p.m.

10. ADJOURNMENT

Council Member Bailey motioned to adjourn. Council Member Satterthwaite seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

The meeting adjourned at 11:36 p.m.

Brent Taylor, Mayor

S. Annette Spendlove, MMC
City Recorder

Date Approved

Rezoning 2700 N 900E
Re-20 TO R-1-10

MY NAME CURTIS Dean I
Live AT 889E 2750N I USE
my LOT FOR agricultural use
I Have 11 Fruit Trees and A ^{900 sq ft}
900 square FOOT garden, I CAN
I Freeze and I Dehydrate TO
Make my CHOPS last until the
NEXT year I ALSO Have Chickens
and plan on starting A Honey
Bee colony In the spring
TO Help with pollination.

The Four years I served In The
Marine Corp I protected The
Freedom and right of All
Americans NOT just A select Few
I thought That our elected officials
are suppose TO DO The same.
That They would Listen TO The
People Then They would Be The
peoples voice.

Why should The Lot's Bordering
The properties on 850 E Be
12,000 square Feet and NOT the
ones Bordering The properties
on 2750 N. we have just as
Large of Lot's, why would The
City Council members support a
plan that could be considered
spot zoning which is against
The Law in Weber County.

If you Approve a zoning plan
that put's a 10,000 square Foot
Lot Bordering my 43,000 square Foot
Lot that could be considered
spot zoning, If I have to get
a Judge to decide If it's spot
zoning I will BUT I shouldn't
have to my elected officials
should NOT make me stand alone
The should be by my side