

NOTICE AND AGENDA

SOUTH OGDEN CITY COUNCIL MEETING

Tuesday, October 20, 2015 – 6:00 p.m.

Notice is hereby given that the South Ogden City Council will hold their regular City Council Meeting, Tuesday, October 20, 2015, beginning at 6:00 p.m. in the Council Chambers located at 3950 So. Adams Avenue, South Ogden, Utah. Any member of the council may be joining the meeting electronically.

I. OPENING CEREMONY

- A. **Call to Order** – Mayor James F. Minster
- B. **Prayer/Moment of Silence** -
- C. **Pledge of Allegiance** – Council Member Sallee Orr

- II. **PUBLIC COMMENTS** – This is an opportunity for comment regarding issues or concerns. No action can or will be taken at this meeting on comments made.
Please limit your comments to three minutes.

III. RECOGNITION OF SCOUTS AND STUDENTS

IV. CONSENT AGENDA

- A. Approval of October 6, 2015 Council Minutes
- B. Cancellation of November 3, 2015 Council Meeting In Recognition of Election Day
- C. Approval of Amendment to Hinckley Commons, A Commercial Subdivision Located in a CP-2 Zone
- D. Set Date For Public Hearing (November 17, 2015 at 6 pm or as soon as the agenda permits) To Receive and Consider Comments on Proposed Amendments to the FY2016 Budget

V. DISCUSSION / ACTION ITEMS

- A. Consideration of **Resolution 15-45** – Amending a Betterment Agreement With UDOT for Highway 89/Harrison Boulevard Project

VI. DEPARTMENT DIRECTOR REPORTS

- A.** Parks and Public Works Director Jon Andersen – Project Updates

VII. QUARTERLY REPORTS

- A.** Chief Parke – Ordinance Enforcement

VIII. REPORTS

- A.** Mayor
B. City Council Members
C. City Manager
D. City Attorney

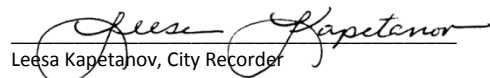
IX. ADJOURN CITY COUNCIL MEETING AND CONVENE INTO WORK SESSION

- A.** Potential Ramp Grant Applications

X. ADJOURN WORK SESSION

Posted and emailed to the State of Utah Website October 16, 2015

The undersigned, duly appointed City Recorder, does hereby certify that a copy of the above notice and agenda was posted at the Municipal Center (1st and 2nd floors), on the City's website (southogdencity.com) and emailed to the Standard Examiner on October 16, 2015. Copies were also delivered to each member of the governing body.


Leesa Kapetanov, City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should notify the City Recorder at 801-622-2709 at least 48 hours in advance.

FINAL ACTION MAY BE TAKEN ON ANY ITEM ON THIS AGENDA



MEMORANDUM

Date: October 16, 2015
To: Mayor and City Council
From: Matthew J. Dixon, City Manager
Re: **October 20, 2015 Council Meeting**

A handwritten signature in black ink that reads "Matthew J. Dixon".

Below is a brief summary of the agenda items for your upcoming city council meeting. Please review this information as well as the staff reports and support materials contained within the packet. If you have any questions or need any additional information please let me know.

Consent Agenda

- *Hinckley Commons Subdivision* – This subdivision is divides the remaining lot in the Hinckley Commons development to be divided into two separate lots. The lot is being sold to Auto Zone so they can build a new store next to Zions Bank. For more information please see the staff report in your packet.
- *Budget Public Hearing* – Budget amendments for the FY2016 budget is scheduled for the November 17 council meeting. This item is a result from last council meeting when the council’s desire was to consider amendments that would enable Chief Parke to make adjustments to police pay in an effort to be more competitive. Chief Parke and I have been working hard to come up with compensation adjustments that we both agree on and we hope to have a plan finalized early next week. The good news is we’ve been able to find a large portion of the monies needed to make the adjustments within the current police department budget. Once Chief Parke and I finalize our recommendations we’ll forward those to you for review.

Discussion and Action Items

- *Resolution 15-45 – Amending Betterment Agreement with UDOT.* The Harrison Blvd. Highway 89 project is nearing completion. As with most projects, this project has experienced some unanticipated complications. In this case, the impacts to a couple of the property owners has been much more than originally anticipated. In working with UDOT to try and resolve these challenges, it

was decided that the city should compensate these property owners for their cooperation in providing the city with construction easements and permanent easements for the pedestrian trail. In order to make this happen within the current project budget for the city, UDOT is lessening the amount of money the city is paying them for the landscaping. This will allow the city to stay within the original budget amount and be able to make right with the two property owners who have played a vital role in the success of this project.

- *Ramp Grant Work Session* - This work session will be to review and discuss potential RAMP grant applications for the upcoming RAMP session in 2016. Staff will review previous grants we've applied for and a list of potential grants the council may want to consider applying for. Once decided, staff will go to work gathering the necessary bids and documents so the applications can be submitted in January 2016.

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**MINUTES OF THE
SOUTH OGDEN CITY COUNCIL MEETING
Tuesday, October 6, 2015 – 6:00 p.m.
Council Chambers, City Hall**

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COUNCIL MEMBERS PRESENT

Mayor James Minster, Council Members Sallee Orr, Brent Strate, Wayne Smith, Bryan Benard and Russell Porter

STAFF MEMBERS PRESENT

City Manager Matt Dixon, City Attorney Ken Bradshaw, Police Chief Darin Parke, Fire Chief Cameron West, Parks and Public Works Director Jon Andersen, Finance Director Steve Liebersbach, and Recorder Leesa Kapetanov

CITIZENS PRESENT

Jim Pearce, George Garwood Jr., Jan Streifel, Jerry Cottrell, and Kelly Zaugg

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I. OPENING CEREMONY

A. Call to Order

Mayor Minster called the meeting to order at 6:02 pm and called for a motion to convene.

Council Member Smith moved to convene as the South Ogden City Council, followed by a second from Council Member Benard. In a voice vote Council Members Smith, Strate, Orr, Benard and Porter all voted aye.

B. Prayer/Moment of Silence

The mayor invited everyone to participate in a moment of silence.

C. Pledge of Allegiance

Council Member Porter directed those present in the Pledge of Allegiance.

Mayor Minster then invited anyone who wished to comment to come forward, reminding them that no action would be taken on comments received that evening.

II. PUBLIC COMMENTS

Jerry Cottrell, 5765 S 1075 E – Mr. Cottrell commented that Glasmann Park was very well cared for and commended staff for the excellent job they had done.

Mr. Cottrell then said he had observed Judge Renstrom in action in the courtroom and had been very impressed with him. He was in favor of re-certifying the judge.

There were no other public comments.

49 **III. RECOGNITION OF SCOUTS/STUDENTS PRESENT**

50 No scouts or students were present at the meeting.

51

52 **IV. CONSENT AGENDA**

53 **A. Approval of September 1, 2015 Council Minutes**

54 **B. Approval of September Warrants Register**

55 **C. Ratify Setting Date for Public Hearing (October 6, 2015 at 6 pm or as soon as the agenda**
56 **permits) to Receive and Consider Comments on Proposed Amendments to the Annexation**
57 **Policy Plan, Adding Area 7**

58 **D. Set Date For Public Hearing (October 20, 2015 at 6 pm or as soon as the agenda permits)**
59 **To Receive and Consider Comments on Proposed Amendments to the FY2016 Budget**

60

61 Mayor Minster read through the consent agenda and asked if there were any comments
62 concerning them. Council Member Orr asked a question about the ratification. There were
63 no other comments or questions.

64 The mayor called for a motion concerning the consent agenda.

65

66 **Council Member Porter moved to approve the consent agenda. The motion was**
67 **seconded by Council Member Smith. In a voice vote Council Members Smith, Orr,**
68 **Porter, Benard and Strate all voted aye.**

69

70 The consent agenda was approved.

71

72 Mayor Minster indicated it was time to enter into a public hearing and entertained a motion
73 to do so.

74

75 **Council Member Porter moved to leave council meeting and convene into a public hearing**
76 **to receive comments on the proposed Annexation Plan. Council Member Benard**
77 **seconded the motion. The voice vote was unanimous in favor of the motion.**

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80 **V. PUBLIC HEARING**

81 **A. To Receive and Consider Comments on the Proposed Annexation Policy Plan**

82 The mayor invited anyone who wished to come forward and comment. No one came
83 forward. He then called for a motion to close the public hearing.

84

85 **Council Member Smith moved to close the public hearing and reconvene as the South**
86 **Ogden City Council. The motion was seconded by Council Member Orr. All present**
87 **voted aye.**

88

89 **VI. PRESENTATION**

90 **A. Judge Renstrom – Re-Certification of Justice Court**

91 City Manager Dixon explained the State required justice courts to re-certify every five years
92 and said the judge was there as part of the re-certification process. He then introduced
93 Judge Renstrom.

94 The Judge explained he was required to meet with the Council about the budget and issues
95 of common concern. He said the City's court was a Level 2 court which required them to
96 meet at least once a week; currently they were meeting twice. The court had met the

97 clerk requirements of a Level 2 court and he praised the clerks with whom he worked for
98 their efficiency.
99 Judge Renstrom then said a goal of the court was to go paperless within the next year.
100 They anticipated a 30% reduction in workload by doing so.
101 The Judge invited questions from the Council, and seeing none, he concluded his
102 presentation.
103
104 Mayor Minster said it was a privilege to have Judge Renstrom with the City and thanked him
105 for his work.
106

107 VII. **DISCUSSION / ACTION ITEMS**

108 **A. Consideration of Ordinance 15-22 – Amending Title 10, Chapter 15 of the City Code Having**
109 **to Do With Conditional Uses**

110 City Manager Matt Dixon informed the Council that Planner Mark Vlasic was unable to be in
111 attendance so Jan Streifel from Landmark Design was present to answer any questions the
112 Council may have. He then reminded the Council this amendment was in response to their
113 request that certain parts of the code be updated and come more in line with what they
114 wanted. He reviewed some of the changes, pointing out that the proposed ordinance gave
115 the power to revoke a conditional use to the Planning Commission, not the City Council as it
116 was in the current ordinance.

117 The Council discussed the matter, with most of the members of the opinion that they would
118 like to keep the authority to revoke a conditional use. They asked questions of staff
119 concerning the process and the reasons a conditional use might be revoked. Council
120 Member Orr asked what the negative impacts were of the Council making the decision
121 rather than the Planning Commission. City Attorney Bradshaw said there could be political
122 pressure concerning the decision and the Council needed to determine their tolerance both
123 individually and collectively to the pressure. City Manager Dixon reminded the Council of
124 their discussions during the past year concerning legislative, administrative and
125 quasi-judicial actions. The revocation of a conditional use was a quasi-judicial action, thus
126 the Council would only be able to consider facts in their decision. They would have to
127 disregard any public clamor. City Attorney Bradshaw added that it was very challenging to
128 separate the political from the facts when they held a hearing for revocation of a conditional
129 use.

130 Council Member Benard pointed out that the Council had removed itself from the politics of
131 the decision of granting conditional use permits and asked why they would want to inject
132 themselves back into the process for the small piece of being able to revoke a permit. He
133 said at first he had been in favor of the Council having a say in the matter, but as he thought
134 more about it, he felt it was inconsistent with their previous discussions. The Planning
135 Commission would also be more familiar with the conditions imposed for a conditional use
136 permit, and would thus be more qualified to revoke the permit if necessary. He was now
137 of the view that the City Council be entirely removed from the process so the political
138 pressure would not come into play to make the decision. Council Member Smith agreed.
139 Council Member Strate stated that residents expected the Council to be involved. Mayor
140 Minster pointed out that the reason the conditional use ordinance had been rewritten was
141 because of events of the past year; he felt the proposed ordinance should remain as is.
142 Council Member Porter said he had changed his mind as well; the Council should be
143 removed from the process. They had already been involved in the process by determining
144 what were permitted uses and what were conditional uses.

145 City Attorney Bradshaw then reiterated the difficulty in separating facts from public clamor
146 when making a decision. He said the reality was that the correct decision that needed to
147 be made, i.e. based on the facts and the requirements set out in the code, would most likely
148 be the opposite of what the public clamor was demanding.

149 Council Member Strate said the Council needed to make sure that the uses, both conditional
150 and permitted, were what they wanted. Council Member Smith agreed; the Council had
151 the legislative duty to fix something if they felt it wasn't right. Planner Jan Streifel said she
152 felt the Council was correct in their reasoning and direction of thought. The Planning
153 Commission, as the land use authority, should be the body that had the authority to deny ,
154 approve or revoke a conditional use. There was no more discussion.
155 Mayor Minster called for a motion concerning Ordinance 15-22.

156
157 **Council Member Porter moved to adopt Ordinance 15-22. The motion was seconded by**
158 **Council Member Smith. The mayor asked if there were further discussion, and seeing**
159 **none, he called the vote:**

161	Council Member Porter-	Yes
162	Council Member Smith-	Yes
163	Council Member Strate-	Yes
164	Council Member Benard-	Yes
165	Council Member Orr-	Yes

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167 **Ordinance 15-22 was adopted.**

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170 **B. Consideration of Ordinance 15-23 – Amending the South Ogden City Annexation Policy**
171 **Plan by Adding Area 7**

172 City Manager Dixon gave the background on the reasons for amending the Annexation
173 Policy Plan. He also pointed out there were some challenges to providing services to Area
174 7, but the developer was fully aware of them and still wanted to pursue annexation.
175 Council Member Smith expressed his concern for the protection of the water tanks which
176 were very close to the area and asked that staff be diligent in making sure they would be
177 safe. Council Member Strate confirmed that the City would have no financial obligations
178 as far as providing services to the property. City Manager Dixon acknowledged that was
179 the case. The Council asked some other questions specific to the property. Council
180 Member Porter pointed out the questions would be appropriate if they were voting to
181 annex the property, but they were only voting to add it to the policy plan. There was no
182 more discussion. The mayor entertained a motion concerning the ordinance.

183
184 **Council Member Strate moved to adopt Ordinance 15-23 amending the South Ogden City**
185 **Annexation Policy Plan by adding Area 7. Council Member Benard seconded the motion.**
186 **After determining there was no more discussion, Mayor Minster called the vote:**

187		
188	Council Member Strate-	Yes
189	Council Member Benard-	Yes
190	Council Member Orr-	Yes
191	Council Member Porter-	Yes
192	Council Member Smith-	Yes

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194 **The motion passed.**

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197 **C. Consideration of Resolution 15-42 –Authorizing The Issuance And Sale Of South Ogden**
198 **Sales Tax Revenue Refunding Bonds, Series 2015 In The Aggregate Principal Amount Not**
199 **To Exceed \$6,350,000; And Related Matters**

200 The mayor invited Finance Director Steve Liebersbach to come forward and comment on
201 this agenda item.

202 Mr. Liebersbach explained this resolution authorized the issuance of the bonds and they
203 anticipated closing on the bonds on October 13. He also said that recent changes in the
204 market had been an advantage to the City.
205 Council Member Orr asked questions concerning interest rates on the bonds. Mr.
206 Liebersbach answered the questions and pointed out that unlike most bonds which could
207 only be re-financed once, these bonds would be able to be re-financed again; it was a
208 win-win situation for the City. He also said that at the beginning of the bond re-financing
209 process the savings to the City had been estimated at approximately \$360,000, but due to
210 the changes in the market, the savings would now be just over \$400,000.
211 Mayor Minster called for a motion concerning Resolution 15-42.
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214 **Council Member Smith moved to adopt Resolution 15-42, followed by a second from**
215 **Council Member Porter. The Mayor asked if there were further discussion. There were**
216 **no further comments from the Council. Mayor Minster called the vote:**
217

218	Council Member Smith-	Yes
219	Council Member Porter-	Yes
220	Council Member Orr-	Yes
221	Council Member Benard-	Yes
222	Council Member Strate-	Yes

223
224 **Resolution 15-42 was adopted.**
225
226

227 **D. Consideration of Resolution 15-43 – Appointing Polling Judges for 2015 Municipal Election**

228 City Manager Dixon explained that state law required appointing polling judges at least 15
229 days prior to a municipal election. This resolution would bring the City into compliance.
230 Mayor Minster entertained a motion concerning the resolution.
231

232 **Council Member Benard moved to adopt Resolution 15-43. Council Member Orr**
233 **seconded the motion. Seeing no further discussion, the Mayor called the vote:**
234

235	Council Member Benard-	Yes
236	Council Member Orr-	Yes
237	Council Member Porter-	Yes
238	Council Member Smith-	Yes
239	Council Member Strate-	Yes

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241 **The motion carried.**
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244 **E. Consideration of Resolution 15-44 – Authorizing Re-Certification of the Justice Court**

245 City Attorney Bradshaw noted that this resolution did not certify the judge; it re-certified the
246 justice court. The judge had been elected and would stand for a certain amount of time.
247 He also pointed out that if the resolution were not passed, the City would not have a justice
248 court.
249

249 There was no further discussion. The mayor called for a motion.
250

251 **Council Member Strate moved to adopt Resolution 15-44. The motion was seconded by**
252 **Council Member Orr. There was no further discussion. The vote was called:**
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254	Council Member Strate-	Yes
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255 Council Member Orr- Yes
256 Council Member Porter- Yes
257 Council Member Benard- Yes
258 Council Member Smith- Yes
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260 Resolution 15-44 was adopted.
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263 **F. Discussion on Police Services Budget for FY2016**

264 City Manager Dixon explained that Council Member Strate and others had requested this
265 discussion because of recent media attention and concerns about police services and
266 recruitment. Chief Parke, Mr. Liebersbach and himself had met several times and
267 prepared a presentation (see Attachment A) to provide the Council with information on what
268 they had already done to address the matter and some proposals on how to address it in
269 the future.

270 Chief Parke began the presentation by pointing out the dramatic decline in police
271 applications across the nation as well as here in Utah. He cited pension plans, public
272 perception, pay, and professional opportunities as the main reasons for the decline. He
273 then went into more detail concerning each reason. He informed the Council that South
274 Ogden City's applications were down 85%-90%. He also pointed out the department had 7
275 officers resign since 2013, 5 vacancies since January of this year, and 3 officers currently
276 testing with another department. He said the testing process involved in hiring new
277 officers took approximately \$68,000 in employee hours and the FTO process cost the City
278 approximately \$18,000.

279 City Manager Dixon then reviewed the recent changes to the salary administration
280 guidelines. Staff had chosen several cities and districts with whom to benchmark in
281 reviewing salaries and wages for police officers. Using the benchmarks, they had
282 determined what the average market rate for each police officer position was. Mr. Dixon
283 showed several charts showing where salaries and wages were and where staff was
284 proposing they be increased in order to be competitive in the market. The council asked
285 questions about the positions and their requirements, which Chief Parke answered. City
286 Manager Dixon then turned the time to City Finance Director Steve Liebersbach. Mr.
287 Liebersbach presented the Council with the actual dollar amounts the proposed wage
288 increases would cost the City; the amounts were based on bringing each police officer in the
289 department to 100% of the market average for the position. Council Member Smith asked
290 that before they looked at the costs for the increased wages for FY2016, he would like to
291 know where the City finished up financially in FY2015. Mr. Liebersbach said that based on
292 the audit, the City had ended up \$300,000 in the black. He then went on to give the costs
293 for the increased wages, saying he had calculated them on for the 8 months left in the fiscal
294 year and had included the costs of the associated benefits. The cost to the City would be
295 just under \$96,000; however, some money had already been budgeted for an increase, so
296 the net amount came to just under \$75,000. The cost for a full year would cost the City
297 \$144,000.

298 Council Member Strate asked several questions concerning post-retirement benefits and the
299 costs to the City. He said he felt like the City needed to move on increasing the wages, but
300 felt the money to pay for it should not come from increasing taxes. He would rather cut
301 expenses in the City. Staff should be directed to come up with a plan to cut expenses to
302 pay for the increases; in his view the budget was deficit spending already. They still
303 needed to act now to increase wages.

304 City Manager Dixon said staff was looking for direction on what to prepare for the upcoming
305 budget amendment. He also reminded the Council the City had ended FY2015 \$300,000 in
306 revenues over expenditures. Should staff go ahead and prepare the amendment as per
307 the recommendation? Council Member Strate said he was comfortable with moving

308 forward with the public hearing on the proposal. Council Member Porter said he was in
309 favor of increasing pay for the officers, but more so for the MO's down to the PO1's. He
310 also believed the City should be actively recruiting those just out of the academy. Council
311 Member Smith said he was also in favor of moving forward with the public hearing as it
312 would give him more time to think about the information that had been given. There was
313 more discussion and question from the Council concerning what other cities were doing and
314 where they were getting their funding.
315 City Manager Dixon then asked for a confirmation that staff should move forward with the
316 proposal to bring wages to 100% of the market average. It was the consensus of the
317 Council they should. City Manager Dixon commented that the Council and staff should be
318 aware of the potential impacts to other departments this wage adjustment could make.
319 Council Member Strate asked that staff provide information concerning the costs for
320 post-employment benefits for the budget hearing.
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323 VIII. **DEPARTMENT DIRECTOR REPORTS**

324 A. **Parks and Public Works Director Jon Andersen – Project Updates**

325 Mr. Andersen reported on several projects in the City:
326 **38th Street** – the concrete was 50% complete, and then the road base, asphalt and
327 landscaping would be left. The contractor had run into problems with the previously
328 installed storm drain; it wasn't deep enough and some areas had to be corrected. The
329 project should be completed in the next few weeks.
330 **Nature Park Restroom** – the restroom had been installed and just needed the rock attached
331 and a door put in place. They were waiting for the rock contractor to return from hunting
332 and hoped to have the restroom completed in the next few weeks as well.
333 **Sidewalk grants** – two applications for grants for sidewalks had been submitted last
334 Thursday. They hoped to know by next Council Meeting if they were being reviewed.
335 The grants required the City to match 6.7% of the total cost.
336 **Streetlights at 5875 S 850 E** – the issue with the light was being addressed but the process
337 for the warranty was taking time.
338

339 The Council asked several questions concerning other issues in the City they were aware of.
340 Council Member Benard asked if plans for a sign at the intersection of Highway 89 and
341 Harrison Boulevard had been made. City Manager Dixon said no money had been
342 allocated for a sign. If the Council thought the sign was a priority, money would need to be
343 allocated for it.
344

345 IX. **REPORTS**

346 A. **Mayor** – asked the Council what they wanted to do concerning the November 3 Council
347 Meeting as it was on Election Day. The Council determined they would like to wait to see if
348 there were important items that needed to be addressed before they cancelled it.
349

350 B. **City Council Members**

351 **Council Member Benard** – pointed out that he had noticed several campaign signs in
352 violation of the City Ordinance. He suggested the candidates be reminded and police
353 themselves.
354

355 **Council Member Strate** – informed the Council that the children who had been previously
356 attending Club Heights Elementary would be attending the new Burch Creek Elementary
357 when it was completed. He was worried for their safety in having to cross 40th Street to
358 get to school and thought the City should make plans now for their safe crossing.

359 He then commented on code enforcement and the City's need to keep up on it. He also
360 said it was odd that Glasmann Way had different speed limits. He knew the City had
361 previously used a mirror on Glasmann to help with visibility, but it kept getting vandalized.
362 He wondered if there was newer technology available to help the cars rather than have
363 different speed limits.
364 He concluded by saying there were members of the community who were experts in sign
365 ordinances and the City should use them to its advantage.
366

367 **Council Member Smith** – reported he would be having surgery in November and may miss
368 some meetings.
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370 **Council Member Porter** – nothing to report.
371

372 **Council Member Orr** – asked that the issue of food trucks be added to the survey on
373 council priorities. She then reported that no incidents of West Nile Virus had been found
374 among mosquitos tested in South Ogden.
375 She concluded by reminding everyone SOBA would be meeting tomorrow at noon.
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378 C. **City Manager** – referred the Council to his staff report concerning happenings in the City.
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381 D. **City Attorney Ken Bradshaw** – nothing to report.
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384 City Recorder Leesa Kapetanov informed the Council ballots had been mailed and many
385 residents had already received them. All registered voters in the City should receive a
386 ballot by the end of the week.
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388 Mayor Minster then indicated it was time to adjourn Council Meeting and move into a work
389 session and entertained a motion to do so.
390

391 **Council Member Porter moved to adjourn City Council Meeting and move into a work
392 session, followed by a second from Council Member Smith. The vote was unanimous in
393 favor of the motion.**
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395 The mayor then called a five minute break.
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398 X. **ADJOURN CITY COUNCIL MEETING AND CONVENE INTO WORK SESSION**

399 A. **Logo Concepts**

400 The Council returned from the recess and began discussing the logo concepts presented by
401 Jibe Media. City Manager Dixon reminded the Council of the information on brand
402 discovery and what they should look for in a logo. He then invited the Council to have
403 discussion.
404

405 Mayor Minster proposed the logo be the words "South Ogden" as it appeared on the water
406 tanks. City Manager Dixon liked the words as well, but was concerned with the lack of
407 graphic elements that could be used in different ways. For example, it would be difficult
408 for the recreation department to customize the logo for their purposes.
409

410 The Council discussed the good and bad points of each proposed design and suggested
411 some variations. City Manager Dixon asked for a vote from each council member on the
logo they liked best, without any variations. Council Member Porter voted for the words
"South Ogden" with the leaves. Council Member Orr preferred the circle logo with the

412 house. Council Member Benard liked the words "South Ogden" with the leaves but
413 thought they should use both it and the logo shaped like a water tank. Mayor Minster
414 preferred the "South Ogden" words as well, but with "Beautiful City of" added. Council
415 Member Strate voted for the "South Ogden" words as well, but agreed with Council
416 Member Benard concerning having a second one. Council Member Smith preferred the
417 words "South Ogden" as well, but wanted to add a shadow to the letters.
418 City Manager Dixon asked if those who wanted the "South Ogden" logo would prefer that
419 elements from the tank logo be worked into it. They agreed they would. Several
420 variations were discussed. Council Member Benard suggested some elements that could
421 be used on the sign that would be put up at the intersection of Harrison Boulevard and
422 Highway 89. City Manager Dixon asked Council Member Orr which logo she preferred
423 next, seeing as hers was the only vote for the circle logo. She said she preferred the
424 "South Ogden" one. City Manager Dixon said he would instruct Jibe Media to come up
425 with a logo using the words "South Ogden" and incorporating any of the artwork from the
426 tanks. There was no more discussion.

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429 **XI. ADJOURN**

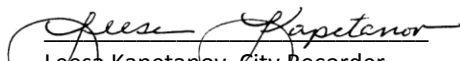
430 Mayor Minster called for a motion to adjourn the meeting.

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432 **Council Member Smith moved to adjourn, followed by a second from Council Member Porter.**
433 **All present voted aye.**

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435 The meeting adjourned at 9:29 pm.

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451 I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Council
452 Meeting held Tuesday, October 6, 2015.

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454 
455 Leesa Kapetanov, City Recorder

456
457 Date Approved by the City Council _____

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Attachment A
Police Services Presentation

Not Approved

* South Ogden City

* South Ogden Police

Market conditions and the status of Policing
October, 2015

What is Going On?

*Influences: the 4Ps

Pay & Benefits

Pension

Public Perception

Professional Opportunities

*Pay- benefits

Primary influence at this time.

- Private sector
- Other Departments

* Pension- URS

Major consideration with current and potential officers

- 2009 Legislative changes
- Competition with other states
- Private sector pressures

* Public Perception

Due to national attention, pay, pension, and private sector options, people no longer desire to become Police Officers

* Perception- Applicants Nation Wide

- Applications for police vacancies are down 50% consistently.
- Tulsa, Oklahoma, down 45% over the past three years.
- NYPD, down 50%.
- LAPD, down 47%
- Fresno, CA. \$10,000.00 signing bonus with \$1,000.00 to officers who successfully recruit others.
- Houston PD \$5,000.00 signing bonus.
- SLC, WVC, UPD = 97 open positions, combine with CHPD and UHP = > 200 vacancies in Salt Lake Valley
- OPD application numbers have dropped 50%
- SOPD application numbers have dropped 85% to 90%

* Perception- Cadet Numbers

From 1990s to roughly 2008 Police Academy classes were full, applicants often waited three sessions to for an open seat.

In the past year classes have ran at 50% capacity, with some classes canceled.

Some satellite academies are considering shuttering due to no cadets.

Quality of cadets graduating has dropped substantially, with few able to complete department selection processes.

* Professional Opportunities

A final influence considered by current and potential officers is what professional opportunities an organization offers.

* Industry Response

- Organizations throughout the state are implementing strategies to retain and attract officers.
- 2014, Departments in Salt Lake Valley increased lateral hiring from other departments. They are aggressive, and successful in doing so. Keep who you have and take who you can.
- Some departments stand to lose over 30% of their officers to SLV.
- SOPD 18 years average experience
- Since 2013 SOPD has lost 7 officers, 5 (23%) since January 2015 to private industry or another department.
- Three SOPD officers (14%) currently testing with other departments. 2015 potential turnover of 37% to 50%.

* Hiring SOPD 2015

A testing cycle involves roughly \$68,000 in employee hours, followed by \$18,000 minimum in FTO employee hours.

SOPD: four selection/ testing processes January to September, 2015, and will begin another soon.

We have had 4 FTO cycles. One failed, two completed and one is ongoing.

SOPD receives 85% to 90% fewer applications than we have historically, 10 to 24 vs. 60 to 80.

About half are woefully unqualified, and only one or two complete the testing successfully.

SOPD, 2 recent job offers declined due to pay.

* Mr. Dixon

City Response:

Increased starting salary for police

Council approved adjustments to market survey

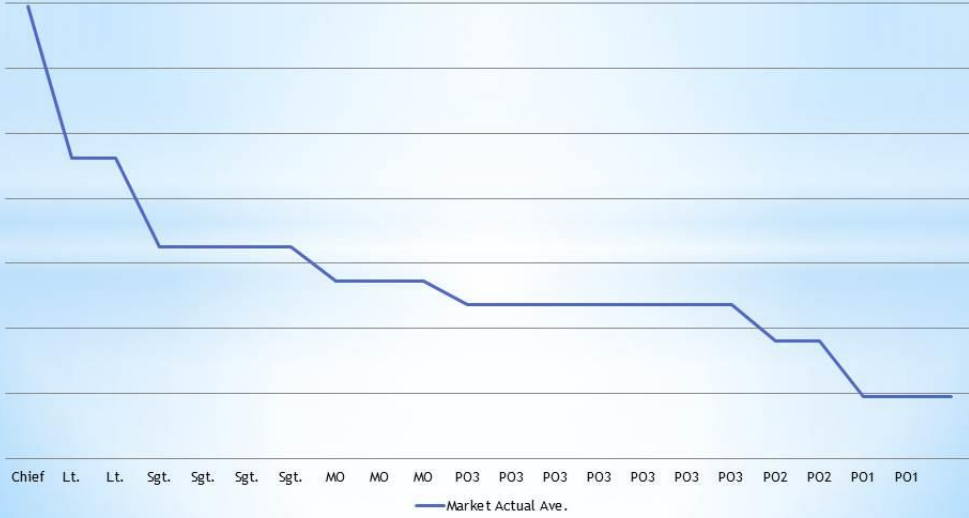
Conducted survey and identified needs

* Salary Administration Guidelines

- * Amended in June 2015
- * Designed to ensure we are competitive in how we compensate our employees
- * Market-based pay structure
 - * External Benchmarks: Farmington, Kaysville, Layton, North Salt Lake, Ogden, Riverdale, Roy, South Salt Lake, Syracuse, Service Districts
 - * Actual Average and Range Midpoint data for each position is gathered and analyzed



Police Department



Police Department

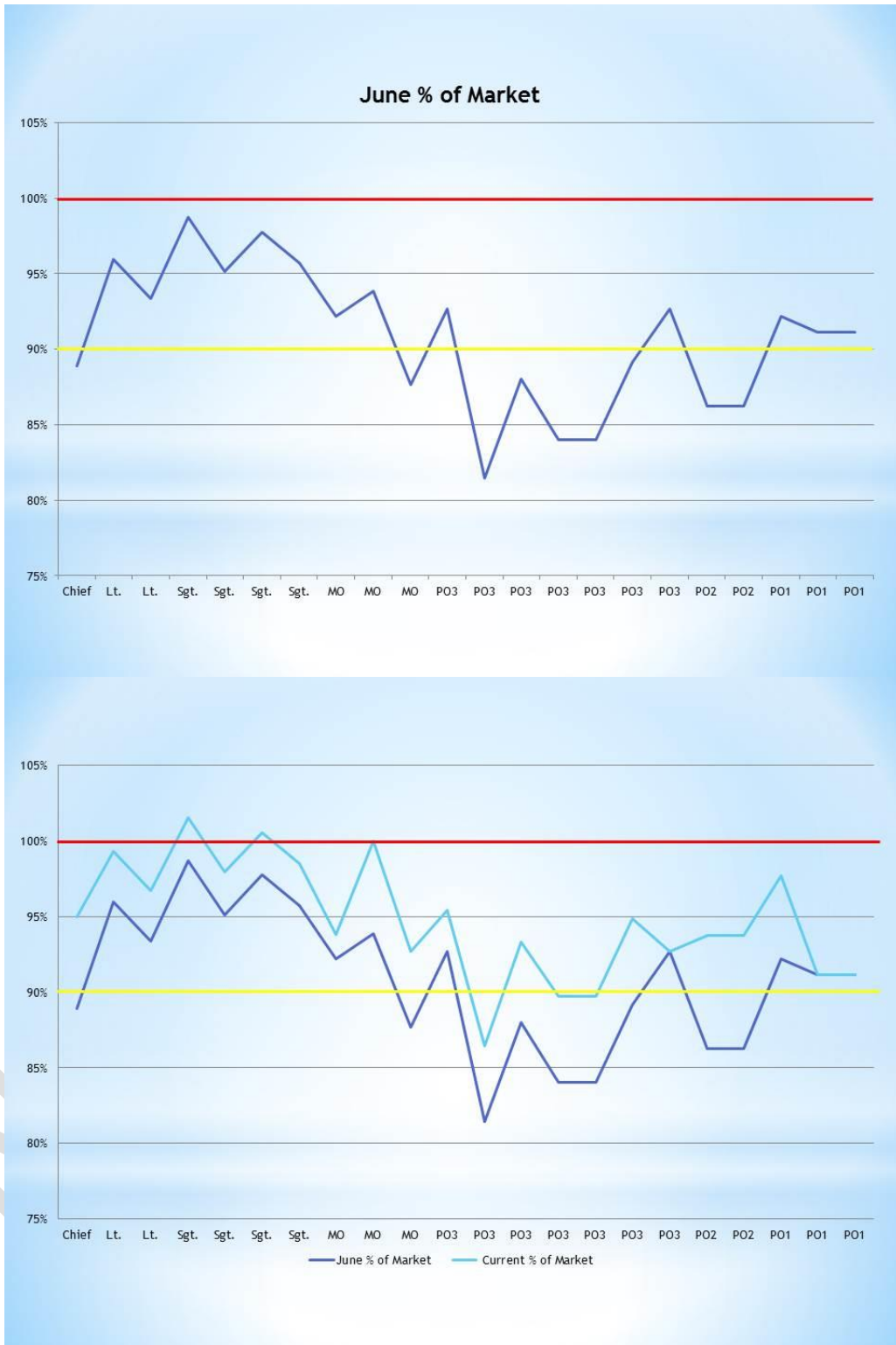


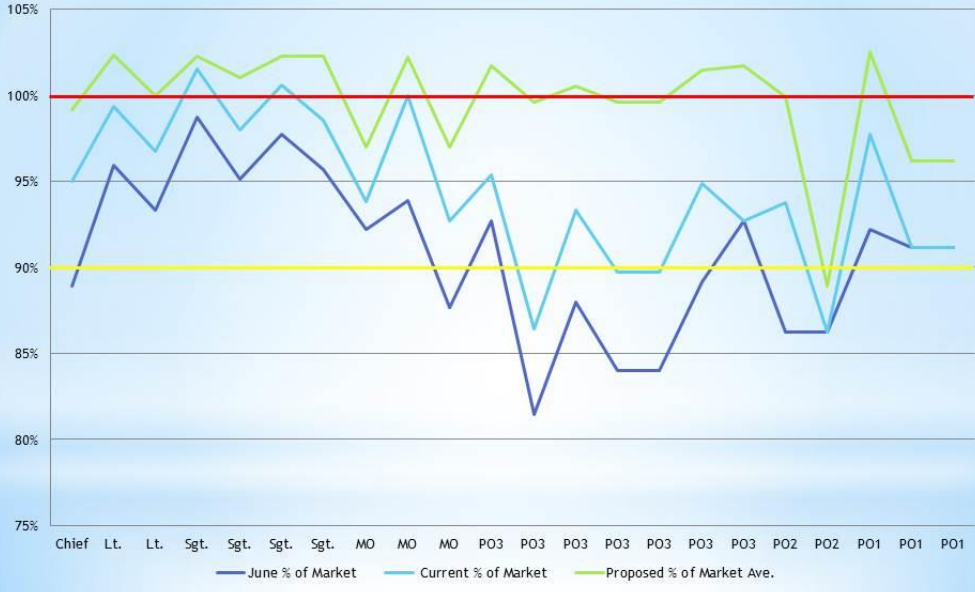
Police Department



Police Department







* Mr. Liebersbach

*Recommendations

National, State, and Local- recognize the situation, and the danger to society; take action.

National- Lead the country to a positive mindset toward police. Stop the vilifying of the profession.

State- {Local}- Correct the Utah Retirement System- years of service/ retirement percentage, return to work, inflation adjustment; national recommendation.

Local- 4Ps

SOC- Adjust SOPD to the FY 2016 market according to the Salary Survey.

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Not Applicable

SUBDIVISION AMENDMENT PETITION

Designated Contact Person: JOSEPH H. FLORENCE
 Phone 801-525-3000 email JFLORENCE@COMCAST.COM
 Address 372 24TH ST SUITE 320 OGDEN State UT Zip 84201

Subdivision Name: HINCKLEY COMMONS Approx. Address: 56050 HAMILTON
 Existing Zone C-2 No. of Acres or Sq. Ft. 3434 SQ FT

A petition to amend an existing plat requires the name and address of each owner of record of the land contained in the entire plat, as well as their signatures if they consent to the petition (please see form on next page).

This petition must be accompanied by a pdf file of the proposed amended plat. The pdf file can be sent via email to lkapetanov@southogdencity.com. A paper copy of the proposed plat must also be submitted to Brad Jensen at Wasatch Civil Engineering, 5434 S. Freeway Park Drive, Riverdale UT 84405 (801-775-9191). Other information, as determined by staff, may be required.

All required documents must be submitted and the fee paid at least 20 days before the planning commission meeting at which you would like your item considered. The Planning Commission meets the second Thursday of every month.

Fee – Subdivision Amendment - \$75

OFFICE USE

Request for Recommendation sent to the following by copy and return of this form:

City Engineer -	Date _____	Received back - Date _____
Fire Dept. -	_____	_____
Public Works -	_____	_____
Other -	_____	_____

RECOMMENDATION: (INCLUDE ATTACHMENT)

PLANNING COMMISSION ACTION:

APPROVED _____ DENIED _____ Date _____
 Applicant notified - Date _____

Hinckley Commons Amended Amending Lot 1

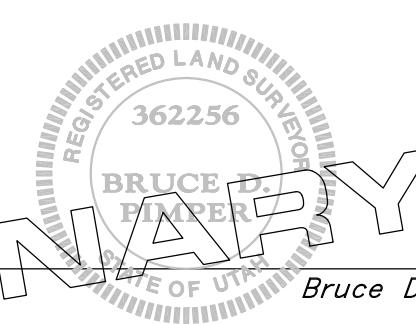
A part of the Southwest 1/4 of Section 15, and the Northwest 1/4 of Section 22,
T5N, R1W, SLB&M, U.S. Survey
South Ogden City, Weber County, Utah

SURVEYOR'S CERTIFICATE

I, Bruce D. Pimper, a Registered Professional Land Surveyor in the State of Utah, do hereby certify that this plat of Hinckley Commons Amended Subdivision in Weber County, Utah has been correctly drawn to the designated scale and is a true and correct representation of the following description of lands included in said subdivision, based on data compiled from records in the Weber County Recorder's Office, and of a survey made on the ground.

Signed this day of , 20 .

362256
License No.



PRELIMINARY
Bruce D. Pimper

PROPERTY DESCRIPTION

A part of the Southwest Quarter of Section 15 and the Northwest Quarter of Section 22, Township 5 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, in South Ogden City, Weber County, Utah:

Beginning at the Northeast Corner of Cross Point Shopping Center Subdivision on the Westerly Line of Harrison Boulevard as it exists at 50.00 foot half-width being 278.60 feet South 0°36'34" West along the Quarter Section Line and 141.49 feet North 89°23'26" West from the North Quarter Corner of said Section 22; and running thence Northwesterly along the arc of a 3769.80 foot radius curve to the left a distance of 166.37 feet (Center bears South 79°23'01" West. Central Angle equals 2°31'43" and Long Chord bears North 11°52'51" West 166.36 feet) along said Westerly Line of Harrison Boulevard to the Southeast Corner of Lot 2 of Hinckley Commons Subdivision; thence along the boundaries of said Lot 2 the following five courses: South 89°59'19" West 95.32 feet; South 30°41'53" West 28.29 feet; North 59°18'07" West 149.29 feet; North 30°00'41" West 45.53 feet; and North 30°41'53" East 183.81 feet to the Southerly Line of 5600 South Street; thence along said Southerly Line the following two courses: Northwesterly along the arc of a 1866.30 foot radius curve to the left a distance of 278.34 feet (Center bears South 31°57'59" West. Central Angle equals 8°32'42" and Long Chord bears North 62°18'22" West 278.08 feet) to a point of tangency; and North 66°34'43" West 155.35 feet to the Easterly Line of 1475 East Street as it exists on the ground; thence along said Easterly Line the following eight courses: South 23°27'43" West 27.17 feet to a point of curvature; Southwesterly along the arc of a 137.00 foot radius curve to the left a distance of 18.47 feet (Central Angle equals 7°43'33" and Long Chord bears South 19°35'56" West 18.46 feet) to a point of tangency; South 15°44'10" West 167.56 feet to a point of curvature; Southerly along the arc of a 137.00 foot radius curve to the left a distance of 133.34 feet (Central Angle equals 55°45'48" and Long Chord bears South 12°08'44" East 128.14 feet) to a point of reverse curvature; Southerly along the arc of a 223.00 foot radius curve to the right a distance of 240.33 feet (Central Angle equals 61°44'56" and Long Chord bears South 9°09'10" East 228.87 feet) to a point of reverse curvature; Southerly along the arc of a 77.00 foot radius curve to the left a distance of 50.24 feet (Central Angle equals 37°22'51" and Long Chord bears South 3°01'52" West 49.35 feet) to a point of tangency; South 15°39'33" East 9.00 feet; and South 74°20'27" West 14.68 feet to the Northerly Line of Cross Point Shopping Center Subdivision; thence along said Northerly Line the following seven courses: South 11°51'48" West 43.68 feet; South 89°30'26" East 438.50 feet; South 78°16'49" East 33.67 feet; North 57°24'05" East 88.09 feet to a point of curvature; Northeasterly along the arc of a 57.00 foot radius curve to the right a distance of 32.61 feet (Central Angle equals 32°46'48" and Long Chord bears North 73°47'29" East 32.17 feet) to a point of tangency; South 89°49'07" East 13.45 feet to a point of curvature; and Northeasterly along the arc of a 29.00 foot radius curve to the left a distance of 25.66 feet (Central Angle equals 50°41'44" and Long Chord bears North 64°50'01" East 24.83 feet) to the Westerly Line of Harrison Boulevard and the point of beginning.

Contains 261,803 sq. ft. or 6.010 ac.

NARRATIVE:

This Subdivision Amendment was requested to Subdivide the Original Lot 1 into two Lots.

A line between monuments found for North Quarter Corner and the Center of Section 22 was assigned the Weber County bearing of S 0°36'34" W as the Basis of Bearings.

OWNER'S DEDICATION

We, the undersigned owners of the hereon described tract of land, hereby set apart and subdivide the same into lots and streets as shown on this plat, and name said tract Hinckley Commons Subdivision and hereby dedicate, grant and convey to South Ogden City, Weber County, Utah, all those parts or portions of said tract of land designated as streets, the same to be used as public thoroughfares forever, and also dedicate to South Ogden City those certain strips as easements for public utility and drainage purposes as shown hereon, the same to be used for the installation, maintenance and operation of public utility service lines and drainage as may be authorized by South Ogden City.

Signed this day of , 20 .

Rafter H, L.L.C.

ACKNOWLEDGMENT

State of _____ County of _____ ss
On the _____ day of _____, 20____, personally appeared before me, _____, who being by me duly sworn did say that he is the Manager of Rafter H, L.L.C., and that said instrument was signed in behalf of said L.L.C. by a resolution of its Board of Directors acknowledged to me that said L.L.C. executed the same.

Residing at: _____ A Notary Public commissioned in Utah

Commission Expires: _____ Print Name _____

SOUTH OGDEN CITY APPROVAL

This is to certify that this plat and dedication of this plat along with the dedication of all streets, easements and Public Improvement Guarantee were duly approved and accepted by the City Council of South Ogden City this _____ day of _____, 20____.

Affest _____ Title _____

Mayor _____

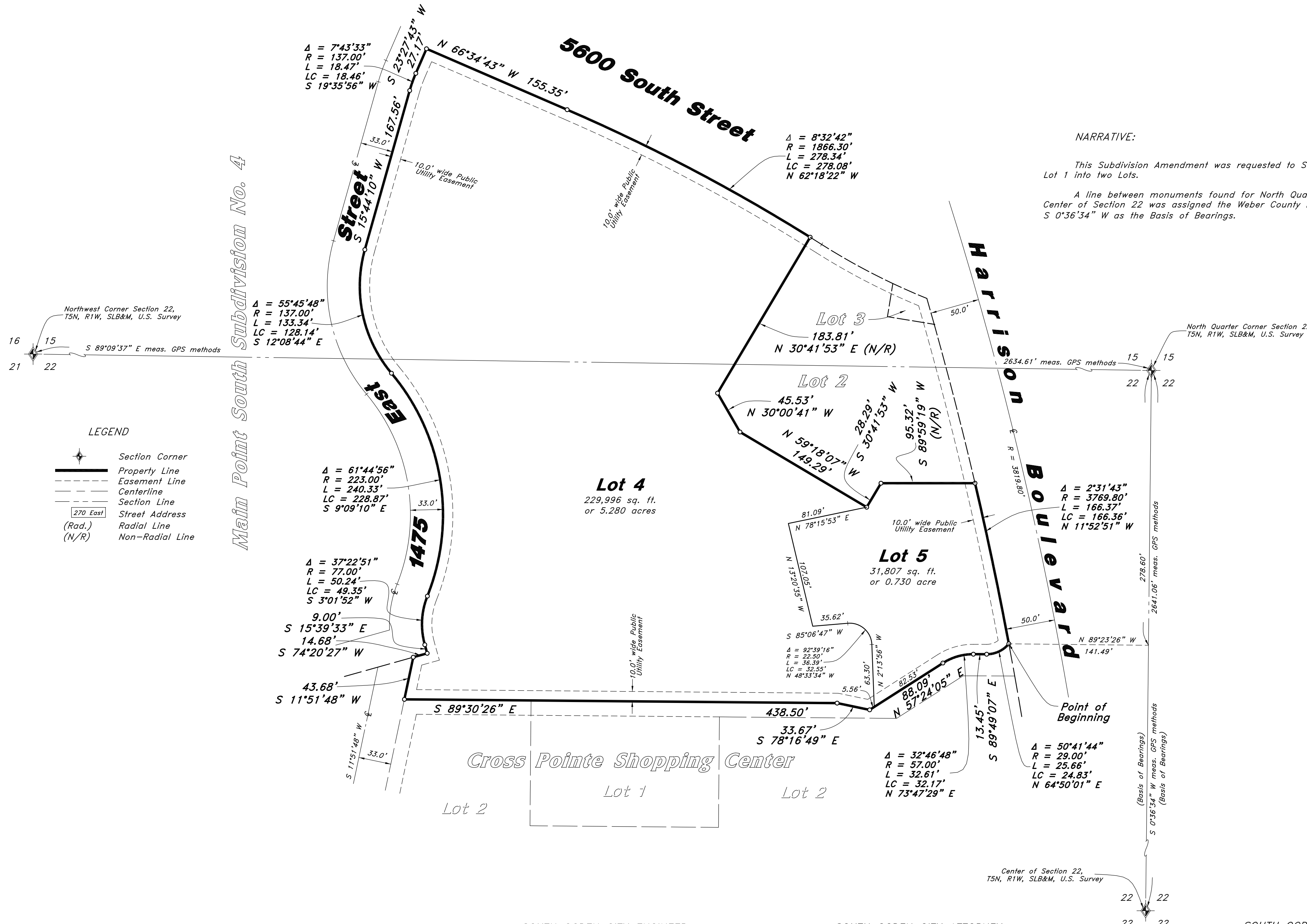
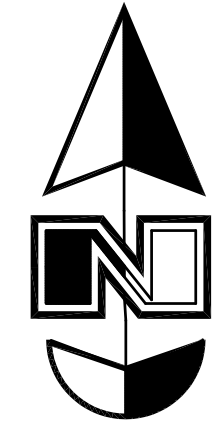
WEBER COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____ FILED FOR RECORD AND RECORDED _____ AT _____ IN BOOK _____ OF OFFICIAL RECORDS, PAGE _____ RECORDED FOR _____

WEBER COUNTY RECORDER

BY: _____ DEPUTY

Scale : 1" = 60'



LEGEND

	Section Corner
	Property Line
	Easement Line
	Centerline
	Section Line
	Street Address
	Radial Line
	Non-Radial Line

SOUTH OGDEN CITY ENGINEER
I hereby certify that the requirements of all applicable statutes and ordinances prerequisite to City Engineer approval of the foregoing plat ad dedication have been complied with.
Signed this _____ day of _____, 20____.

SOUTH OGDEN CITY ATTORNEY
I have examined the foregoing plat description of Hinckley Commons Subdivision and in my opinion it conforms with the City Ordinances applicable thereto and now in force and effect.
Signed this _____ day of _____, 20____.

SOUTH OGDEN CITY PLANNING COMMISSION APPROVAL
This is to certify that this subdivision plat was duly approved by the South Ogden Planning Commission on the _____ day of _____, 20____.

Signature _____

Signature _____

Chair _____

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To: Leesa Kapatnov, City Recorder
South Ogden City Corporation

From: Brad C. Jensen, P.E. 
Wasatch Civil Consulting Engineering

Date: September 22, 2015

Subject: Hinckley Commons Amended, Plat Review

We have reviewed the plat for Hinckley Commons Amended. It appears that the plat has been prepared in accordance with South Ogden City Standards. Subject to comments by the Planning Commission, we recommend the amended plat be accepted.

If you have any questions, please call.

Planning Commission Report



Subject: Application for subdividing an existing lot located on the southwest corner of Hinckley Commons, 5600 South Harrison Boulevard

Author: Mark Vlastic

Department: Planning & Zoning

Date: October 8, 2015

Background

This is an application for subdivision of Lot 1 at Hinckley Commons , which is located at approximately 5600 South Harrison Boulevard on the southwest corner of the site. The application is to divide the existing property into two separate lots, both of which will retain the existing CP-2 zoning. The proposed subdivided lots are located at a partially-developed commercial center. The current Lot 1 is proposed to be subdivided into Lots 4 and 5.

Discussion/Analysis

The proposed subdivision meets minimum lot size and other planning requirements.

Recommendation

Staff recommends approval of the Subdivision Application, pursuant to review and positive recommendation by the City Engineer and receipt of all required signatures, as required.

The South Ogden Fire Department has reviewed the application, finds no issues, and recommends approval.

RESOLUTION NO. 15-45

**A RESOLUTION OF THE CITY COUNCIL OF SOUTH OGDEN CITY, UTAH,
AUTHORIZING THE ACCEPTANCE AND APPROVAL OF AN AMENDED
BETTERMENT AGREEMENT WITH THE UTAH DEPARTMENT OF
TRANSPORTATION (UDOT) FOR WORK ON HARRISON
BOULEVARD/HIGHWAY 89 INTERSECTION; AND PROVIDING FOR AN
EFFECTIVE DATE.**

SECTION 1 - RECITALS

WHEREAS, the City of South Ogden (“City”) is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, the City Council finds that in conformance with UCA §10-3-717, the City Council as the governing body of the City may exercise all administrative powers by resolution; and,

WHEREAS, the City Council finds that UDOT is rebuilding portions of Harrison Boulevard/Highway 89 Intersection that pass through the city limits; and,

WHEREAS, the City Council finds that UDOT has offered the City the opportunity, as part of UDOT’s rebuilding of Harrison Boulevard/Highway 89 Intersection, to reconstruct parts of the City’s infrastructure in the UDOT right-of-way through using a “Betterment Agreement” (the “Agreement”); and,

WHEREAS, the City Council finds that the Agreement should be accepted between the City and UDOT, (the “parties”); and

WHEREAS, the City Council finds it would be in the best interest of the City and the residents thereof to enter into the Agreement; and,

WHEREAS, the City Council finds, in the best interest of the City and the residents, it previously adopted Resolution 15-09 adopting a Betterment Agreement for this project, which Agreement now must be modified and amended due to cost changes unanticipated when the original agreement was adopted and signed; and,

WHEREAS, the City Manager of South Ogden is the chief administrative officer and representative of the City;

WHEREAS, the City Council finds that entering into the current Agreement between the parties and the execution of the required Agreement is in the best interest of the citizens of South Ogden City; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH OGDEN UTAH THAT:

The City Council of South Ogden City, State of Utah, authorizes the City Manager to sign all contracts, agreements, or other documents to facilitate the execution and implementation of the Agreement between the parties, which Agreement is denominated as "Betterment Agreement Local Agency Modification to Federal Aid Agreement," attached hereto as **Attachment "A"** and incorporated fully; and authorizes the City Manager to negotiate any remaining details of the contract including, but not limited to, the cost increases contemplated, private property easement acquisition issues and funding, as discussed in the public City Council meeting of even date; and, authorizes the City Recorder to sign any documents as required attesting to the fact that the City Manager has been duly authorized and appointed as noted to act on behalf of the City.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon its passage.

SECTION 2 - REPEALER OF CONFLICTING ENACTMENTS

All orders and resolutions regarding the changes enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with any of this Resolution, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION 3 - PRIOR RESOLUTIONS

The body and substance of all prior Resolutions, with their provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION 4 - SAVINGS CLAUSE

If any provision of this Resolution shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed to be the separate independent and severable act of the City Council of South Ogden City.

SECTION 5 - DATE OF EFFECT

This Resolution shall be effective on the 20th day of October, 2015, and after publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, STATE OF UTAH, on this 20th day of October, 2015.

SOUTH OGDEN CITY

James F. Minster
Mayor

ATTEST:

Leesa Kapetanov
City Recorder

ATTACHMENT "A"

RESOLUTION NO. 15-45

A Resolution Of The City Council Of South Ogden City, Utah, Authorizing The Acceptance And Approval Of An Amended Betterment Agreement With The Utah Department Of Transportation (UDOT) For Work On Harrison Boulevard/Highway 89 Intersection; And Providing For An Effective Date.

20 Oct 15



**State of Utah
Department of Transportation**

Betterment Agreement Local Agency Modification to Federal Aid Agreement No. _____ (If applicable)	Project Description: US-89; SR-203 Intersection Improvements Local Agency: South Ogden City	Estimated Value of Betterment \$ 158,410.18
	PIN Number 10708 FINET/CID Number 53836 FMIS Number	Project Number F-0089(326)408 Project Name US-89; SR-203 Intersection Improvements

THIS AGREEMENT, made and entered into the date shown below, by and between the **UTAH DEPARTMENT OF TRANSPORTATION**, hereinafter referred to as “**UDOT**”, and **SOUTH OGDEN CITY** a political subdivision of the State of Utah, hereinafter referred to as the “**Local Agency**,”

Subject to the attached provisions, **UDOT** will include the following betterment work items into the above referenced Project. In conjunction with the Project, **UDOT** will advertise these items for bid and will administer construction of the work covered herein. Upon signing this agreement, the **Local Agency** agrees that the costs shown below are estimates only and that the **Local Agency** will be responsible for paying the actual costs associated with these betterment items, based on Contract Unit Bid Prices, and actual quantities placed.

Description of Work:

The costs identified below encompass the additional work associated with the following betterments:

Betterment Items

Item No.	Item Description	Betterment Description	% of South Ogden City Responsibility	Qty.	Unit	Unit Cost	Betterment Cost
2912002P	Contractor Furnished Topsoil (12 inch thick)	Topsoil for the planter areas	66%	1,211	SQ YD	\$ 8.04	\$ 6,426.05
02919001*	Concrete Mow Curb	Mow curb around shrub areas	100%	1,379	LN FT	\$ 11.49	\$ 15,844.71
02909001*	Shredded Bark Mulch (4 inch thick)	Shredded bark planter bed areas	100%	1,211	SQ YD	\$ 5.74	\$ 6,951.14
02913001*	Rock Mulch, Type A	Rock Mulch in gore areas	100%	142	CU YD	\$ 114.90	\$ 16,315.80
02913002*	Rock Mulch, Type B	Rock Mulch in gore areas	100%	57	CU YD	\$ 137.88	\$ 7,859.16

02913003*	Rock Mulch, Type C	Rock Mulch in gore areas	100%	15	CU YD	\$ 160.86	\$ 2,412.90
20750040	Geotextile Weed Barrier	Weed Barrier under rock mulch areas	100%	1,909	SQ YD	\$ 2.30	\$ 4,390.70
02932008D	Plant - 2 Inch Caliper	Trees for open space	100%	16	EACH	\$ 402.15	\$ 6,434.40
29320030	Plant - No. 1 Container	Shrubs for the planter bed areas	100%	348	EACH	\$ 13.79	\$ 4,798.92
29320050	Plant - No. 5 Container	Shrubs for the planter bed areas	100%	52	EACH	\$ 45.96	\$ 2,389.92
02816000*	Pressurized Irrigation System	Irrigation for lawn and planter bed areas0	100%	1	LUMP	\$ 72,386.48	\$ 72,386.48
02892001D	Traffic Signal System – US-89 and Harrison Blvd	Powder Coating Signal Poles	100%	1	LUMP	\$ 12,200.00	\$ 12,200.00
UDOT Cost sharing for aesthetic treatment							\$ 25,000
Total Estimate Reimbursement to UDOT of South Ogden City Shared Portion is:							\$ 133,410.18

Total Estimated Reimbursement to UDOT is \$133,410.18

The total estimated cost of the betterment work shall be advanced / deposited with **UDOT** prior to advertising or prior to the completion of the work, which ever is applicable. The **Local Agency** shall deposit said amount with **UDOT's** Comptroller's Office located at UDOT/COMPTROLLER, 4501 South 2700 West, Box 141500, Salt Lake City 84119-1500

In the event the actual betterment costs are higher, the **Local Agency** shall pay the additional amount required within 30 days of receiving an invoice from **UDOT**. In the event the actual betterment costs are lower, UDOT will refund the balance of the amount deposited within 30 days of determining the final cost of the betterment work.

Provisions

(Note: the language in these provisions shall not be changed without prior approval from the Utah AG’s office)

UDOT has prepared plans, specifications and estimates of costs for the construction of the project, hereinafter referred to as the “Project.”

The **Local Agency** desires to include the betterment work items described herein in the Project contract work.

UDOT is agreeable to include the **Local Agency’s** requested betterment work in the Project contract providing that the **Local Agency** pay the actual additional costs incurred. The **Local Agency** agrees that UDOT’s Project will not be delayed as a result of adding these betterments, and that no betterments will be added to the bid package until this agreement has been signed by both parties.

The **Local Agency**, at no cost to the Project, shall provide on-call support from **Local Agency’s** Design Engineer or appropriate representative to correct or clarify issues during construction and to perform the necessary inspection for the **Local Agency** work installed by the contractor. The **Local Agency** engineer and/or inspector shall work with and through UDOT’s Project Manager or Resident Engineer and shall give no orders directly to UDOT’s Contractor unless authorized in writing to do so. It is agreed that UDOT’s Contractor will accomplish the work covered herein on **Local Agency’s** facilities in accordance with the plans and specifications provided by the **Local Agency**, including changes or additions to said plans and specifications which are approved by the parties hereto. The **Local Agency**, through their inspection of said work, will provide UDOT’s Project Manager or Resident Engineer with information covering any problems or concerns the **Local Agency** may have with acceptance of said facilities upon completion of construction.

Any periodic plan and specification review or construction inspection performed by UDOT arising out of the performance of the project does not relieve the **Local Agency** of its duty in the performance of this project or to ensure compliance with acceptable standards.

Except in cases of emergency It is understood that access for maintenance and servicing of the

Local Agency facilities located on State right of way will be by permit issued by UDOT to the **Local Agency**, and that the **Local Agency** will obtain said permit and abide by the conditions thereof for policing and other controls in the conformance with Utah Administrative Rules.

I. Indemnification:

UDOT and the **Local Agency** are both governmental entities subject to the Governmental Immunity Act. Each party agrees to indemnify, defend, and save harmless the other from and against all claims, suits and costs, including attorneys' fees for injury or damage of any kind, arising out of its negligent acts, errors or omissions of its officers, agents, contractors or employees in the performance of this agreement, and from and against all claims, suits, and costs, including attorneys' fees for injury or damage of any kind. Nothing in this paragraph is intended to create additional rights to third parties or to waive any of the provisions of the Governmental Immunity Act. The obligation to indemnify is limited to the dollar amounts set forth in the Governmental Immunity Act, provided said Act applies to the action or omission giving rise to the protections in this paragraph. The indemnification in this paragraph shall survive the expiration or termination of this Agreement.

II. Termination:

This agreement may be terminated as follows:

- a. By mutual agreement of the parties, in writing
- b. By either UDOT or the **Local Agency** for failure of the other party to fulfill their obligations as set forth in the provisions of this agreement. Reasonable allowances will be made for circumstances beyond the control of the parties. Written notice of intent to terminate is required and shall specify the reasons for termination.
- c. By UDOT for the convenience of the State upon written notice to the **Local Agency**.
- d. Upon satisfactory completion of the provisions of this agreement.

III. Maintenance:

The **Local Agency** agrees that, upon completion and final inspection of the Project

construction, to accept, own and maintain the betterment work covered herein at no further cost to **UDOT**.

IV. Payment and Reimbursement to UDOT:

The **Local Agency** shall be responsible for all actual costs associated with these betterment items.

The **Local Agency** agrees that if it modifies or cancels this betterment agreement at any time after it has been signed, the **Local Agency** agrees to pay any cancellation penalties or costs incurred by **UDOT** as a result of the betterment work scope being modified or cancelled. In the event the **Local Agency** fails to reimburse **UDOT** for the costs included in this betterment agreement, funding for other **Local Agency** projects or B&C road funds may be withheld until the entire payment is made.

V. Change in Scope and Schedule:

The **Local Agency** recognizes that if their project scope or schedule changes from the original intent of this agreement, the **UDOT**

Project Manager or Resident Engineer will be notified prior to changes being made. Any costs incurred by **UDOT** as a result of these scope or schedule changes will be the responsibility of the **Local Agency**.

In the event there are changes in the scope of the work, extra work, or changes in the planned work covered by this agreement, a modification to this agreement approved in writing by the parties hereto is required prior to the start of work on said changes or additions.

VI. Content Review:

Language content was reviewed and approved by the Utah AG's office on July 19, 2012.

Local Agency				Utah Department of Transportation			
By		Date		By		Date	
Title/Signature of Official				Project Manager			
By		Date		By		Date	
Title/Signature of additional official if required				Program Manager			
By		Date		By		Date	
Title/Signature of additional official if required				Region Director			
By		Date		By		Date	
Title/Signature of additional official if required				Comptrollers Office			

City Council Staff Report



Subject: Code Enforcement Quarterly Update
Author: Darin Parke
Department: Police
Date: 10/20/2015

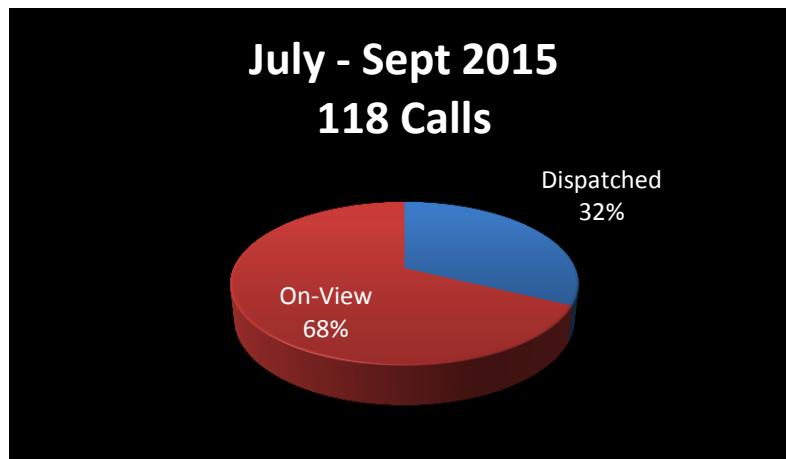
Recommendation

This is the quarterly report on ordinance enforcement done by the police department. There is no recommendation.

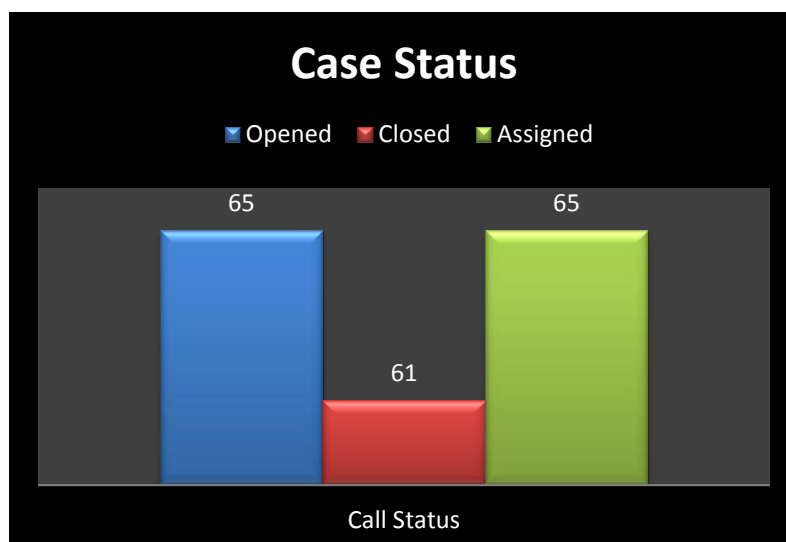
Background

This is an update requested by the council.

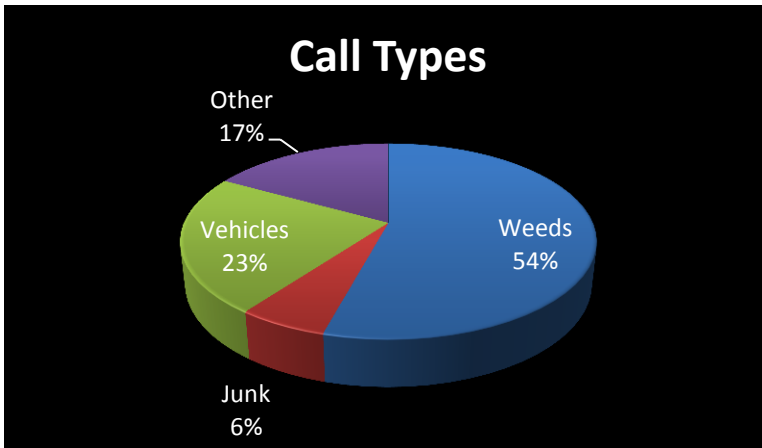
Analysis



July – Sept., 2015, a total of 118 calls for ordinance violations were received/noted. Of those 118, 38 were dispatched and 80 were self-initiated.

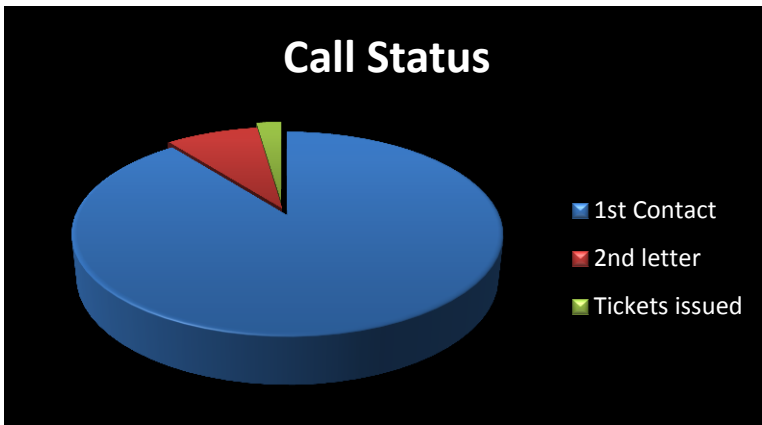


A total of 65 cases were generated for investigation and follow up and 61 cases were closed.



64 weed 7 junk 27 veh 20 other

The “vehicle” percentage also reflects contact with snowbound vehicles in the roadway. “Other” is any other contact that officers handled regarding city ordinance, i.e. skateboarders, solicitors, juvenile issues (not including those handled by the school resource officer.)



11 of the cases assigned in the third quarter required a second letter of non-compliance to be sent to the violator.

Three citations were issued for ordinance violations. No abatements were ordered.

July

19 calls
8 officer viewed
11 dispatched

August

55 calls
42 officer viewed
13 dispatched

September

44 calls
30 officer viewed
14 dispatched

No Budget Impact or Attachments.

RAMP 2016

RAMP Grant Applications 2015 (3 applications submitted)

1. South Ogden Junior High Restroom	\$196,535.00
i. City Portion	-\$54,795.00
ii. School District Portion	-\$54,975.00
iii. <u>RAMP funds requested</u>	<u>-\$86,945.00</u>
2. Resurface City Trails	\$27,400
3. Park Amenities (benches, tables, trash receptacles)	\$72,000
a. tables 55-60, benches 8-10, trash receptacles 15-20	

RAMP Grant Possibilities 2016

➤ South Ogden Junior High Restroom	\$206,535.00
➤ Resurface Trails	\$29,000.00
➤ Park Amenities	\$75,600.00
➤ Playgrounds (equipment)	?????
➤ Playground surfacing at Nature Park	\$54,000-\$65,000
➤ Parks Signs (Logo?)	\$8,000-\$12,000
➤ Bowery's (40 & Club Heights)	??????
➤ Sprinklers - Central Controller	\$250,000?
➤ Nature Park	
○ Shade Structure or electrical (might work in the museum & arts applications)	
➤ Club Heights Lights	\$75,000-\$90,000
➤ Pickle ball Courts	
➤ 40 th redesign (detention, trails, lights, act.)	??????
➤ Dugout's club Heights	\$55,000
➤ Lights for city Hall	??????
➤ Banners for street poles	??????
➤ Christmas decorations for street lights Washington	??????
➤ Dog Area improvements	??????
○ Landscaping, sprinklers, equipment, etc.)	

Two types of Grants to apply for in the Recreation & Parks classification:

1-Regular \$2,001.00- \$199,000.00 Or 2-Major \$200,000.00 and up

Weber County has a meeting for all RAMP grant applicants to attend for the 2016 application the first week of November, which City staff will attend. At this meeting they will give all of the info needed to apply for the RAMP grants in 2016. The applications are typically due mid-January.

RAMP Application Review Sheet 1/22/14

(For use by RAMP Advisory Board & Committee Members)

Project Name _____

Project Number _____

Application Name _____

Amount Requested _____

History of RAMP Funding _____

Population _____

Project (100 Points Available)

1. _____ 0-25 Does the project have matching funds? (Include in-kind/volunteer hrs, etc.
50%=25 pts., 40%=20 pts., 30%=15 pts., 20%=10 pts., 10%=5 pts.
2. _____ 0-15 Does the project endorse durability, longevity or enhancement benefits to Weber County Residents?
3. _____ 0 – 10 Are cost ratios appropriate? How many people will attend & cost per person?
4. _____ 0 – 10 Does the project fulfill a current need?
5. _____ 0 – 10 Rate the project for ongoing maintenance or sustainability.
6. _____ 0 – 5 Are the details of the project clearly defined for the use of RAMP funds?
7. _____ 0 – 5 Are competitive bids and cost comparisons included if applicable?
8. _____ 0 – 10 Should this project be funded?
9. _____ -10 to 10 is the entity in compliance with Audit reports if applicable?

Total Points _____

Suggested Dollars _____

Points of concern, comments, discussion or follow up:

Majors Awards 2015			
#	Organization	Project	Awarded
1	Farr West City	Smith Family Recreation Park Horse Riding Arena	\$250,000.00
2	Weber County Corporation	Shooting Sports Training Complex	\$389,617.00
3	Weber State University	Browning Center Seat Renovation	\$200,000.00
Arts & Museums Awards 2015			
#	Organization	Project	Awarded
1	Chamber Orchestra Ogden	Chamber Orchestra Ogden 2015-2016 Season	\$10,000.00
2	Downtown Ogden Inc.	Ogden Farmers and Art Market	\$15,000.00
3	Downtown Ogden Inc.	Live! Summer Concert Series	\$5,000.00
4	Eccles Community Art Center	Exhibits/Competition 2015	\$5,000.00
5	Eccles Community Art Center	Ogden Doodle Book	\$2,001.00
6	Egyptian Theater Foundation	Egyptian Theater Film Series	\$15,000.00
7	Egyptian Theater Foundation	Theater Main PA & Audio Infra-structure upgrade	\$62,397.00
8	Historic 25th Street Foundation	Harvest Moon Celebration	\$18,000.00
9	Historic 25th Street Foundation	Witchstock	\$10,000.00
10	Historic 25th Street Foundation	Music System	\$4,000.00
11	Hooper City Corporation	Portable Amphitheater Stage	\$36,000.00
12	Imagine Ballet Theater	The Nutcracker	\$15,000.00
13	Imagine Ballet Theater	The Nutcracker "Refreshment" Phase Three	\$5,000.00
14	Imagine Ballet Theater	The Secret Garden -10th Anniversary	\$15,000.00
15	Nurture the Creative Mind	NCM Street Pianos	\$6,500.00
16	Ogden Arts Festival, Inc	Ogden Arts Festival	\$10,000.00
17	Ogden City Arts	Ogden's First Friday Art Stroll	\$5,000.00
18	Ogden City Arts	Twilight Concert Series- Ogden Amphitheater	\$24,000.00
19	Ogden City Arts	Ogden Amphitheater Free Summer Series	\$15,500.00
20	Ogden Friends of Acoustic Music	8th Annual Ogden Music Festival	\$40,000.00
21	Ogden Friends of Acoustic Music	3rd Annual Ogden Valley Roots & Blues Fest.	\$25,000.00
22	Ogden Nature Center	Summer Concerts 2015	\$5,000.00
23	Ogden Pioneer Heritage Foundation	Trail to Pioneer Days Horse Display	\$10,000.00
24	Ogden Pioneer Heritage Foundation	Ogden Pioneer Days Celebration	\$15,000.00
25	Ogden School Foundation	Ucreate	\$5,000.00
26	Ogden Symphony & Ballet	All programs	\$110,000.00
27	Ogden Valley Balloon Festival	Ogden Valley Balloon and Art Festival	\$7,000.00
28	Ogden's George S. Dinosaur	Field Guide Addition & Ongoing Education 2015	\$40,000.00
29	Project Success	Junteenth	\$10,000.00
30	Treehouse Children's Museum	Main Street Grows at Treehouse	\$80,000.00
31	Treehouse Children's Museum	Science Circus	\$35,000.00
32	Treehouse Children's Museum	The Play is the Thing at Treehouse	\$50,000.00
33	Treehouse Children's Museum	Get Ready for Kindergarten Continued	\$35,000.00
34	Union Station Foundation	Museum Collections: Archival and Restoration Supplies	\$12,571.00
35	Union Station Foundation	Traveling Exhibit: American Adventure	\$40,000.00
36	Union Station Foundation	Heritage Festival at Union Station	\$15,000.00
37	Weber Arts Council	African Dance & Drum	\$5,000.00
38	Weber Arts Council	Ars Visualia Guerilla Truck Fair 2015	\$4,100.00
39	Weber Arts Council	Mountain Arts and Music Workshops	\$5,000.00
40	Weber County dba Eccles County	Historic External Door Replacement	\$50,000.00
41	Weber County dba Eccles County	Theater Carpet Replacement	\$46,607.00
42	Weber State University	Science & Arts in the Parks	\$15,000.00
43	Weber State University	Shaw Gallery: Elisabeth Higgins O'Connor Exhibition	\$6,245.00
44	Weber State University	ArtReach- Shaw Gallery Outreach Program	\$12,000.00
44	Weber State University	Shaw Gallery- Ogden Film Circuit	\$8,800.00
Recreation and Parks Awards 2015			
#	Organization	Project	Awarded
1	Farr West City	Smith Family Recreation & Sports Park	\$ 150,000
2	Huntsville Town	Ogden Valley Pineview Loop Trailhead	\$ 9,000
3	Marshall White Center	Gym Floor	\$ 22,775
4	Ogden City Corporation	Grandview Park Restrooms	\$ 103,679
5	Ogden Nordic	Snowmobile for grooming and storage trailer	\$ 20,000
6	Ogden Ranger District	Skyline Trail Reconstruction/Maintenance Phase 1	\$ 30,000
7	Ogden School Foundation	Ogden Community Soccer Complex Phase 1	\$ 150,000
8	Ogden's George S. Dinosaur	Restroom Addition	\$ 75,000
9	Pleasant View City	Walking Trail	\$ 75,000
10	Washington Terrace City	Lions Park Play Structure	\$ 13,000
11	Washington Terrace City	Rohmer Park Baseball Fields Backstop Fencing	\$ 9,000
12	Weber County Parks	Water System Update at Weber Memorial Park	\$ 69,159

13	Weber County Parks	Field Archery Range	\$ 25,000
14	Weber County Parks	Snow Thrower Attachment for North Fork Park	\$ 3,425
15	Weber Cultural Legacy Foun	GOAL Fitness Trail at Big D Park	\$ 65,000
16	Weber Pathways	Pineview Loop Pathway-Pelican Beach Trail and Trailhead	\$ 63,276
17	West Haven City	West Haven City Trail Project	\$ 100,000
			\$983,314.00