

**MINUTES OF THE  
SOUTH OGDEN CITY COUNCIL MEETING  
Tuesday, July 15, 2014 – 6:00 p.m.  
Council Chambers, City Hall**

**COUNCIL MEMBERS PRESENT**

Mayor James F. Minster, Council Members Sallee Orr, Russell Porter, Wayne Smith, Bryan Benard

**COUNCIL MEMBERS EXCUSED**

Council Member Brent Strate

**STAFF MEMBERS PRESENT**

City Manager Matthew Dixon, City Attorney Ken Bradshaw, Parks and Public Works Director Jon Andersen, Chief of Police Darin Parke, Fire Chief Cameron West, Good Landlord Program Coordinator Andrew Hyder and Recorder Leesa Kapetanov

**CITIZENS PRESENT**

Jim Pearce, Raymond Rounds

**I. OPENING CEREMONY**

**A. Call to Order**

Mayor James F. Minster called the meeting to order at 6:04 pm and asked for a motion to convene.

**Council Member Orr moved to convene as the South Ogden City Council, with a second from Council Member Smith. All present voted aye.**

**B. Prayer/Moment of Silence**

The mayor led those present in a moment of silence.

**C. Pledge of Allegiance**

Council Member Benard directed everyone in the Pledge of Allegiance.

Mayor Minster indicated it was time for public comments and invited anyone who wished to speak to the council about their concerns to come forward.

**II. PUBLIC COMMENTS**

There were no comments from the public.

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

There were no scouts or students present.

**IV. CONSENT AGENDA**

- A. Approval of July 1, 2014 Council Minutes**
- B. Approval of June Warrants Register**
- C. Award of Bid to Peck Striping Inc. for Street Striping**
- D. Approval of Commercial Condominiums Located at 1523 Skyline Drive**
- E. Advice and Consent of Appointment of Raymond Rounds to the Planning Commission**

The mayor read through the items on the consent agenda. He then introduced Mr. Rounds to the council and thanked him for accepting the appointment as a planning commissioner. Mr. Rounds thanked the council for the opportunity to serve. Mayor Minster asked if there were any items on the consent agenda the council had questions or concerns about. Mr. Bradshaw pointed out he had asked for some changes to be made in the condominium CC&R's which would allow the city to have the right to bring litigation if the condo association did not keep their end CC&Rs. He asked that if the council chose to approve the condominiums, they do so on the condition that the requested change be made. Council Member Orr said she had concerns about the condominiums and did not feel prepared to vote. Staff explained that this was an existing commercial office building that was being converted to commercial condominiums. They met the requirements of the existing code concerning developing them into commercial condos. There were no more questions concerning the items on the consent agenda. Mayor Minster called for a motion.

**Council Member Porter moved to approve the consent agenda, items A thru E, with the conditions mentioned on item E concerning the commercial condominiums. The motion was seconded by Council Member Smith. The mayor then called a voice vote. Council Members Porter, Benard and Smith all voted aye. Council Member Orr voted nay, but said she had expected the mayor to ask if there were further discussion. The mayor asked if she had further discussion. Council Member Orr asked if the city engineer had approved it. City Attorney Bradshaw said the approval was based on conditions being met, the city engineer being part of the conditions. City Recorder Leesa Kapetanov said the engineer had looked at it and stated that it was the preparing surveyor's job to make sure it the plat met the requirements of the state code. Council Member Orr stated that her vote was then yes. The voting was unanimous for approval of the consent agenda.**

**V. DISCUSSION / ACTION ITEMS**

- A. South Ogden Days Feedback**

Mayor Minster pointed out that Special Events Coordinator Jill McCullough was out of town and he would like to table this item; he called for a motion to do so.

**Council Member Smith moved to table Item A, South Ogden Days Feedback. The motion was seconded by Council Member Porter. The mayor asked if there were further discussion, and seeing none, he made a roll call vote.**

<b>Council Member Smith-</b>	<b>Aye</b>
<b>Council Member Porter-</b>	<b>Aye</b>
<b>Council Member Orr-</b>	<b>Aye</b>
<b>Council Member Benard-</b>	<b>Aye</b>

**This agenda item was tabled.**

**B. Committees – Purpose and Scope**

Mayor Minster said he had discussed this item with City Manager Dixon, who had reminded him of the strategic goals and action plans for the city. The council should look at the committees and see if they fell within the strategic plan. He suggested that instead of taking a lot of time that evening for discussion on committees, the council should review the strategic plan and determine if the committees fit within the plan. He asked that this item be put on an agenda as a work session. The council members agreed.

City Attorney Bradshaw then suggested that before entering into a CDRA Board Meeting, the mayor have the department heads give their reports. That way they would not need to stay through the anticipated closed session meeting. The mayor agreed, so item VIII on the agenda was moved forward.

**VIII. DEPARTMENT DIRECTOR REPORTS**

**A. Jon Andersen – Project Updates and Roads Report**

Parks and Public Works Director Jon Andersen reported on several projects in the city:

**Chambers Road Project** – The notice to proceed had begun that day, so construction would start soon. Businesses along the street had been notified and the contractor would try to keep at least one lane open at all times. The project completion deadline was September 8<sup>th</sup>.

**1075 East Road Project** – Staff was waiting for the bid bonds to be completed and a pre-construction meeting to be held, then construction would begin.

**Friendship Park Tennis Court Resurfacing** – weather had delayed the resurfacing; the contractor hoped to begin next week.

**Road Projects** – Mr. Andersen referred the council to their packet and a paper that had been included. He then handed the council a map of proposed road projects and what the project would consist of, as well as completed road projects (see Attachment A). It was estimated that when all the projects were completed, there would be approximately \$200,000 left from the \$1.3 million budgeted. Mr. Andersen pointed out the roads that would be completely redone, as well as those that would be crack sealed and slurry sealed. Only two roads were slated to be crack sealed, however all the roads slated for chip/slurry seal would also be crack sealed first. The new machine the city purchased for crack sealing would be used on some of the projects. Council Member Smith asked if any of the costs for the changes made by Washington Terrace to 5300 South and Adams would have to be paid by South Ogden. Mr. Andersen said it was his understanding that Washington Terrace would pay for everything because it was their project. Council Member Smith was concerned that no money would be left in the road funds if the city had to come up with something for Washington Terrace's project that involved South Ogden roads. Mr. Andersen replied South Ogden's road projects would span two construction seasons, so if money was needed, one of next year's projects could be delayed and the money used where needed.

**B. Police Darin Parke – Quarterly Code Enforcement Report**

Chief Parke referred the council to the staff report included in their packets. He reported there had been 90 junk and weed incidents reported in the last quarter, seventeen of which were still open. Overgrown weeds were the most frequent incident reported during the quarter, however there had been a 20% decline in ordinance violations from the previous year.

There had been 176 calls to properties in the good landlord program; only six qualified for follow-up, and three evictions took place as a result.

The chief reported that animal services was doing very well. There had been 308 calls during the quarter, 46 impounds, and 17 adoption events. There had also been 4,329 hours donated by volunteers and 211 animals had been adopted. There had been approximately \$16,000 in revenue brought in during the quarter through animal adoptions. The adoptions were very popular with the public. Mr. Parke also reported the city had received an award from Purina Cat Chow.

**C. Fire Chief Cameron West – NIMS Compliance Check**

Chief West encouraged the council members who had not become NIMS compliant to do so.

**D. Kristen Hansen – Quarterly Employee Recognition Program Report/Wellness Program**

Ms. Hansen reported that since the employee recognition program was started a year and a half ago, six employees had received something; however no recognitions had been given during the current year. She said it was not something that should be used every month or pay period, but sparingly.

Ms. Hansen then gave an update on the implementation of a wellness program. A committee of employee representatives had been selected, as well as wellness champions. Wellness champions had been chosen to inform employees of what the city was hoping to accomplish with a wellness program, as well as get feedback from the employees. She anticipated the program would go into effect on January 1, 2015. Ms. Hansen said some decisions still needed to be made, such as if employees who did not receive health insurance through the city should still be allowed to participate in the wellness program.

The mayor then reported he and City Manager Dixon had been invited to a ceremony to present a home to a family in need. The home had been built on Country Club Drive in South Ogden by the organization Hearts for Homes.

The mayor said there had been many compliments for city staff and their help in getting the home built.

**E. Leesa Kapetanov – Quarterly Good Landlord Program Report**

City Recorder Leesa Kapetanov reported it had been a full year since the Good Landlord Program had been implemented. She also informed the council a new Good Landlord Program Coordinator had been hired, and introduced Andrew Hyder. Mr. Hyder said he was happy to be there and had already had some interaction with residents about the program.

Ms. Kapetanov said it was a good time to evaluate the Good Landlord Program and determine if changes needed to be made. She suggested one change that could be made would be to not require exempt properties to get a no-fee license. The council discussed the matter to some length. It was determined that the issue would be put on the agenda for future discussion.

Mayor Minster then called for a motion to recess into a CDRA Board Meeting.

**Council Member Benard moved to recess into a Community Development and Renewal Agency Board Meeting, followed by a second from Council Member Porter. All present voted aye.**

**VI. RECESS INTO COMMUNITY DEVELOPMENT RENEWAL AGENCY BOARD MEETING**

See separate minutes.

(Motion from CDRA Board Meeting to reconvene city council meeting):

**At 7:11 pm, Board Member Benard moved to reconvene the CDRA Board Meeting, adjourn and reconvene as the South Ogden City Council. The motion was seconded by Board Member Smith. All present voted aye.**

## **IX. REPORTS**

A. **Mayor** – the mayor said he had already reported on Hearts for Homes. He also reminded the council of the BBQ at Mountain Ridge Assisted Living; it would be tomorrow from 11 am to 1 pm.

B. **City Council Members**

**Council Member Porter** – nothing to report.

**Council Member Orr** – nothing to report.

**Council Member Benard** – commented on the public involvement with the planning commission. He felt public involvement was very good.

**Council Member Smith** – nothing to report.

C. **City Manager** – nothing to report.

D. **City Attorney Ken Bradshaw** – nothing to report.

Mayor Minster indicated it was time to enter an executive session and entertained a motion to do so.

**At 7:14 pm, Council Member Orr moved to adjourn city council meeting and convene into an executive session for the reason given. Council Member Benard seconded the motion. All present voted aye.**

## **X. ADJOURN CITY COUNCIL MEETING AND CONVENE INTO AN EXECUTIVE SESSION**

A. **Pursuant to UCA §52-4-205 1(a) to discuss the character, professional competence, or physical or mental health of an individual**

Note: The council moved to the conference room adjacent to the council chambers for the executive session. See Attachment B for applicable affidavit.

At 7:43 pm, the council returned to the council chambers, where Mayor Minster called for a motion to reconvene city council meeting and adjourn.

## **XI. RECONVENE CITY COUNCIL MEETING AND ADJOURN**

**Council Member Porter moved to reconvene city council and adjourn. The motion was followed by a second from Council Member Orr. The vote to adjourn was unanimous.**

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Council Meeting held Tuesday, July 15, 2014.

  
Leesa Kapetanov, City Recorder

Date Approved by the City Council August 5, 2014

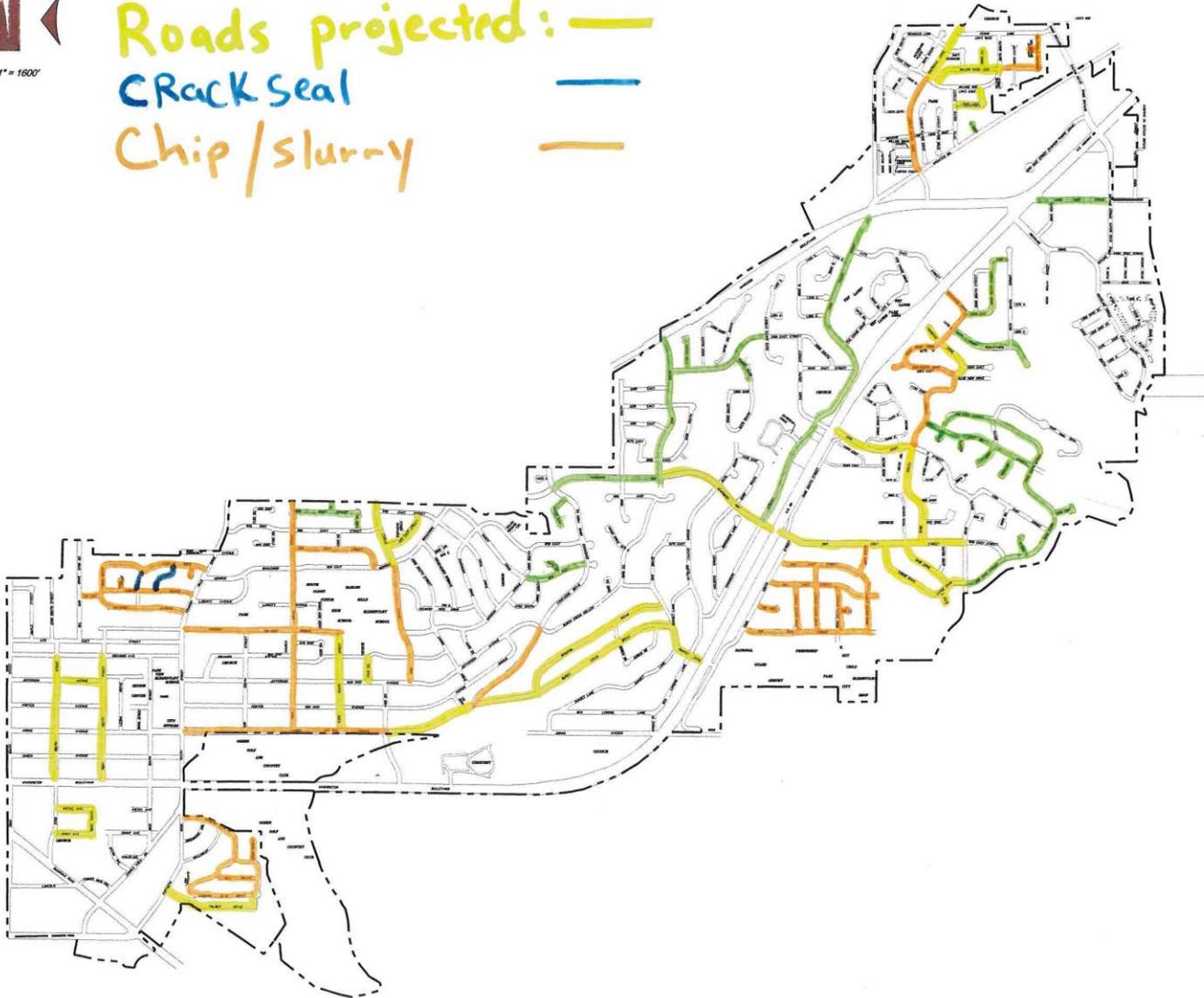
## **Attachment A**

Road Diagram



SCALE: 1" = 1800'

Roads completed: —  
Roads projected: —  
CRACK SEAL —  
Chip/slurry —



SOUTH OGDEN CITY  
CORPORATION

**LEGEND**

--- SOUTH OGDEN CITY BOUNDARY



**WASATCH CIVIL**  
Consulting Engineering  
5434 SOUTH FREEWAY PARK DRIVE  
RIVERDALE, UTAH 84405 (801) 735-9191

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## **Attachment B**

Affidavit

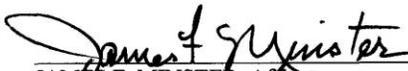
**AFFIDAVIT**

STATE OF UTAH            )  
                                      : ss.  
COUNTY OF WEBER    )

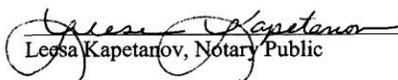
JAMES F. MINSTER, upon oath, deposes and says:

1. He is the Mayor of South Ogden City, a municipal corporation of the State of Utah.
2. As Mayor, Affiant, when available, presides at all meetings of the governing body of said City.
3. On or about July 15, 2014, commencing at the hour of approximately 7:14 p.m., Affiant presided over a closed meeting of said City's governing body. The closed meeting was held pursuant to provisions of UCA § Section 52-4-205(1)(a) for the sole purpose of discussing the character, professional competence, or physical or mental health of an individual.
4. The closed meeting was held as scheduled and the only subject matter discussed in the meeting was, in fact, the aforementioned items.
5. Affiant states that any record of the meeting above referred to is protected under Title 63, Chapter 2, of the Government Records Access and Management Act and therefore is not subject to access by the public or media.
6. Further Affiant sayeth not.

DATED this 15<sup>th</sup> day of July, 2014.

  
JAMES F. MINSTER, Affiant

SUBSCRIBED, sworn to and acknowledged before me this 15<sup>th</sup> day of July, 2014.

  
Leesa Kapetanov, Notary Public

