

## NOTICE AND AGENDA

### SOUTH OGDEN CITY COUNCIL MEETING

Tuesday, October 7, 2014 – 6:00 p.m.

*Notice is hereby given that the South Ogden City Council will hold their regular City Council Meeting, Tuesday, October 7, 2014, 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 Russell Porter

- 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/STUDENTS**

#### IV. **PRESENTATION**

- A. Reed Richards - Chairman of RAMP 2014 Committee

#### V. **CONSENT AGENDA**

- A. Approval of September 2, 2014 and September 16, 2014 Council Minutes
- B. Approval of September Warrants Register
- C. Approval of Tuscan Ridge Townhomes PRUD Phase 5

#### VI. **PUBLIC HEARING**

- A. To Receive and Consider Comments on Proposed Amendments to the FY2015 Budget

**VII. DISCUSSION / ACTION ITEMS**

- A. Consideration of **Ordinance 14-13**- Amending the FY2015 Budget
- B. Discussion and Consideration of Previously Tabled **Ordinance 14-11**- Amending the Consolidated Fee Schedule
- C. Discussion on Landscaping of Island at Highway 89/Harrison Boulevard Interchange

**VIII. DEPARTMENT DIRECTOR REPORTS**

- A. Jon Andersen – Project Updates
- B. Chief West – Open House Information

**IX. REPORTS**

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

**X. RECESS INTO COMMUNITY DEVELOPMENT AND RENEWAL AGENCY BOARD MEETING**

See separate agenda.

**XI. RECONVENE CITY COUNCIL MEETING, ADJOURN AND CONVENE INTO A WORK SESSION**

- A. Land Use Ordinances

**XII. ADJOURN WORK SESSION**

Posted and emailed to the State of Utah Website [October 3, 2014](#)

The undersigned, duly appointed City Recorder, does hereby certify that a copy of the above notice and agenda was posted at the Municipal Center (1<sup>st</sup> and 2<sup>nd</sup> floors), on the City's website ([southogdencity.com](http://southogdencity.com)) and emailed to the Standard Examiner on October 3, 2014. 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

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Date: October 02, 2014  
To: Mayor and City Council  
From: Matthew J. Dixon, City Manager  
Re: **October 07, 2014 Council Meeting**

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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.

## **Presentation**

- Reed Richards (RAMP Chairman) has asked to take a few minutes during the meeting to educate the council and the public on the value of RAMP to our communities.

## **Consent Agenda**

- *Approval of Tuscan Ridge Townhomes PRUD.* This is phase 5 of the Tuscan Ridge Subdivision. The developer, John Hansen, has been developing this project in phases. The subdivision received preliminary approval in 2008. Staff has reviewed the plat and verified that all required improvements have been installed and are functioning. Staff recommends approval of the Tuscan Ridge Phase 5 PRUD.

## **Discussion and Action Items**

- *Ordinance 14-12 – Amending the Fiscal Year 2015 Budget.* Amendments being proposed incorporate several carryover items (i.e. projects that crossed fiscal years, etc.), grants and donations, etc. You'll notice you will not be hearing from department heads regarding their capital outlay priorities and requests – as originally planned. I've asked that these presentations be postponed while we let some of the recent legal issues play out. To date, we have incurred \$29,721 in legal fees. If the city is asked to defend itself in district court it is estimated we could spend an additional \$15,000. If we are required to defend our case in federal court we could spend another \$60,000. This has the potential to add up to over

\$100,000. It would not be appropriate for the city to allocate monies to capital outlay until we have a better sense of where these legal costs might end for the city. Additionally, whatever the city council decides to do with the Highway 89/Harrison Blvd. landscaping project will also have an effect on the amount of monies available for capital outlay allocations (see comments and agenda item below on this project). In the meantime, staff is preparing their presentations and will be ready to have these discussions with the council as soon as we feel more confident in where the legal costs may end. Steve Liebersbach, Finance Director, will be presenting the budget amendments and will be available to answer any questions you may have regarding the amendments.

- *Ordinance 14-11 – Amending the Consolidated Fee Schedule.* This agenda item was tabled at your last council meeting due to the fact that a page was left out of the packet. The changes include some cleanup of fees no longer charged to resident (i.e. Bicycle License) as well as removing the requirement that landlords who are exempt from the GLLP still get a business license from the city.
- *Discussion on Landscaping of Island at Highway 89/Harrison Blvd. Interchange.* UDOT has been working with the city for several months as they prepare to complete the design of their Harrison Blvd/Highway 89 interchange project. One of the remaining decisions to be made for the city is how we want the two islands landscaped. UDOT is allowed to use a small percentage of their project on landscaping. For this project that number is around \$30,000. UDOT has provided a conceptual drawing (see packet) of what may be done with the islands. The conceptual drawing is one of gravel/cobble, boulders, dry stream beds, trees, and shrubs. The estimated cost of the conceptual plan, including a monument sign (not digital), is \$114,714. UDOT has confirmed that the city would be allowed to place a digital sign in the island. UDOT would just require an agreement between the city and them regarding the types of messages that would be displayed.

Jason Allen, PE with PEC Engineering (UDOT contracted engineer) will be attending to review the concept plan, discuss other possible plans and answer questions. In order to not delay the UDOT project, they are looking for a decision as soon as possible. Depending on the type of landscape plan the council decides on, and depending on the competitiveness of the project bid, the city should be prepared to spend some money to insure this gateway to our community is attractive. This may require spending up to \$100,000 (not including a digital sign) to get a landscape plan we like. Keep in mind that whatever monies the city allocates to this project only takes away from other capital projects and priorities as it will need to come from the general fund balance.

## **CDRA Board Meeting**

Staff will be presenting information to the Board regarding some recent developments in one of the city's project areas and the potential for the Board to purchase property. Staff will have more information for you at the meeting. This is a closed session as it does pertain to the possible acquisition of property.

## **Land Use Work Meeting**

Over the last couple of months there has been considerable attention focused on the city's land use ordinances. Many working with the city's land use ordinances have raised questions about the lack of clarity in many areas. There has also been some confusion expressed regarding the city's land use authority and how that authority has been delegated (or not delegated) to certain persons, bodies, commissions, etc.

In listening to the many discussions and opinions expressed over the last several months, I am hoping the topics listed below address most questions/concerns that have been raised. The intent of the meeting will be to discuss these issues with the council and determine what, if any, amendments, clarifications, etc. need to be made to the city's land use ordinances. At the time of preparing this memo, the following discussion items are what we (staff) feel need to be discussed. If there is something that is not listed below that you as a council member would like discussed please let me know as soon as possible.

### **PROPOSED MEETING TOPICS**

1. How is land use authority defined in state and city code?
2. What are the differences between legislative and administrative/adjudicative decisions? How do the differences affect how an application/process is handled by the city?
3. What are the land use decisions and processes the city is responsible for (i.e. general plan, zoning ordinances, conditional uses, etc.)? Is the decision/process legislative or administrative?
4. What body has been delegated authority to review, recommend and/or make decisions regarding each process in South Ogden? Do we want to change what person or body has these delegated authorities?
5. How are appeals of each land use decision handled? Do we want to change what person or body hears certain types of appeals?

I've invited Neil Lindberg and Ken Bradshaw to attend the meeting. They will be primarily there to help educate us on certain land use laws and processes as well as to answer questions regarding the city's land use ordinances. I've also included several documents that you should find helpful as you learn more about these important land use laws and processes. The documents in the packet include: Utah's Land Use Handbook (Section 3, Enforcement and Appeals), Appeal Authority Q&A, Differences Between Types of Proceedings, Discretion Chart, and South Ogden Land Use and Appeal Authorities Chart.

### **Other information**

*Rebranding* – We've narrowed the field of firms who are being considered to help us with the city's branding project from nine down to four. A few members of staff, Mayor Minster, Russ Porter and Bryan Benard will be sitting through presentations from each of the four firms on Thursday, October 9. We've asked each firm to present (in 10 minutes) what they would do to accomplish the objectives listed in the city's RFP with a budget of \$15,000. I am very excited about this project. Any one of these firms will do a great job in helping us brand out city. We hope to have a bid award ready for your approval on your Oct. 21 agenda.

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**MINUTES OF THE  
SOUTH OGDEN CITY COUNCIL MEETING  
Tuesday, September 2, 2014 – 6:00 p.m.  
Council Chambers, City Hall**

**COUNCIL MEMBERS PRESENT**

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

**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 and Recorder Leesa Kapetanov

**CITIZENS PRESENT**

Jerry Cottrell, Walt Bausman, Adam Hensley, Cameron Hensley, Debby Bliss, Robert Bliss, Johnny Cammack, David Cammack, Kim Didier, Gary Boyer

**I. OPENING CEREMONY**

**A. Call to Order**

Mayor James F. Minster called the meeting to order at 6:05 pm and asked for a motion to convene.

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

**B. Prayer/Moment of Silence**

The mayor led those present in a moment of silence.

**C. Pledge of Allegiance**

Council Member Strate directed everyone in the Pledge of Allegiance.

The mayor indicated it was time for public comments; no action would be taken on comments and those speaking should limit their comments to three minutes.

**II. PUBLIC COMMENTS**

**Jerry Cottrell, 5765 S 1075 E** – Mr. Cottrell began by referencing the movie “Ground Hog Day”. He said city council was a lot like the movie; they kept doing the same things over and over again. He felt the council had not resolved any issues concerning the land use authority. He asked the council members to take some action; any three could decide who the land use authority was. They could then move on to the next issue. The council should use their judgment and take control. There were no other public comments.

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

51 Mayor Minster invited any scouts or students to come forward. Johnny Commack, Troop 251  
52 introduced himself, saying he was there to earn his Citizenship in the Community Merit Badge.  
53 Council Member Benard presented him with a South Ogden City pin.

54 The mayor turned the time to City Manager Dixon in order to introduce a new employee. Mr.  
55 Dixon introduced Patti Randolph as the new HR Specialist. He said she came with great  
56 qualifications. Ms. Randolph came forward and told a little about herself. She also gave some of  
57 her work background and said she was happy to be working for the city.

58

59 **IV. CONSENT AGENDA**

60 **A. Approval of July 22, 2014 Special Council Meeting and August 5, 2014 Council Meeting**  
61 **Minutes**

62 **B. Set Date For Public Hearing (September 16, 2014 at 6 pm or as soon as the agenda**  
63 **permits) To Receive and Consider Comments on Proposed Amendments to the FY2015**  
64 **Budget**

65 **C. Ratify Approval of Bid Award to Granite Construction for Street Overlay**

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67 The mayor read through the items on the consent agenda and asked if there were any  
68 comments. Council Member Orr asked if the public hearing would take place at the  
69 park, since the next council meeting would be held there. City Manager Dixon said it  
70 would be up to the council to decide. The consensus of the council was to hold the  
71 public hearing at the park.

72 Council Strate then asked to comment. He apologized to the mayor and council members,  
73 as well as the public, for his remarks at the July 22, 2014 Special City Council Meeting.  
74 He was appalled that his comments appeared incompetent, incoherent and contradictory.  
75 He realized the minutes were important to conserve as an important legal document.  
76 He felt it was his responsibility to clearly communicate his ideas in a competent, coherent  
77 and cohesive manner. He then asked that the papers he had prepared be entered into  
78 the record as a clarification of his views concerning the Special Council Meeting of July 22,  
79 2014. He did not see a need to take the time to go over them point by point.

80 City Manager Dixon asked City Attorney Bradshaw what the procedure was for amending  
81 the minutes. Mr. Bradshaw said it was not normally done as Council Member Strate had,  
82 but the minutes of this meeting should reflect he submitted a written set of changes that  
83 he would like incorporated in the minutes of July 22<sup>nd</sup>. Council Member Porter asked if it  
84 would be an addition to the minutes, or take the place of what was printed before.

85 Council Member Strate said his intent was that they be added to the minutes, not to  
86 replace them. City Manager Dixon asked Council Member Strate how he was proposing  
87 adding the clarifications; as supplemental information to the minutes of tonight's meeting  
88 concerning the July 22<sup>nd</sup> meeting or with the July 22<sup>nd</sup> meeting minutes. Council  
89 Member Strate said he wished the clarifications attached to the July 22<sup>nd</sup> meeting, not  
90 entered in the minutes of the current meeting. Council Member Benard commented

91 they would then need to table the minutes so they would have time to see what Council  
92 Member Strate had written; the July 22<sup>nd</sup> minutes would not get approved that evening.  
93 Council Member Orr agreed. Council Member Benard said he felt it was inappropriate to  
94 add information that didn't exist at the meeting; Mr. Strate's written clarifications seemed  
95 to be written as a legal brief and Mr. Benard questioned whether Mr. Strate had help in  
96 preparing it. Mr. Strate said it was his own document. Mr. Benard said he was  
97 concerned, as he had seen an attorney in the audience giving Mr. Strate directions for the

98 past two meetings; Council Member Benard thought it was inappropriate. There was  
99 more discussion on the minutes. Council Member Porter asked if the existing minutes  
100 miss-stated Mr. Strate's comments, or if he just didn't say things the way he had wanted.

101 Mr. Strate said he did not want to sound accusatory and say he was miss-stated, so he  
102 would prefer to go with the second option. He then said he would do his due diligence  
103 and listen to the recording and then make the changes that were appropriate. He  
104 re-iterated that no attorney representing any agent had seen the written statements he  
105 had presented.  
106 Mayor Minster then read through items B and C in the consent agenda and asked for  
107 questions. There was some more discussion on the minutes and the best way to handle  
108 their approval or amendment. The mayor then called for a motion, reminding the  
109 council they could vote for all of the items on the consent agenda or on any of them  
110 separately.

111  
112 **Council Member Benard moved to approve the consent agenda, except for the approval**  
113 **of the July 22, 2014 Special Council Meeting Minutes. The motion was seconded by**  
114 **Council Member Porter. Council Members Benard, Porter, Orr, Strate and Smith voted**  
115 **aye.**  
116  
117

118 **V. DISCUSSION / ACTION ITEMS**

119 **A. Consideration of Resolution 14-20 – Approving an Agreement With PropertyRoom.com**  
120 **for Evidence Room Surplus Asset Management**

121 Mayor Minster invited Police Chief Darin Parke to comment on this agenda item. Chief  
122 Parke informed the council that PropertyRoom.com had years of experience in disposing  
123 of police evidence. He explained there were times when people donated guns or other  
124 items to the police department rather than disposing of the items themselves. Guns had  
125 to be sold according to federal guidelines; this company had the resources to sell the guns  
126 and follow the law. There were some questions from the council. Council Member Smith  
127 said he was concerned that a process be put in place to make sure the firearms were  
128 disposed of correctly and per the wishes of the people who turned them over to the police  
129 department. Chief Parkd explained that any guns turned over to the police were entered  
130 as if they were evidence and the same procedures were followed. He ensured the  
131 council that all city policies concerning surplus property had been and would be followed  
132 as well. There was no more discussion. Mayor Minster called for a motion.

133  
134 **Council Member Porter moved to adopt Resolution 14-20, followed by a second from**  
135 **Council Member Orr. Seeing no more discussion from the council, the mayor called the**  
136 **vote:**

138	<b>Council Member Porter-</b>	<b>Yes</b>
139	<b>Council Member Orr-</b>	<b>Yes</b>
140	<b>Council Member Benard-</b>	<b>Yes</b>
141	<b>Council Member Strate-</b>	<b>Yes</b>
142	<b>Council Member Smith-</b>	<b>Yes</b>

143  
144 **Resolution 14-20 was adopted.**  
145  
146

147 **B. Consideration of Resolution 14-24 – Approving Support of the “Keys To Our Community”**  
148 **Award for The Center for Community Engaged Learning at Weber State University**

149 City Manager Dixon commented about this resolution. He informed the council that  
150 Weber State University played a large role in all the communities in the  
151 Weber/Morgan/Davis County area. This resolution would be adopted by most of the  
152 communities in those counties as a way to show their gratitude for the partnerships they  
153 had with the university. South Ogden had benefitted a great deal from its partnership,

154 mostly through the internship program and recently in help from the university in creating  
155 and completing a community survey.  
156 The mayor asked for questions from the council, and seeing none, he called for a motion.  
157

158 **Council Member Strate moved to adopt Resolution 14-24, approving support of the**  
159 **“Keys To Our Community” Award for The Center for Community Engaged Learning at**  
160 **Weber State University. Council Member Smith seconded the motion. After**  
161 **determining there was no further discussion, the mayor made a roll call vote.**  
162

163	Council Member Strate-	Yes
164	Council Member Smith-	Yes
165	Council Member Porter-	Yes
166	Council Member Orr-	Yes
167	Council Member Benard-	Yes

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169 **Resolution 14-24 was approved.**  
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172 **C. Consideration of Resolution 14-25 – Declaring a 120 Day Moratorium on Receiving or**  
173 **Processing Applications for Zoning, Re-zoning, Issuance of Conditional Use Permits or**  
174 **Any Other Activity Requiring Approval From the Planning Commission or City Council**

175 The mayor turned the time to City Attorney Bradshaw to explain this item. Mr.  
176 Bradshaw reminded the council this moratorium was put in place so the council could go  
177 back and review some policies and procedures in the ordinance; this moratorium would  
178 ensure that they would be able to do that without being interrupted.  
179 Council Member Strate asked how this moratorium would affect permitted uses,  
180 specifically educational institutions and PRUDs. It was explained that if any use was  
181 permitted in the current zone and did not require review by the planning commission or  
182 city council, it would be allowed to move forward. There was some discussion on the  
183 scope of the moratorium and what it would cover. There was also some discussion on  
184 extending the current moratorium that covered a certain area of the city. Council  
185 Member Porter suggested the permitted uses that were of concern be added to the  
186 moratorium being considered that evening. There was some discussion on the  
187 comment; the council was not sure they were prepared to name the specific permitted  
188 uses that should be restricted. City Manager Dixon reminded the council the  
189 moratorium could be amended any time; they could add language that night or put it on  
190 the agenda for the next meeting to further refine it. Council Member Strate commented  
191 these efforts by the council would go a long way in showing good will toward residents of  
192 the community; perhaps it was time to get public comment on what the residents were  
193 concerned with. There was no more discussion. Mayor Minster called for a motion.  
194

195 **Council Member Porter moved to adopt Resolution 14-25, followed by a second from**  
196 **Council Member Smith.** Council Member Orr said she was unclear and asked if this  
197 moratorium would replace the current one. Council Member Strate also commented,  
198 saying he thought they were going to amend this moratorium. Council Member Smith  
199 replied they would not amend it because they were not certain as to how they wanted to  
200 amend it. There was further discussion by the council. Council Member Benard  
201 suggested the motion be restated so it was very clear to all what they were doing.  
202 **Council Member Porter amended his motion. He moved to adopt Resolution 14-25,**  
203 **adopting a 120-day moratorium, and letting the other moratorium run its course.**  
204 **Council Member Smith seconded the amended motion.** Council Member Strate asked if  
205 they could modify the other moratorium before the next meeting and then ratify it at the  
206 next council meeting. City Manager Dixon pointed out the previous discussion had been  
207 to modify at a future meeting the moratorium being approved that evening; if the council

208 could determine that evening what the modifications should be, they could add it to the  
209 motion now and approve them. The council's consensus was to wait until they could  
210 determine what the amendments should be. City Manager Dixon asked the council to  
211 send him the changes they would like to see made on the moratorium. **There was no**  
212 **more discussion; the mayor called the vote:**

214	<b>Council Member Porter-</b>	<b>Yes</b>
215	<b>Council Member Smith-</b>	<b>Yes</b>
216	<b>Council Member Strate-</b>	<b>Yes</b>
217	<b>Council Member Benard-</b>	<b>Yes</b>
218	<b>Council Member Orr-</b>	<b>Yes</b>

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220 **Resolution 14-25 was approved.**

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223 **D. Presentation by Bailey White – GBS and Consideration of Resolution 14-26 – Approving**  
224 **an Agreement With Marquee Health for Wellness Program Services**

225 City Manager Dixon explained Bailey White was unable to attend that evening, however,  
226 City Treasurer Holly Kenison was present to present the program and answer questions.  
227 Ms. Kenison said most employees were excited to have a wellness program. She gave  
228 some background information on the reasons for wellness programs, and how the  
229 proposed wellness program would work. The council asked Ms. Kenison several  
230 questions; they were concerned about participation in and the actual benefits of a  
231 wellness program. City Manager Dixon said one of the deciding factors of going with the  
232 Marquee Wellness Program was the biometric screening and individualized plans. The  
233 hope was that the employees would value the program, but if it came to the point it was  
234 not being utilized, it would be cancelled. The council discussed the pros and cons of a  
235 wellness program and asked Ms. Kenison questions. There was no further discussion;  
236 Mayor Minster entertained a motion concerning Resolution 14-26.

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238 **Council Member Benard moved to adopt Resolution 14-26, followed by a second from**  
239 **Council Member Orr. There was no further discussion. The mayor made a roll call**  
240 **vote:**

242	<b>Council Member Benard-</b>	<b>Yes</b>
243	<b>Council Member Orr-</b>	<b>Yes</b>
244	<b>Council Member Porter-</b>	<b>Yes</b>
245	<b>Council Member Strate-</b>	<b>Yes</b>
246	<b>Council Member Smith-</b>	<b>Yes</b>

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248 **The motion was approved.**

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251 **E. Discussion on Capital Outlay**

252 City Manager Dixon turned the time to City Finance Director Steve Liebersbach. Mr.  
253 Liebersbach reviewed some of the materials he had included in the packet. The council  
254 asked questions concerning the leave and retirement liability and the city's obligation.  
255 Mr. Liebersbach explained the city did not need to fund the leave liability at 100%; some  
256 of those moneys could be used for capital outlay. Mr. Dixon referred the council to the  
257 handout in the packet which showed the money available for capital outlay depending on  
258 what percentage of the fund balance the council was comfortable spending down to. He  
259 had highlighted in yellow a possible scenario for the council to consider; spending down to  
260 18% of the general fund and funding 50-70% of the leave liability. This scenario would  
261 potentially provide \$250,000 to \$425,000 one-time monies. Mr. Dixon then referred the

262 council to the handout of the prioritized departmental capital requests, and his attempt at  
263 showing how some of the capital money might be used.  
264 Council Member Smith commented he would like to have some oversight as to where the  
265 money goes. Other council members agreed. Council Member Porter pointed out they  
266 needed to decide first how much capital outlay they were comfortable appropriating.  
267 He said he was comfortable being at 17% of the general fund and funding 70% of the leave  
268 liability; he would also be comfortable at 65% of the leave liability. Council Member  
269 Strate said he agreed with Council Member Porter, but was willing to go to 60% or 50% in  
270 funding the leave liability, but then designating that the extra money be used for  
271 rebranding. Council Member Benard said he was somewhere between 17% and 18% of  
272 the fund balance and 70% of leave liability. He wanted to make sure the city would have  
273 money available to be able to purchase property that may become available in the future.  
274 The council then discussed funding specific item requests as opposed to just allocating an  
275 amount to each department regardless of whether it would be enough to fund any of the  
276 requests. The council determined they wanted to allocate enough money to fund  
277 certain projects. They instructed City Manager Dixon to put the budget amendment on  
278 the next agenda. Staff should prepare a proposal as to how the capital money would be  
279 allocated, the ordinance should be prepared and the public hearing held.  
280

281 **F. Review of Bike Plan**

282 City Manager Dixon reminded the council they had already looked at the bike plan, made  
283 a few revisions, and it was waiting to go through the process to adopt it as part of the  
284 general plan. However, staff wanted the council to be aware of some parking situations  
285 with the current plan. Parks and Public Works Director Jon Andersen explained that  
286 under the current bike plan, some roads would have to prohibit parking in order to  
287 provide enough room for a dedicated bike lane; one of these streets was Burch Creek  
288 Drive/Adams Avenue. City Manager Dixon pointed out that all streets designated in  
289 yellow on the plan would prohibit parking in order to allow a bike lane. The council  
290 discussed the matter and determined that all the lanes designated in yellow should be  
291 changed to green in order that parking still be allowed. However, if it were possible to  
292 still meet standards, they would like a bike lane designated with a line as well as signs.  
293

294 **G. Review and Approval of Letter to UDOT Concerning Intersection of Highway 89 and**  
295 **Sunset Drive**

296 City Manager Dixon said Police Chief Darin Parke had drafted the letter based on the  
297 desire of the council to let UDOT know of their concerns about the intersection of  
298 Highway 89 and Sunset Drive. Council Member Benard noted that there were some  
299 school crossing signs at the intersection, but the letter seemed to indicate there weren't  
300 any. Council Member Porter suggested the word "more" be added, so it would say  
301 "more school crossing or pedestrian crossing signs". City Manager Dixon had the letter  
302 in a Word file, so he made the change right then so the letter could be signed that evening  
303 by members of the council. Council Member Benard suggested the letter read "more  
304 school crossing or enhanced pedestrian crossing signs". The changes were made and the  
305 letter was printed.  
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308 **VI. DEPARTMENT DIRECTOR REPORTS**

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

310 Mr. Andersen had stepped out of the room temporarily, so the mayor moved to Chief  
311 Parke's report.

312 **B. Police Chief Darin Parke – Donations**

313 Chief Parke said he wanted to recognize a donation from an area charter school, Quest

314 Academy. The students at the school had held a fundraiser in order to purchase a  
315 bullet proof vest for the city's dog. They had raised \$833.93. The city appreciated  
316 the donation.

317  
318 The mayor then turned the time to Parks and Public Works Director Jon Andersen for his  
319 report. Mr. Andersen reported on several projects:

320  
321 **Chambers Road Project** – laying of the asphalt should be completed that evening. The  
322 only work remaining after that would be raising the manhole covers and some minor  
323 cement work. It should all be completed in a week and a half.

324 **1075 East Street Road Project** – Work had begun that day.

325 **Street Overlay Projects** – They were waiting for a bond to be issued. Mr. Andersen  
326 hoped to have some dates for the work to be done at the next council meeting.

327 **Crack Seal** – The work had begun. They estimated the work would be done in two to  
328 three weeks.

329 **Willow Wood Water Line Project** – They had begun putting in individual water services  
330 the previous week. The remaining work should go quickly.

331 **Tennis Court at Friendship Park** – The work had been completed the previous Friday.  
332 The courts were now open for use.

333 **Washington Terrace Road Project** – Mr. Andersen had begun receiving updates of the  
334 project indicating Adams would be closed until September 7<sup>th</sup>. He had also verified  
335 some of the changes to 5300 South that would take place as a result of the project. He  
336 showed the council a drawing (see Attachment A) of the projects and described who  
337 would be responsible for maintaining certain areas of the street. He assured the  
338 council the road met the city's standards. The council asked some questions concerning  
339 right-of-ways and then concluded the discussion. Council Member Smith asked that  
340 Mr. Andersen watch the work being done and also the effects of the re-alignment to  
341 make sure the needs of South Ogden's businesses in the area were being met.

342 **Annexation Report** – The engineer had completed the report and it had been given to  
343 the planning commission for their review and recommendation.

344 **Nature Park Restroom** – They were waiting to hear from the county as to what their  
345 requirements were going to be. The structure itself was sitting in the shop, ready to be  
346 installed.

347  
348 VII. **REPORTS**

349 A. **Mayor** – reminded those present of the Senior Center Barbeque on September 8<sup>th</sup> at  
350 11:30 am. If members of the council wanted to help with the barbeque, they should  
351 be there at 10:30.

352  
353 B. **City Council Members**

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

355 **Council Member Strate** – wanted to clarify that he would not enter his comments  
356 about the special meeting minutes into that evening's minutes. He felt the best  
357 thing would be to have Mr. Bradshaw give him direction as to the best way to amend  
358 a record. He appreciated that the city was trying to be pro-active concerning its  
359 zoning.

360 **Council Member Benard** – nothing to report.

361 **Council Member Orr** – expressed concern about a property on 4500 South. The  
362 property had been a problem for a long time with code enforcement issues. She  
363 said neighbors were concerned and wondered if the city could give out more  
364 information as to what was being done about the problem.

365 She also asked if some information concerning opting out of paper utility billing as  
366 well as online payment options could be put in the next newsletter.  
367 Ms. Orr then concluded her report by reminding those present of the upcoming  
368 Communities That Care picnic at 40<sup>th</sup> Street Park from 5:30 to 6:30.

369 **Council Member Porter** – pointed out the reason there had been problems at the  
370 home Council Member Orr had concerns about, was because the address was 666.  
371 It seemed to have caused problems in the past. He wondered if the address could  
372 be changed.

373  
374 C. **City Manager** – Mr. Dixon explained more about the community survey and Weber  
375 State University’s involvement in it.  
376 He then reported the city had received nine proposals for the city’s rebranding; it would  
377 take staff awhile to read through the more than 400 pages involved. He anticipated  
378 that as the list was narrowed to the last few finalists, the council would be involved to  
379 decide who they wanted to do business with.  
380 Mr. Dixon then informed the council he had met with those involved in the Harrison  
381 Boulevard/Highway 89 interchange. He wanted the council to be aware that one of  
382 the medians was around 40,000 square feet, and the city may want to consider looking  
383 into the design and landscaping of the median and even contributing some funds to  
384 enhance it. The city could relocate the “Welcome to South Ogden” sign to the median  
385 as well as add trees or other features to make it very nice. The project would go out to  
386 bid next February, allowing the city time to incorporate any signage in relation to its  
387 rebranding.  
388 Mr. Dixon then reported he would be out of town September 12-17<sup>th</sup> attending his IMCA  
389 Conference. He also reminded the council of the city’s Fiesta Fiesta event on September  
390 19<sup>th</sup>, from 5 to 9 pm.  
391 He then talked about the Weber County Recreation Master Plan that several entities  
392 had been involved in. The hope was that by combining resources and needs, entities  
393 in the county could create recreation opportunities. The intention was that RAMP  
394 funds would completely fund the creation of the master plan. The council may be  
395 seeing a resolution declaring their support for the program and plan, and Mr. Dixon  
396 emphasized there had been no discussion that those involved would be expected to  
397 contribute any money to make the project happen.  
398 Next, City Manager Dixon said staff had completed the first performance metrics report;  
399 he had sent it to the council as well as posted it on the website. He asked the council  
400 for some feedback on the report.  
401 Mr. Dixon concluded his report by reminding the council of Open Mic Night at the  
402 amphitheater on September 10<sup>th</sup> from 7 to 9 pm.

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404  
405 D. **City Attorney Ken Bradshaw** – nothing to report.  
406

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409 VIII. **ADJOURN**

410 Mayor Minster then indicated it was time to adjourn the meeting and called for a motion to  
411 do so.

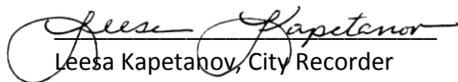
412 **At 8:53 pm, Council Member Strate moved to adjourn, followed by a second from Council**  
413 **Member Orr. The vote to adjourn was unanimous.**

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Not Approved

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Council Meeting held Tuesday, September 2, 2014.

  
Leesa Kapetanov, City Recorder

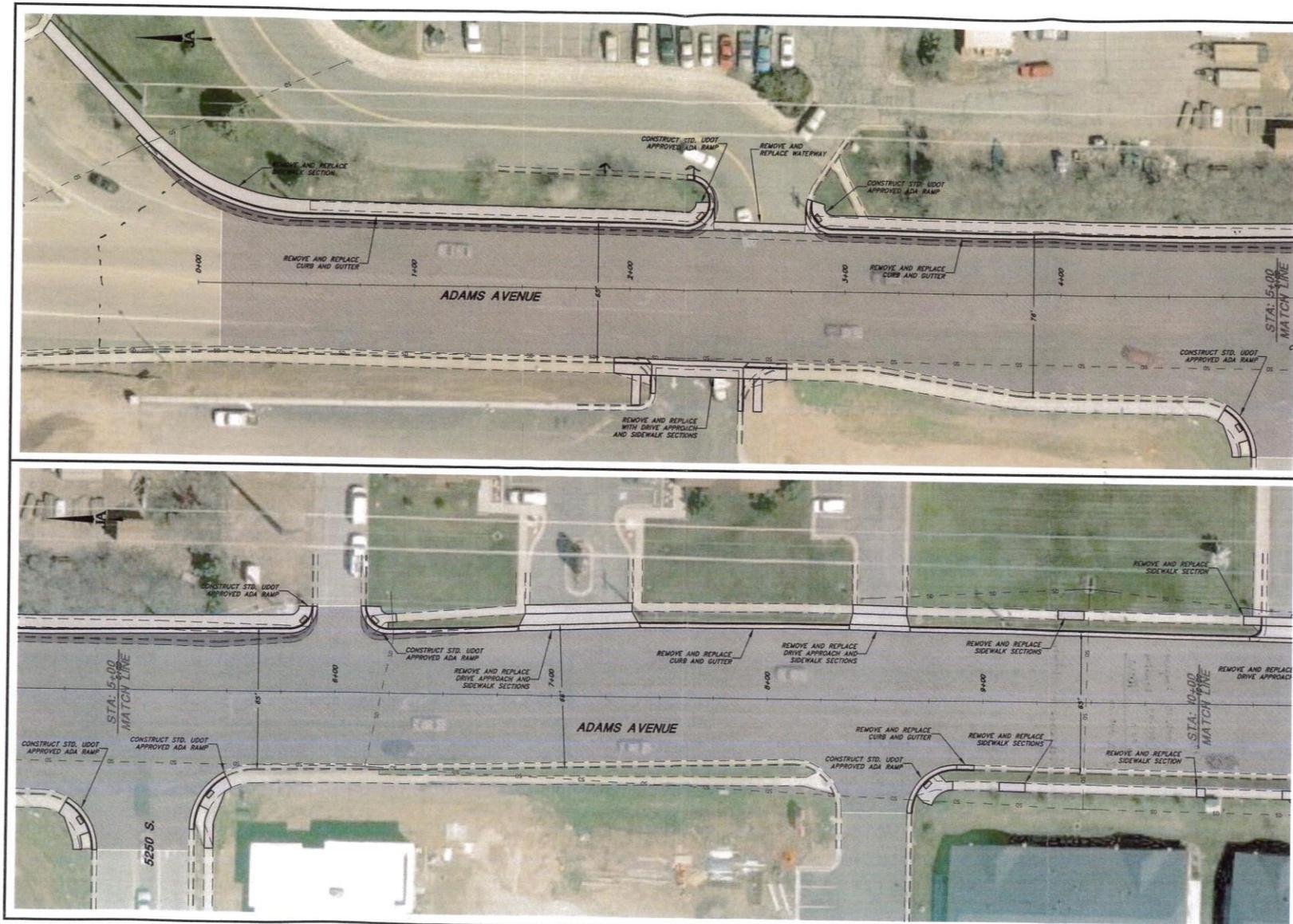
Date Approved by the City Council \_\_\_\_\_

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**Attachment A**

Washington Terrace Street Project Drawing

Not Approved



**J.A.** CONSULTING ENGINEERS  
**JONES & ASSOCIATES**  
 1716 East 2600 South  
 South Ogden, Utah 84403  
 PH - (801) 476-2929 F - (801) 476-2928

WASHINGTON TERRACE CITY CORPORATION  
 STP CONCEPT REPORT - ADAMS AVE. RECONSTRUCTION  
**PRELIMINARY DESIGN**  
**ADAMS AVENUE RECON.**

DATE	DESCRIPTION

SCALE:  
 24" = 100'  
 1" = 20'  
 1/4" = 10'

SLS REVIEWED  
 SLS DRAWN  
 SLS CHECKED

SHEET:  
**2**  
 OF 1 SHEETS

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**MINUTES OF THE  
SOUTH OGDEN CITY COUNCIL MEETING  
Tuesday, September 16, 2014 – 6:00 p.m.  
Madison Park  
4100 Madison Avenue**

**COUNCIL MEMBERS PRESENT**

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

**STAFF MEMBERS PRESENT**

City Attorney Ken Bradshaw, Parks and Public Works Director Jon Andersen, Chief of Police Darin Parke, Supervisor Jason Brennan, Public Works Maintenance Workers Payden Vine and Dan Thompson, and Recorder Leesa Kapetanov

**CITIZENS PRESENT**

Jerry Cottrell, Walt Bausman, Vickie Mattson, Craig Hanni, Leo Eisbach, Lanette Weeks, Addison Weeks, Victor Dea, Brenton Strate, Conlin Harwood, Austin Miller, Makenna Dillingham, Ami Dillingham, Brevan Benard, Hannah Smith, McKell Carter

**I. OPENING CEREMONY**

**A. Call to Order**

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

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

The mayor welcomed everyone to Madison Park for that evening's council meeting.

**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.

The mayor indicated it was time for public comments; no action would be taken on comments and those speaking should limit their comments to three minutes.

**II. PUBLIC COMMENTS**

**Jerry Cottrell, 5765 S 1075 E** – Mr. Cottrell stated he would like to enter a letter from Mr.

49 Gary Boyer into the record. Mr. Boyer was unable to attend that evening's meeting, but  
50 wanted his comments entered into the record (see Attachment A). Mr. Cottrell then  
51 made some comments. He pointed out there was nothing on the agenda concerning  
52 critical zoning issues. He also noted that a previous statement not allowing people to  
53 comment on items on the agenda had been removed; he felt this was a good move as it  
54 allowed free speech. He went on to say he had compared South Ogden's council  
55 meetings with Riverdale's council meetings. Riverdale's council seemed to be able to  
56 interact with its citizens, whereas South Ogden's did not. Residents felt that the city  
57 council did not listen or care about them. He suggested an item be added to the agenda  
58 called "Responses to Public Comment" or even one called "Old Business" and giving a  
59 recap of issues previously raised and what had or would be done to address the issues.  
60 (Mr. Cottrell also gave a written copy of his comments for the record. See Attachment B).  
61 **Walt Bausman, 5792 S 1075 E** – said he had reviewed Ordinance 13-11 that replaced the  
62 Board of Adjustment with a hearing officer. It did not change the process of the appeal  
63 as noted in 10-1-14; there was no authorization for the change. It was not noted in the  
64 ordinance nor the regulations. The conditional use application changed the process of  
65 the appeal this year; it went from the recommendation of the planning commission to the  
66 city council, and now it goes to the hearing officer, taking the council out of the picture as  
67 the land use authority. The changes were not authorized; there was no reference in  
68 council minutes or planning commission minutes about it. The only place the planning  
69 commission was listed as the land use authority was in Mr. Lindberg's written decision on  
70 page three item five. Mr. Bausman hoped the council would look at the regulations and  
71 make them consistent with one another.  
72 **Craig Hanni, 4181 Liberty** – said he was dismayed about the Good Landlord Program. He  
73 had taken the class and thought it was good, however he wondered what the city was  
74 doing with the program. He had not noticed any real changes due to the program. He  
75 still noticed the same junk piles around the city. He felt the city did not enforce the  
76 ordinances already on the books. Many people had been against the program, and yet it  
77 had still passed.  
78 **Colleen Kapp, 4410 Orchard Avenue** – Ms. Kapp said she had lived on Orchard Avenue for  
79 59 years and the road had been paved one time. The city had done repairs and put ugly  
80 black marks all over the road. It added to the state of decay for the north part of the  
81 city. Washington Terrace had recently paved all their roads; why could they do it and  
82 South Ogden not? Ms. Kapp also mentioned that other cities had officers that went  
83 around and looked for things that needed to be cleaned up. She also would like to see  
84 the city make people clean up the weeds growing up between the curb and pavement.  
85 She asked the city to make it look like it used to.

### 86 87 88 **III. RECOGNITION OF SCOUTS/STUDENTS PRESENT**

89 Mayor Minster invited any scouts or students to come forward. Council Member Orr asked the  
90 scouts to introduce themselves and tell why they were there. She also presented each scout with  
91 a South Ogden City pin. The scouts were from Troop 461, Holy Family Catholic Church, and were in  
92 attendance to earn their Citizenship in the Community merit badge. They included Jack Durbano,  
93 Nicholas Polzin, Avery Pomerly, Wesley Durbano, Mason Winterton, Levi Eisbach, Jack Urry, and  
94 Andrew Williams. Leaders present were Scout Master Jed Durbano and Cub Master Mike Polzin.

### 95 96 **IV. CONSENT AGENDA**

- 97 **A. Approval of August 19, 2014 Council Minutes and Previously Tabled July 22, 2014 Special**  
98 **Meeting Minutes**  
99 **B. Approval of August Warrants Register**

- 100 C. Ratify Bid Award to Advanced Paving and Construction for Willow Wood Road Project  
101 D. Ratify Advice and Consent of the Appointment of Jody K. Burnett As Hearing Officer Pro  
102 Tempore  
103 E. Approval of Proclamation Declaring September 17-23, 2014 as Constitution Week in  
104 South Ogden City

105  
106 The mayor read through the items on the consent agenda. After reading item E, he  
107 invited Vickie Mattson to come forward. She gave a history of Constitution Week in the  
108 United States and encouraged organizations and individuals to ring a bell at 4 pm on  
109 September 17<sup>th</sup> to commemorate the signing of the constitution. She then presented  
110 the mayor with a small bell. Mayor Minster read through the proclamation and asked if  
111 there were any questions concerning items on the consent agenda.

112 Council Member Strate said he had listened to the audio tape of the July 22, 2014 special  
113 meeting and had only one word to correct in the minutes. The word was "appeal" on  
114 line 116; he had meant to say "land use". He would like to replace "appeal" with "land  
115 use". Mr. Strate then asked Parks and Public Works Director Jon Andersen about the  
116 ratification of the bid award. He did not remember seeing an email asking about the bid  
117 award. Mr. Andersen indicated the city manager was supposed to have sent an email,  
118 but had not.

119 Council Member Benard then pointed out a typo on the proclamation; the heading said  
120 September 27<sup>th</sup> as the end date, but the body said the 23<sup>rd</sup>. He thought the heading  
121 needed to say September 23<sup>rd</sup>. Mr. Benard then questioned the changes proposed by  
122 Council Member Strate. It was his understanding the minutes should reflect what was  
123 actually said, and the words "appeals" and "land use" were so completely different in  
124 meaning, one could not be substituted for the other. Council Member Benard wanted to  
125 be clear on if Mr. Strate had said "land use" and the minutes were incorrect and said  
126 "appeal", or if he had actually said the word "appeal". Council Member Strate clarified  
127 he had said the word "appeal", but it was plainly a miss-speak. He felt it was a judgment  
128 he could make and would just as soon make the minutes a transcript, but then said he did  
129 not want to do that either. He had read about minutes and what they should be, and  
130 they were not meant to be a transcript. Since the rest of the council had given him the  
131 time to go over the recording and the minutes, he felt it was reasonable and honorable to  
132 make the one change. If they felt the change should not be made, he would not insist on  
133 it. Council Member Porter said the minutes should not change to what was meant but  
134 not said, but should reflect what was said. Council Member Smith agreed that the  
135 minutes should reflect what was said. The record of minutes was kept so that they could  
136 be referred to at a later date, and if they did not match the recording, how could they  
137 justify the difference.

138 Council Member Strate said he would withdraw his correction to the minutes, but asked  
139 that his comments during his report of the August 19<sup>th</sup> minutes be written in the exact  
140 words of the transcript.

141 Council Member Orr then drew the council's attention to the charges paid for the  
142 Siemens's light project. She requested that staff be diligent in keeping track of the  
143 money the city was getting back. She also asked what the life expectancy on the Willow  
144 Wood Road Project was. Mr. Andersen replied the contract was guaranteed for one  
145 year, but the life of the road should be ten to twenty years. If the crack seal, chip seal  
146 and slurry seal were done at the right times, the life of the road would be increased.  
147 Mayor Minster then called for a motion on the consent agenda.

148  
149 **Council Member Strate moved to approve the consent agenda, with the provision that**  
150 **his report section of the August 19, 2014 minutes be written as a transcript. Council**  
151 **Member Porter seconded the motion. There was no further discussion on the motion.**  
152 **The mayor made a roll call vote.**

153	Council Member Strate-	Yes
154	Council Member Porter-	Yes
155	Council Member Orr-	Yes
156	Council Member Benard-	Yes
157	Council Member Smith-	Yes

158  
159           The motion passed.  
160

161 **V. PUBLIC HEARING**

162       **A. To Receive and Consider Comments on the Proposed Amendments to the FY2015 Budget**  
163       **Concerning Capital Outlay**

164       Mayor Minster indicated the public hearing needed to be tabled until the next meeting and  
165       called for a motion to do so.  
166

167       **Council Member Porter moved to table the public hearing on the proposed amendments**  
168       **to the FY2015 budget. The motion was seconded by Council Member Orr. The vote was**  
169       **unanimous to table the public hearing.**  
170  
171

172 **VI. DISCUSSION / ACTION ITEMS**

173       **A. Consideration of Ordinance 14-11 – Amending the Consolidated Fee Schedule**

174       City Attorney Ken Bradshaw explained this ordinance made a couple of housekeeping  
175       changes to the consolidated fee schedule. Council Member Benard asked about the  
176       category called “Appeals”. Mr. Bradshaw said that item was a duplication and so had been  
177       eliminated. The item it duplicated appeared on another page that was not included in the  
178       packet. Mr. Benard asked what the title of the other item was. Mr. Bradshaw could not  
179       recall. There was some discussion and clarification of some of the other items on the  
180       consolidated fee schedule. Mayor Minster then called for a motion.  
181

182       **Council Member Smith moved to adopt the Ordinance 14-11 amending the consolidated**  
183       **fee schedule. Council Member Orr seconded the motion. The mayor asked if there**  
184       **were further discussion.** Council Member Benard asked if there was a time crunch for this  
185       item. Mr. Bradshaw indicated there was not. Mr. Benard asked if the item could be  
186       tabled until they could see the revised page; he did not feel comfortable adopting  
187       something he hadn’t seen. **Council Member Smith then said he would like to change his**  
188       **motion. He moved to table Ordinance 14-11 until the council could view the missing**  
189       **page. Council Member Orr seconded the revised motion. The mayor then made a roll**  
190       **call vote.**  
191

192	Council Member Smith-	Yes
193	Council Member Orr-	Yes
194	Council Member Porter-	Yes
195	Council Member Benard-	Yes
196	Council Member Strate-	Yes

197  
198       **Ordinance 14-11 was tabled.**  
199  
200

201       **B. Consideration of Ordinance 14-12 – Establishing and Adopting a Moratorium on Receiving**  
202       **or Processing Applications for Zoning, Re-Zoning, Issuance of Conditional Use Permits Or**  
203       **Permits For Educational Institutions Or Planned Residential Unit Developments Or Any**

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**Other Activity Requiring Approval From The Planning Commission Or City Council For 120 Days**

The mayor asked City Attorney Bradshaw to comment on this item. Mr. Bradshaw reminded the council they had discussed the possibility of amending the moratorium that had been adopted at their last meeting. This ordinance made the changes the council had discussed, including adding educational institutions and PRUDs as well as making changes to section two, indicating that prior Resolution 14-19 would remain in effect as previously adopted. Council Member Orr clarified that the essence of Resolution 14-19 was still in effect. Mr. Bradshaw said it was a moot point now, as the 90 day duration of the moratorium enacted by Resolution 14-19 had expired; he had been instructed to include the wording in this ordinance so he had done so. Council Member Strate said it was his understanding a moratorium could only go 180 days, and said the other moratorium would exceed that. Mr. Bradshaw explained the first moratorium, which only included a small area, had already expired and was no longer in effect. The moratorium amended at this evening’s meeting was different in a few ways; it covered the entire city and included elements that were different from the first moratorium, however, there was nothing from prohibiting a city to have several moratoriums in effect at the same time. Council Member Strate was concerned the city would not be able to accomplish what it needed to in the time allotted. Mr. Bradshaw said he had made the duration of the moratorium for 120 days, realizing that by human nature, things would not happen until the very end. By making the moratorium for 120 days, they could extend it 60 days if they ran out of time at the end. Council Member Benard said they had discussed previously the desire to not shut down everything in the city and asked if this moratorium would do that. Mr. Bradshaw explained this moratorium would not prohibit anyone from replacing a furnace or remodeling their home, which did not require planning commission or city council approval. There was some discussion on what would be prohibited, specifically new commercial construction. It was determined that if the moratorium was holding something up, staff would inform the council and appropriate action would be taken. Mayor Minster entertained a motion to adopt Ordinance 14-12.

**Council Member Porter moved to adopt Ordinance 14-12, followed by a second from Council Member Strate. Seeing no further discussion, the mayor made a roll call vote:**

<b>Council Member Porter-</b>	<b>Yes</b>
<b>Council Member Strate-</b>	<b>Yes</b>
<b>Council Member Smith-</b>	<b>Yes</b>
<b>Council Member Benard-</b>	<b>Yes</b>
<b>Council Member Orr-</b>	<b>Yes</b>

**Ordinance 14-12 was adopted.**

**C. Discussion on Regulation Signs at Nature Park**

Mayor Minster reminded the council that Pathways had established and created some signage the city had adopted for the Nature Park, as it was a designated Pathways trail. He then indicated Council Member Smith had asked for this topic to be placed on the agenda and turned the time to Council Member Smith. Mr. Smith said he realized the Pathway signs were there, but they did not address the problems seen in the park. He felt the city should create signs specific to its needs, e.g. dog issues and skateboards. If a simple sign would take care of the problem, it needed to happen and happen now. Council Member Orr agreed. She said there was one sign in the park to say dogs needed to be kept on a leash, but it was very small and easily bypassed. Council Member Smith said

257 he had taken photos of signs in other cities to use as examples. Council Member Strate  
258 suggested a way be found to limit entrance to the park to foot or bike traffic only. Mayor  
259 Minster told the council to let Parks and Public Works Director Jon Andersen know what  
260 they wanted and he in turn could bring back some proposals. Council Member Smith  
261 asked that it be done by the next council meeting.  
262  
263

264 **VII. DEPARTMENT DIRECTOR REPORTS**

- 265 **A. Parks and Public Works Director Jon Andersen – Project Updates**  
266 Mr. Andersen said there were fewer projects as it was getting to the end of the construction  
267 season, but he did have some projects to report on.
- 268 **Chambers Road Project** – this project was almost complete; there was only some small  
269 concrete, clean-up and landscape work left.
- 270 **1075 East Road Project** – the asphalt had been removed. The original work had  
271 specified only going down fourteen inches, but a few bad spots had been discovered  
272 where they would need to go down twenty three inches. They would also begin doing  
273 concrete work soon.
- 274 **Overlay Projects** – the preconstruction meeting would be held tomorrow at 1 pm and  
275 work would begin soon after.
- 276 **Crack Seal** – about one third of the streets in the city needing crack seal were completed.
- 277 **Willow Wood Water Line Project** – this project was complete.
- 278 **Willow Wood Road Project** – the preconstruction meeting was set for the next Monday.  
279 Work would begin shortly after.

280

281

282 **VIII. REPORTS**

- 283 **A. Mayor** – reminded everyone that Fiesta Fiesta would be on the upcoming Friday night  
284 beginning at 5 pm at the Browning Armory. He invited all to attend.  
285
- 286 **B. City Council Members**
- 287 **Council Member Smith** – had been contacted by some residents about “Dog Docking”.  
288 Several cities hosted dog docking events where dogs competed in retrieving items from  
289 water. The draw for the events was very large. He asked staff to look at it for a South  
290 Ogden Days event.  
291
- 292 **Council Member Strate** – had received comments about the new digital sign for the new  
293 car wash. People thought it was too bright. He asked if the city could do something  
294 about the intensity of the lights.  
295
- 296 **Council Member Benard** – thanked staff for getting the tennis courts at Friendship Park  
297 up and running. He also pointed out it was everyone’s responsibility to let people know  
298 when they were not following the law, especially in the parks. He had told someone at  
299 the Nature Park that their dog should be on a leash, and had also let them know about the  
300 off-leash dog area. Mr. Benard said he was not sure that signs would work at the Nature  
301 Park, but it was up to the citizens to let others know when they were breaking the law.  
302
- 303 **Council Member Orr** – she had also had a complaint about the digital sign for the  
304 carwash; it was a concern. Ms. Orr then stated she had received more complaints on the  
305 home at 666 45<sup>th</sup> Street. She asked if Chief Parke could supply her with a list of the calls

306 made to the home. Chief Parke asked Council Member Orr to stop by the office to visit  
307 with him about the issue.  
308 She then concluded her report by letting everyone know she and the mayor would be  
309 going to St. George in conjunction with the Communities That Care Program; they would  
310 be attending a substance abuse conference.

311  
312 **Council Member Porter** – thanked everyone in attendance for coming out that evening.  
313 He knew there were things in the city that needed to be worked on and they would try to  
314 respond to concerns.

315  
316 C. **City Manager** – was excused from the meeting to attend a conference.

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318  
319 D. **City Attorney Ken Bradshaw** – nothing to report.

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322  
323 **IX. ADJOURN**

324 Mayor Minster then indicated it was time to adjourn the meeting and called for a motion to  
325 do so.

326 **Council Member Smith moved to adjourn, followed by a second from Council Member Porter.**  
327 **The vote to adjourn was unanimous. The meeting ended at 7:18 pm.**

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344 I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City  
345 Council Meeting held Tuesday, September 16, 2014.

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348 Leesa Kapetanov, City Recorder

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350 Date Approved by the City Council \_\_\_\_\_

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**Attachment A**  
Letter from Gary Boyer

Not Approved

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Monday, September 15, 2014

Dear City Council,

I am giving my thoughts for the purpose of talking about the Planning Commission decisions. This Board convened this past week. As the meeting moved progressed, it became obvious that very little direction was given regarding subjects being addressed. Based on their responses, they appeared to be totally in the dark.

I would like to take a few moments and point out some of the perceived weak points used in their conversation, and ultimately their decision. There were at least three separate and distinct issues.

- **Incorporation of the Uintah Highlands.** If my understanding is correct, the issue has presented itself on several occasions. I had assumed that we brought them into the fold several years ago. If they want to be part of South Ogden, the recommendation is to look at the cost/benefit analysis which I assume has yet to be done. The next question would be, does their property taxes offset the cost of police and other services? What is the condition of their infrastructure? None of this was discussed by the Planning Board. If there was paperwork given to the Board prior to the meeting, there was no mention made or explanation as to the detriment in making a determination.

- **Request to review Zoning issues for South Ogden City.** The purpose of the moratorium in South Ogden was to revisit current codes and regulations regarding Zoning issues. Many cities throughout the Utah, including Salt Lake City have redone their current zoning regulations. The purpose is to protect the cities from those who have found loop-holes in the law that circumvent the law. A great example of this is the current rage of "Sober Houses". These are homes wherein landlords are buying up homes and then putting drug addicts into the home. They can have as many as 6-15 addicts living in the same home. Usually, it is two occupants to a bedroom. When you start to put these houses throughout the community, suddenly you have a drug dealer's haven, which rips at the very threads of a community. Quoting from a City Council Member in California, "The existence of these unregulated homes has become a living Hell for their city." In most communities or homes, the core of the Community becomes the family which ties and binds everyone. Yet there is no common thread in a Sober Home. All are individuals coming and going at a whim.

Cities are finding ways to protect their community from the "Bending of these current regulations or the subverting of their intended purpose". They are trying to protect the rights of all individuals while acknowledging the Fair Housing laws. Our laws are currently about 17 years old and need to be updated. The Planning Board seemed to have been given no reason, purpose, or guidance for reviewing the current zoning in South Ogden. They were completely oblivious to the issues.

- **Annexation of the Stephen's Farm Property located in South Ogden.** My concern with the negative response from the meeting was again, the Planning Board was not conversant with Development within a city. It was their understanding that the city pays the developmental costs, and therefore did not want to burden the current tax payer. The fact is that the developer(s) are responsible for the infrastructure. The cost is passed on to the homebuyer in the purchase price of the lot, and ultimately the home. This also includes the cost of the building permit. Currently, this building permit costs the contractor about \$15,000 per building

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permit. This money is for impact fees associated with building and used by the city. These monies have been a source of revenue for cities for years.

Let's use and example at the magnitude of the proposed annexation. If there are 400 acres that fit within the boundaries of the city and you determine the density is 4 houses to the acre, you would have a combined 1600 homes in the project. At a permit fee of \$15,000, the gross amount of revenue belonging to the City becomes \$24,000,000. That goes directly into the coffers of the city.

Also, with that type of development, commercial properties follow to meet the needs of the increasing population which increases the sales tax revenue. If there is anything that South Ogden needs, it is Sales Tax Revenue! Commercial property vacancy rates decrease along with increased pride in the City.

I ask that you to take a guiding hand in these issues that affect our community. Leadership occurs from the front. We cannot hide in the shadows. As a final note, lets figure out who the Land Use Authority really is. The State Law requires it to be the Elected Officials, which is our City Council. That is who I want making decisions for me!

Thank you.  
Gary Boyer  
5925 S. 1075 E.  
South Ogden, Utah 84405

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**Attachment B**

Written Comments from Jerry Cottrell

Not Approved

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Happy Groundhog Day to one and all. I see we have a jam-packed agenda tonight; too bad there just isn't enough time to address any of the many critical zoning issues; but at least we may get a Constitution Week declaration. Some might consider that frivolous, but I happen to think the Constitution is pretty important. In that vein, I want to commend the City for finally recognizing the 1st Amendment is applicable in these meetings. I say that because I note that the agenda no longer shows that the City will attempt to stifle free-speech. I am referring to the previously stated prohibition on public comment regarding topics on the agenda. I hope that this means that we will soon see revisions in the wording in your handouts and agendas for other meetings as well.

My topic for this evening is the City's handling of public comments. I understand that at least some of you are inclined to rethink this "no comment" policy concerning public comments and I want to encourage that kind of thinking.

I wondered how other cities handle this so I attended 4 or 5 five Riverdale City Council meetings. I was able to do that in a single morning since audio recordings of their meetings are on the web.

I want to tell you about just two of those Riverdale meetings.

Feb 4, 2014 -- two South Ogden residents, Bethany Michaels and Alexandros Koloveas, both students at Bonneville, talked about promoting entrepreneurship. Two council members asked questions and one even gave them a pointer on expanding their research and their thinking. I would bet those two South Ogden residents went away from that meeting feeling like they'd made a difference... in Riverdale. Isn't it ironic that 40% of the City Council is made up of teachers at Bonneville and yet their students go to Riverdale for a positive City Council experience? Mr. Porter, Mr. Strate, there's a good chance you know these kids. Why do you suppose they didn't come here?

June 3, 2014 -- a citizen rose to praise the City. He said, "They listen to us." As I heard that, I wondered how many South Ogden citizens would say those four words... "They listen to us". Another man suggested a bike rack in a specific location and a council member asked a brief question to clarify the extent of the problem. No commitments were made, but the message that man received is "we hear you" and, maybe more importantly, "we are interested in what you have to say." Now I contrast this with a comment I may have shared before where one of my neighbors asked me as we left a South Ogden City Council meeting, and I quote, "Does it really do any good to talk to those people? We raise issues and they sit there deaf, dumb, and blind." Now in case anyone is confused about who "those people" are, it's you... all of you. Now I know for sure that many of you genuinely do care and I thank you for that... and maybe every one of you care. I certainly hope so. But I think the important thing to remember is that my neighbor didn't leave here saying, "They listen to us".

Now if you don't feel comfortable asking clarifying questions or making suggestions on the fly as Riverdale does, how about a standing agenda item called "Responses to Public

Comment"? That would at least elevate our issues and concerns to the same level of importance as giving an attendance pin to a Boy Scout. But if that is too much, then how about just calling it "Old Business" and then giving a brief recap of issues previously raised and what was or what will be done about them? Or maybe someday an issue raised by a citizen will actually appear as an action item on the agenda. Would that be such a bad thing? If you did some of these things, maybe some day a citizen will leave our City Council Meeting and say, "They listen to us." Thank you.

Vendor Number	Vendor Name	Invoice Date	Date Paid	Amount Paid
<b>01-11750 UTILITY CASH CLEARING</b>				
93641	HILL, MAIJA & SCOTT	09/10/2014	09/16/2014	300.00
93642	KENNEDY, CECILE	09/10/2014	09/16/2014	40.54
93643	STEVENSON, TOM	09/10/2014	09/16/2014	58.27
93665	BYBEE, TAWNEE	09/29/2014	09/30/2014	53.86
93666	WILLIS, LINDA	09/29/2014	09/30/2014	62.94
<b>10-15121 Prepaid Health Insurance</b>				
2266	DENTAL SELECT	09/15/2014	09/24/2014	4,304.24
91573	SELECT HEALTH	09/18/2014	09/24/2014	52,526.30
91573	SELECT HEALTH	09/18/2014	09/24/2014	347.40
<b>10-15122 Prepaid Life Insurance</b>				
5100	LIFEMAP ASSURANCE COMPANY	09/22/2014	09/24/2014	874.66
<b>10-15123 Prepaid Vision Insurance</b>				
2266	DENTAL SELECT	09/15/2014	09/24/2014	382.06
<b>10-15210 COBRA Receivables</b>				
2266	DENTAL SELECT	09/15/2014	09/24/2014	70.29-
<b>10-21400 Credit Card Payable</b>				
1739	BANK OF UTAH	07/26/2014	09/02/2014	425.00
<b>10-22230 STATE WITHHOLDING PAYABLE</b>				
5997	UTAH STATE TAX COMMISSION	09/05/2014	09/24/2014	7,034.56
5997	UTAH STATE TAX COMMISSION	09/19/2014	09/24/2014	6,911.47
<b>10-22260 UNION DUES PAYABLE</b>				
92957	WEBER COUNTY LODGE #1	09/19/2014	09/24/2014	35.00
<b>10-22276 United Way Payable</b>				
90015	UNITED WAY	09/05/2014	09/24/2014	22.00
90015	UNITED WAY	09/19/2014	09/24/2014	22.00
<b>10-22278 Conseco Ins. Payable</b>				
2072	WASHINGTON NATIONAL INS. CO.	09/01/2014	09/24/2014	1,112.45
<b>10-22280 AFLAC Ins. Payable</b>				
560	AFLAC	09/11/2014	09/24/2014	181.83
<b>10-22284 Liberty National Ins Payable</b>				
3244	HANSEN, KRISTEN	08/29/2014	09/02/2014	40.31
4095	LIBERTY NATIONAL LIFE INS. CO.	09/01/2014	09/02/2014	371.10
4095	LIBERTY NATIONAL LIFE INS. CO.	09/30/2014	09/30/2014	371.10
<b>10-22285 GARNISHMENTS PAYABLE</b>				
5865	OFFICE OF RECOVERY SERVICES	09/05/2014	09/10/2014	170.77
5865	OFFICE OF RECOVERY SERVICES	09/05/2014	09/10/2014	173.40
5865	OFFICE OF RECOVERY SERVICES	09/19/2014	09/24/2014	170.77
5865	OFFICE OF RECOVERY SERVICES	09/19/2014	09/24/2014	173.40
89062	UHEAA	09/05/2014	09/24/2014	4.93
89062	UHEAA	09/19/2014	09/24/2014	28.09
<b>10-22290 DISABILITY PAYABLE</b>				
5994	PUBLIC EMPLOYEES LT DISABILITY	09/05/2014	09/24/2014	694.45
5994	PUBLIC EMPLOYEES LT DISABILITY	09/19/2014	09/24/2014	693.23
<b>10-23115 Football Equipment Deposit</b>				
89582	MICKLES, SHANNON	09/26/2014	09/30/2014	75.00
89582	MICKLES, SHANNON	09/26/2014	09/30/2014	75.00
91446	THALMAN, JENNIE	09/30/2014	09/30/2014	100.00
<b>10-23230 PARK BOWERY DEPOSITS PAYABLE</b>				
90357	JOHNSON, GAYE	09/13/2014	09/24/2014	25.00
90846	HENRIQUEZ, ELIDA	09/09/2014	09/10/2014	25.00
91357	WARBY, EVELYN	09/09/2014	09/10/2014	25.00
91496	CHRISTENSEN, AUDREY	09/13/2014	09/24/2014	25.00
91937	WOOD TRUDY	09/09/2014	09/10/2014	25.00
93573	GUZMAN, OSCAR	09/09/2014	09/10/2014	25.00
93632	SCHROEDER, ALLIE	09/09/2014	09/10/2014	25.00
93633	NIELSEN, TAMI	09/09/2014	09/10/2014	25.00
93634	KNOWLES, JEFF	09/09/2014	09/10/2014	25.00

Vendor Number	Vendor Name	Invoice Date	Date Paid	Amount Paid
93635	STEPHENS, RYAN	09/09/2014	09/10/2014	25.00
93636	OSIEK, ANDREA	09/09/2014	09/10/2014	25.00
93637	COMMUNITY NURSING SERVICES	09/09/2014	09/10/2014	25.00
93638	HESS, TYLER	09/09/2014	09/10/2014	25.00
93656	GOMEZ, JOSEPH	09/30/2014	09/30/2014	25.00
93657	WASHINGTON TERRACE CENTER	09/30/2014	09/30/2014	25.00
93658	HUNSAKER, TERESA	09/30/2014	09/30/2014	25.00
<b>10-23260 BAIL HELD IN TRUST PAYABLE</b>				
93268	LOANS FOR LESS	08/27/2014	09/24/2014	200.00
93644	LARSEN, JORDON K	09/15/2014	09/24/2014	864.00
93653	LATU, KISIONE D	09/23/2014	09/30/2014	143.30
<b>10-32-100 Business Licenses - Commercial</b>				
93631	COMMUNITY CHOICE FINANCIAL	09/03/2014	09/10/2014	120.00
<b>10-32-160 Rental Business Fees</b>				
93629	WHEELER & ASSOCIATES	09/09/2014	09/10/2014	10.00
93629	WHEELER & ASSOCIATES	08/19/2014	09/10/2014	10.00
<b>10-34-375 Flag Football</b>				
93602	RANDOLPH, MELISSA	08/13/2014	09/24/2014	40.00
93602	RANDOLPH, MELISSA	08/13/2014	09/24/2014	5.00-
93602	RANDOLPH, MELISSA	08/13/2014	09/24/2014	10.25-
<b>10-34-500 Football</b>				
89582	MICKLES, SHANNON	09/26/2014	09/30/2014	80.00
89582	MICKLES, SHANNON	09/26/2014	09/30/2014	11.43-
89582	MICKLES, SHANNON	09/26/2014	09/30/2014	31.50-
89582	MICKLES, SHANNON	09/26/2014	09/30/2014	80.00
89582	MICKLES, SHANNON	09/26/2014	09/30/2014	11.43-
89582	MICKLES, SHANNON	09/26/2014	09/30/2014	31.50-
91446	THALMAN, JENNIE	09/30/2014	09/30/2014	80.00
91446	THALMAN, JENNIE	09/30/2014	09/30/2014	11.43-
91446	THALMAN, JENNIE	09/30/2014	09/30/2014	31.50-
<b>10-35-200 Fines- Regular</b>				
92743	SWEITZETR, FRED	08/06/2014	09/02/2014	75.00
92743	SWEITZETR, FRED	09/03/2014	09/16/2014	114.77
93554	HERNANDEZ, TERESA	08/13/2014	09/02/2014	100.00
<b>10-35-300 Alarm Fines/Permits</b>				
93445	STETTLER, VONDA	08/28/2014	09/10/2014	50.00
<b>10-36-105 Cash Over/Short</b>				
93640	MORLEY, JOSEPH	09/10/2014	09/16/2014	10.00
<b>10-41-230 Travel &amp; Training</b>				
93659	EVENTBRITE	09/24/2014	09/30/2014	25.00
<b>10-41-240 Supplies</b>				
6121	WAL-MART STORES, INC.	09/08/2014	09/09/2014	180.48
<b>10-41-329 Computer Repairs</b>				
90752	AMAZON.COM	08/28/2014	09/02/2014	34.97
<b>10-42-320 Prosecutorial Fees</b>				
5017	POLL, BRANDON L.	08/18/2014	09/16/2014	200.00
5017	POLL, BRANDON L.	08/27/2014	09/16/2014	400.00
<b>10-43-240 Office Supplies</b>				
7652	ALPHAGRAPHS	08/29/2014	09/16/2014	415.52
91650	CINTAS FIRST AID & SAFETY	08/28/2014	09/24/2014	53.71
<b>10-43-275 State Surcharge</b>				
5955	UTAH STATE TREASURER	08/31/2014	09/02/2014	18,102.30
<b>10-43-300 Public Defender Fees</b>				
88617	BUSHELL, RYAN	08/28/2014	09/24/2014	1,400.00
<b>10-43-310 Professional &amp; Technical</b>				
2969	GAYLORD, LUTHER	08/27/2014	09/02/2014	39.80
2969	GAYLORD, LUTHER	09/08/2014	09/16/2014	79.60
5511	SUPERIOR WATER AND AIR, INC.	09/24/2014	09/24/2014	19.95

Vendor Number	Vendor Name	Invoice Date	Date Paid	Amount Paid
93599	AMERICAN SIGN LANGUAGE COMM.	09/17/2014	09/30/2014	100.00
<b>10-43-649</b>	<b>Lease Interest/Taxes</b>			
5126	REVCO LEASING CO.	09/16/2014	09/24/2014	43.06
<b>10-43-650</b>	<b>Lease Payments</b>			
5126	REVCO LEASING CO.	09/16/2014	09/24/2014	109.87
<b>10-44-210</b>	<b>Books, Subscriptions &amp; Member</b>			
2081	COSTCO MEMBERSHIP	09/16/2014	09/24/2014	78.34
5996	UTAH MUNICIPAL CLERKS ASSOC.	09/03/2014	09/10/2014	100.00
6378	WELLS FARGO BUSINESS CENTER	09/24/2014	09/24/2014	50.00
<b>10-44-230</b>	<b>Travel &amp; Training</b>			
2276	DIXON, MATT	09/02/2014	09/02/2014	102.00
3574	ICMA	09/26/2014	09/30/2014	175.00
5996	UTAH MUNICIPAL CLERKS ASSOC.	09/03/2014	09/10/2014	220.00
89121	MARRIOTT HOTEL	09/17/2014	09/24/2014	1,104.85
89174	DELTA AIR	09/17/2014	09/24/2014	50.00
90100	UNITED CABS, INC.	09/14/2014	09/24/2014	21.27
91310	SLC INTERNATIONAL AIRPORT	09/17/2014	09/24/2014	51.00
91679	QRT	09/03/2014	09/09/2014	24.00
91958	UGFOA	09/05/2014	09/24/2014	100.00
93645	CROWN CAB CO.	09/12/2014	09/24/2014	34.80
93646	BAA.ORG	09/23/2014	09/24/2014	175.00
93659	EVENTBRITE	09/24/2014	09/30/2014	25.00
<b>10-44-240</b>	<b>Office Supplies &amp; Miscell</b>			
5343	STAPLES	07/12/2014	09/02/2014	169.95
5343	STAPLES	08/16/2014	09/02/2014	32.22
5343	STAPLES	08/23/2014	09/02/2014	142.11
5343	STAPLES	08/28/2014	09/02/2014	82.90-
5511	SUPERIOR WATER AND AIR, INC.	09/24/2014	09/24/2014	19.95
<b>10-44-248</b>	<b>Vehicle Maintenance</b>			
2992	GENUINE PARTS CO./NAPA (SLC)	07/25/2014	09/10/2014	36.33
3390	HINCKLEY DODGE	07/23/2014	09/10/2014	363.75
3390	HINCKLEY DODGE	07/23/2014	09/10/2014	40.00
5325	SIX STATES	08/06/2014	09/10/2014	937.11
92581	LARRY H MILLER	08/07/2014	09/10/2014	695.20
92581	LARRY H MILLER	07/25/2014	09/10/2014	78.23
<b>10-44-280</b>	<b>Telephone</b>			
5326	SPRINT	08/28/2014	09/10/2014	75.99
5326	SPRINT	08/28/2014	09/10/2014	21.91
6006	VERIZON WIRELESS	08/23/2014	09/10/2014	40.01
6006	VERIZON WIRELESS	08/23/2014	09/10/2014	13.34
<b>10-44-300</b>	<b>Gas, Oil &amp; Tires</b>			
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	81.69
<b>10-44-310</b>	<b>Professional &amp; Technical</b>			
4297	NATIONAL BENEFITS SERVICES	08/31/2014	09/02/2014	50.00
5308	SHRED MASTERS	09/19/2014	09/24/2014	71.00
5435	STERLING CODIFERS	09/03/2014	09/24/2014	210.00
5435	STERLING CODIFERS	09/03/2014	09/24/2014	3.00
88015	IHC WORK MED	09/02/2014	09/16/2014	44.00
91573	SELECT HEALTH	09/18/2014	09/24/2014	174.05
<b>10-44-329</b>	<b>Computer Repairs</b>			
88468	CDW-G	09/02/2014	09/24/2014	98.49
88468	CDW-G	08/27/2014	09/24/2014	51.37
90752	AMAZON.COM	08/28/2014	09/02/2014	34.97
<b>10-44-600</b>	<b>Service Charges</b>			
89472	INTELLIPAY	09/24/2014	09/24/2014	10.15
89472	INTELLIPAY	09/24/2014	09/24/2014	76.14
<b>10-44-649</b>	<b>Lease Interest/Taxes</b>			
5126	REVCO LEASING CO.	09/16/2014	09/24/2014	87.84

Vendor Number	Vendor Name	Invoice Date	Date Paid	Amount Paid
10-44-650	Lease Payments			
5126	REVCO LEASING CO.	09/16/2014	09/24/2014	148.68
<b>10-49-130</b>	<b>Retirement Benefits</b>			
2266	DENTAL SELECT	09/15/2014	09/24/2014	23.43
2266	DENTAL SELECT	09/15/2014	09/24/2014	51.08
91573	SELECT HEALTH	09/18/2014	09/24/2014	762.70
91573	SELECT HEALTH	09/18/2014	09/24/2014	365.60
<b>10-49-260</b>	<b>Workers Compensation</b>			
5968	UTAH LOCAL GOVERNMENTS TRUST	09/16/2014	09/24/2014	3,569.97
<b>10-49-291</b>	<b>Newsletter Printing</b>			
5343	STAPLES	09/03/2014	09/09/2014	6.00
7652	ALPHAGRAPHICS	09/05/2014	09/09/2014	916.00
<b>10-49-310</b>	<b>Auditors</b>			
92705	KEDDINGTON & CHRISTENSEN, LLC	08/27/2014	09/02/2014	2,000.00
92705	KEDDINGTON & CHRISTENSEN, LLC	09/26/2014	09/30/2014	2,000.00
<b>10-49-321</b>	<b>I/T Supplies</b>			
4227	MOTOROLA INC.	08/04/2014	09/02/2014	74.25
93625	ACRONIS	08/28/2014	09/02/2014	49.99
<b>10-49-322</b>	<b>Computer Contracts</b>			
4281	MVI - MILLENNIAL VISION, INC.	09/01/2014	09/24/2014	3,320.00
92395	IRON MOUNTAIN	07/31/2014	09/02/2014	78.00
92395	IRON MOUNTAIN	08/31/2014	09/24/2014	78.00
<b>10-49-323</b>	<b>City-wide Telephone</b>			
2021	COMCAST	08/14/2014	09/02/2014	303.36
2021	COMCAST	09/15/2014	09/24/2014	299.24
2021	COMCAST	09/04/2014	09/24/2014	164.70
<b>10-49-324</b>	<b>City-wide Internet</b>			
2021	COMCAST	09/04/2014	09/24/2014	319.34
<b>10-49-329</b>	<b>Computer Repairs</b>			
5343	STAPLES	08/28/2014	09/02/2014	119.99
88031	DELL MARKETING L.P.	08/14/2014	09/02/2014	263.99
<b>10-49-520</b>	<b>Employee Assistance Plan</b>			
1495	BLOMQUIST HALE CONSULTING GROU	09/02/2014	09/10/2014	300.00
<b>10-49-597</b>	<b>Employee Recognition Prog</b>			
2092	CAPITAL ONE COMMERCIAL (COSTCO)	08/20/2014	09/10/2014	38.35
2092	CAPITAL ONE COMMERCIAL (COSTCO)	08/21/2014	09/10/2014	83.27
2092	CAPITAL ONE COMMERCIAL (COSTCO)	08/22/2014	09/10/2014	38.37
2092	CAPITAL ONE COMMERCIAL (COSTCO)	08/22/2014	09/10/2014	3.38
<b>10-49-600</b>	<b>Community Programs</b>			
2081	COSTCO MEMBERSHIP	09/16/2014	09/24/2014	39.25
2092	CAPITAL ONE COMMERCIAL (COSTCO)	07/30/2014	09/10/2014	62.74
2651	FASTSIGNS	09/10/2014	09/16/2014	140.00
5326	SPRINT	08/28/2014	09/10/2014	21.91
6006	VERIZON WIRELESS	08/23/2014	09/10/2014	13.34
6121	WAL-MART STORES, INC.	09/17/2014	09/30/2014	31.93
6651	ZURCHERS PARTY & WEDDING STORE	09/15/2014	09/24/2014	118.17
6651	ZURCHERS PARTY & WEDDING STORE	09/18/2014	09/30/2014	4.47
7652	ALPHAGRAPHICS	09/05/2014	09/16/2014	4.00
7713	WEBER COUNTY	09/15/2014	09/16/2014	25.00
89978	TEXAS ROADHOUSE	08/01/2014	09/02/2014	196.15
90091	COSTA VIDA	09/23/2014	09/30/2014	500.00
90411	JAVIER'S	09/23/2014	09/24/2014	238.00
91069	FRESH MARKET	09/10/2014	09/16/2014	19.98
92314	BURCH CREEK MERCANTILE	09/04/2014	09/09/2014	25.00
93346	LEWIS, RYAN	09/23/2014	09/24/2014	45.00
93429	MAILCHIMP	08/27/2014	09/02/2014	30.00
93530	OGDEN LITHO INC.	08/19/2014	09/02/2014	84.42
93530	OGDEN LITHO INC.	08/19/2014	09/02/2014	41.00

Vendor Number	Vendor Name	Invoice Date	Date Paid	Amount Paid
93650	HUERTA, ELSA	09/23/2014	09/30/2014	25.00
93651	WEBER SCHOOL FOUNDATION	09/23/2014	09/30/2014	301.46
93654	CONTRERAS, JAIME	09/23/2014	09/30/2014	100.00
93655	BARKER, JENNIFER	09/23/2014	09/30/2014	50.00
<b>10-49-605 Continuing Education</b>				
6421	WEST, CAMERON	08/29/2014	09/02/2014	300.00
<b>10-49-620 Youth City Council</b>				
5343	STAPLES	09/04/2014	09/16/2014	26.02
89857	ENTERPRISE RENT-A-CAR COMPANY	09/15/2014	09/24/2014	307.05
89857	ENTERPRISE RENT-A-CAR COMPANY	09/15/2014	09/24/2014	117.56
93649	VALLEY MARKET	09/13/2014	09/24/2014	23.31
<b>10-51-260 Senior Center Maint &amp; Util</b>				
2021	COMCAST	08/15/2014	09/02/2014	157.90
2021	COMCAST	09/15/2014	09/30/2014	157.21
4230	QUESTAR	08/22/2014	09/02/2014	20.75
4230	QUESTAR	09/23/2014	09/30/2014	18.54
5340	STANDARD PLUMBING & LGTG. SPLY	08/12/2014	09/10/2014	6.09
6000	ROCKY MOUNTAIN POWER	08/27/2014	09/10/2014	642.82
<b>10-51-262 Old City Hall Utilities</b>				
4230	QUESTAR	08/22/2014	09/02/2014	30.36
4230	QUESTAR	09/23/2014	09/30/2014	55.77
6000	ROCKY MOUNTAIN POWER	08/27/2014	09/10/2014	310.68
<b>10-51-263 Fire Station #82 Utilities</b>				
4230	QUESTAR	09/22/2014	09/24/2014	26.75
6000	ROCKY MOUNTAIN POWER	08/29/2014	09/16/2014	561.58
<b>10-51-264 Station #82 Maintenance</b>				
92457	ENERGY MANAGEMENT CORP	09/10/2014	09/24/2014	258.75
<b>10-51-265 Cleaning Contract</b>				
1727	BUTTARS CLEANING	08/26/2014	09/02/2014	680.00
5115	RECOMMENDED BUILDING MAINTENAN	09/01/2014	09/10/2014	1,299.50
<b>10-51-266 Elevator Maintenance</b>				
5261	SCHINDLER ELEVATOR CORPORATION	09/30/2014	09/30/2014	1,264.83
<b>10-51-270 New City Hall Maintenance</b>				
2959	G & K SERVICES	08/05/2014	09/02/2014	23.26
2959	G & K SERVICES	08/12/2014	09/02/2014	23.26
2959	G & K SERVICES	08/19/2014	09/02/2014	23.26
2959	G & K SERVICES	08/26/2014	09/02/2014	23.26
3017	ROBERTSON, CHERYL	09/01/2014	09/10/2014	140.00
3724	JERRY'S PLUMBING SPECIALTIES	09/09/2014	09/24/2014	374.58
3895	KIESEL SALES & SERVICE	09/18/2014	09/30/2014	41.99
5115	RECOMMENDED BUILDING MAINTENAN	09/01/2014	09/10/2014	251.88
92435	RESOLUTE PEST CONTROL, LLC	09/19/2014	09/24/2014	673.75
92457	ENERGY MANAGEMENT CORP	09/16/2014	09/30/2014	1,168.40
92612	PRO EDGE TECHNOLOGY, INC.	08/20/2014	09/24/2014	405.00
<b>10-51-275 New City Hall Utilities</b>				
4230	QUESTAR	08/22/2014	09/02/2014	117.72
4230	QUESTAR	09/24/2014	09/30/2014	125.63
6000	ROCKY MOUNTAIN POWER	08/27/2014	09/10/2014	6,207.17
<b>10-52-310 Professional &amp; Technical Servi</b>				
6145	WASATCH CIVIL ENGINEERING CORP	09/03/2014	09/10/2014	753.00
93626	YORK HOWELL, LLC	09/02/2014	09/09/2014	18,806.25
93626	YORK HOWELL, LLC	09/11/2014	09/24/2014	3,245.00
<b>10-55-131 WTC - A/C Contract</b>				
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	224.16
5944	UTAH COMMUNICATIONS AUTHORITY	08/31/2014	09/24/2014	23.25
6006	VERIZON WIRELESS	08/23/2014	09/10/2014	40.01
<b>10-55-132 Liquor Funds Expenditures</b>				
91866	UPS	08/16/2014	09/02/2014	8.57

Vendor Number	Vendor Name	Invoice Date	Date Paid	Amount Paid
91866	UPS	09/02/2014	09/09/2014	15.74
91866	UPS	09/13/2014	09/24/2014	15.74
91866	UPS	09/20/2014	09/30/2014	22.91
<b>10-55-150 Death Benefit Ins. - Police</b>				
5047	PUBLIC EMP. HEALTH PROGRAM	09/19/2014	09/24/2014	351.12
<b>10-55-230 Travel &amp; Training - Police</b>				
4074	LEXIPOL, LLC	09/01/2014	09/10/2014	2,000.00
5265	SCHULTZ, BRIAN	09/29/2014	09/30/2014	92.00
5762	UCPOWER	09/16/2014	09/24/2014	449.00
7327	THOMPSON, MATTHEW	09/29/2014	09/30/2014	92.00
89121	MARRIOTT HOTEL	09/11/2014	09/24/2014	337.52
92907	BEST WESTERN PLUS LANDMARK	09/18/2014	09/30/2014	345.56
93662	RHOADS, STEVEN A	09/22/2014	09/30/2014	236.00
<b>10-55-240 Office Supplies - Police</b>				
2092	CAPITAL ONE COMMERCIAL (COSTCO)	07/29/2014	09/10/2014	74.97
3511	RICOH USA, INC	08/23/2014	09/10/2014	91.41
5343	STAPLES	09/04/2014	09/16/2014	162.32
5343	STAPLES	09/11/2014	09/24/2014	95.90
5343	STAPLES	09/23/2014	09/30/2014	47.95
5343	STAPLES	09/18/2014	09/30/2014	22.49
<b>10-55-246 Special Dept Supplies - Police</b>				
1430	BEV'S IMPORTS	08/22/2014	09/02/2014	68.77
1430	BEV'S IMPORTS	09/08/2014	09/16/2014	30.48
5121	SYMBOL ARTS	08/25/2014	09/16/2014	28.00
5511	SUPERIOR WATER AND AIR, INC.	09/09/2014	09/10/2014	19.95
92539	PUBLIC SURPLUS	08/29/2014	09/09/2014	22.55
<b>10-55-247 Animal Control Costs</b>				
104	A-1 UNIFORMS	08/15/2014	09/02/2014	204.64
104	A-1 UNIFORMS	09/17/2014	09/30/2014	147.52
1151	AVID IDENTIFICATION SYSTEMS	09/18/2014	09/30/2014	2,050.00
2117	CROWN TROPHY	09/02/2014	09/16/2014	232.00
2289	DISNEY, KAREN	09/17/2014	09/24/2014	353.50
5343	STAPLES	09/04/2014	09/16/2014	76.77
6192	WASHINGTON TERRACE CITY	09/16/2014	09/24/2014	91.00
6360	WEBER COUNTY TRANSFER STATION	09/11/2014	09/24/2014	5.00
6360	WEBER COUNTY TRANSFER STATION	08/30/2014	09/30/2014	5.00
6360	WEBER COUNTY TRANSFER STATION	09/13/2014	09/30/2014	5.00
90171	BUSBY, KIMBERLEE	09/17/2014	09/24/2014	353.50
90558	ANIMAL CARE VET ANIMAL HOSPITAL	08/31/2014	09/24/2014	3,102.58
90558	ANIMAL CARE VET ANIMAL HOSPITAL	08/31/2014	09/24/2014	20.00-
90558	ANIMAL CARE VET ANIMAL HOSPITAL	09/16/2014	09/30/2014	1,690.00
90634	CHEAPOAIR.COM	09/17/2014	09/24/2014	340.40
90752	AMAZON.COM	08/27/2014	09/02/2014	77.96
90752	AMAZON.COM	08/22/2014	09/02/2014	45.98
90752	AMAZON.COM	08/25/2014	09/02/2014	39.40
91115	NORTHSIDE ANIMAL CLINIC	09/22/2014	09/30/2014	610.00
91455	MILLCREEK ANIMAL HOSPITAL	08/27/2014	09/16/2014	181.54
93647	BEST FRIENDS NATIONAL CONFR.	09/16/2014	09/24/2014	550.00
93648	RIO HOTEL & CASINO	09/17/2014	09/24/2014	1,019.20
<b>10-55-248 Vehicle Maintenance - Police</b>				
1329	BATTERIES PLUS	09/02/2014	09/24/2014	85.45
2025	COLLISION CENTERZ	09/29/2014	09/30/2014	6,849.02
2992	GENUINE PARTS CO./NAPA (SLC)	09/11/2014	09/24/2014	11.98
6420	WESTLAND FORD	08/26/2014	09/10/2014	4.33
6420	WESTLAND FORD	08/26/2014	09/10/2014	19.86
<b>10-55-280 Telephone/Internet - Police</b>				
4228	CENTURY LINK	09/01/2014	09/24/2014	192.28
5326	SPRINT	08/28/2014	09/10/2014	767.18

Vendor Number	Vendor Name	Invoice Date	Date Paid	Amount Paid
6006	VERIZON WIRELESS	08/23/2014	09/10/2014	1,079.42
<b>10-55-300</b>	<b>Gas, Oil &amp; Tires - Police</b>			
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	5,859.42
3613	JACK'S TIRE & OIL, INC.	08/25/2014	09/10/2014	148.05
<b>10-55-310</b>	<b>Professional &amp; Tech - Police</b>			
3511	RICOH USA, INC	09/05/2014	09/24/2014	11.85
5308	SHRED MASTERS	09/23/2014	09/30/2014	30.00
5944	UTAH COMMUNICATIONS AUTHORITY	08/31/2014	09/24/2014	1,139.25
88015	IHC WORK MED	09/02/2014	09/16/2014	44.00
88015	IHC WORK MED	09/02/2014	09/16/2014	44.00
92905	TRACK WHAT MATTERS	09/01/2014	09/16/2014	10.00
<b>10-55-450</b>	<b>K-9</b>			
2092	CAPITAL ONE COMMERCIAL (COSTCO)	08/11/2014	09/10/2014	87.98
<b>10-55-649</b>	<b>Lease Interest/Taxes</b>			
3511	RICOH USA, INC	09/05/2014	09/24/2014	54.25
<b>10-55-650</b>	<b>Lease Payments - Police</b>			
3511	RICOH USA, INC	09/05/2014	09/24/2014	182.66
<b>10-55-750</b>	<b>Capital Outlay - Police</b>			
93639	ELITEK9.COM	09/09/2014	09/16/2014	1,026.63
<b>10-57-210</b>	<b>Memberships, Books &amp; Subscriptn</b>			
2081	COSTCO MEMBERSHIP	09/16/2014	09/24/2014	78.34
<b>10-57-240</b>	<b>Office Supplies &amp; Expense</b>			
5343	STAPLES	09/13/2014	09/24/2014	277.11
<b>10-57-245</b>	<b>Clothing Contract</b>			
92697	WORK SHOE HQ	08/19/2014	09/02/2014	120.00
<b>10-57-246</b>	<b>Special Department Supplies</b>			
2092	CAPITAL ONE COMMERCIAL (COSTCO)	08/04/2014	09/10/2014	99.99
5511	SUPERIOR WATER AND AIR, INC.	09/01/2014	09/02/2014	19.95
5511	SUPERIOR WATER AND AIR, INC.	09/01/2014	09/02/2014	19.95
5511	SUPERIOR WATER AND AIR, INC.	09/24/2014	09/24/2014	19.95
5511	SUPERIOR WATER AND AIR, INC.	09/24/2014	09/24/2014	19.95
<b>10-57-250</b>	<b>Vehicle Maintenance</b>			
1329	BATTERIES PLUS	08/21/2014	09/02/2014	19.95
1940	CHIC ARMATURE & GENERATOR	08/13/2014	09/02/2014	310.50
2660	FELT AUTO PARTS COMPANY	08/19/2014	09/02/2014	85.39
2992	GENUINE PARTS CO./NAPA (SLC)	08/12/2014	09/02/2014	92.22
2992	GENUINE PARTS CO./NAPA (SLC)	08/13/2014	09/02/2014	121.14
2992	GENUINE PARTS CO./NAPA (SLC)	08/13/2014	09/02/2014	22.46
2992	GENUINE PARTS CO./NAPA (SLC)	08/18/2014	09/02/2014	114.18
2992	GENUINE PARTS CO./NAPA (SLC)	08/19/2014	09/02/2014	71.49
2992	GENUINE PARTS CO./NAPA (SLC)	08/20/2014	09/02/2014	19.60
2992	GENUINE PARTS CO./NAPA (SLC)	08/26/2014	09/02/2014	108.31
2992	GENUINE PARTS CO./NAPA (SLC)	08/26/2014	09/02/2014	13.08
2992	GENUINE PARTS CO./NAPA (SLC)	09/04/2014	09/24/2014	27.54
3850	KELLERSTRASS ENTERPRISES INC.	08/14/2014	09/02/2014	23.50
5180	ROSS EQUIPMENT COMPANY INC.	08/13/2014	09/02/2014	107.79
5180	ROSS EQUIPMENT COMPANY INC.	08/19/2014	09/02/2014	170.07
5180	ROSS EQUIPMENT COMPANY INC.	08/21/2014	09/02/2014	53.43
5180	ROSS EQUIPMENT COMPANY INC.	08/22/2014	09/24/2014	560.61
5180	ROSS EQUIPMENT COMPANY INC.	08/26/2014	09/24/2014	129.31
5180	ROSS EQUIPMENT COMPANY INC.	09/02/2014	09/24/2014	288.01
6424	WHEELER MACHINERY	08/14/2014	09/02/2014	67.82
88231	INTERSTATE BILLING SERVICE	08/12/2014	09/02/2014	57.38
88231	INTERSTATE BILLING SERVICE	08/12/2014	09/02/2014	114.76
88231	INTERSTATE BILLING SERVICE	08/19/2014	09/02/2014	161.48
<b>10-57-255</b>	<b>Other Equipment Maintenance</b>			
2092	CAPITAL ONE COMMERCIAL (COSTCO)	08/04/2014	09/10/2014	79.96
92122	LN CURTIS & SONS	08/19/2014	09/02/2014	148.16

Vendor Number	Vendor Name	Invoice Date	Date Paid	Amount Paid
92122	LN CURTIS & SONS	07/09/2014	09/10/2014	6.71
<b>10-57-280</b>	<b>Telephone/Internet</b>			
2021	COMCAST	08/15/2014	09/02/2014	135.53
2021	COMCAST	09/15/2014	09/30/2014	135.53
5326	SPRINT	08/28/2014	09/10/2014	128.62
6006	VERIZON WIRELESS	08/23/2014	09/10/2014	240.10
<b>10-57-300</b>	<b>Gas, Oil &amp; Tires</b>			
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	1,004.73
<b>10-57-310</b>	<b>Professional &amp; Technical</b>			
5944	UTAH COMMUNICATIONS AUTHORITY	07/28/2014	09/02/2014	511.50
5944	UTAH COMMUNICATIONS AUTHORITY	08/31/2014	09/16/2014	651.00
5944	UTAH COMMUNICATIONS AUTHORITY	08/31/2014	09/16/2014	48.00
88015	IHC WORK MED	08/01/2014	09/02/2014	39.00
88015	IHC WORK MED	09/02/2014	09/16/2014	44.00
88015	IHC WORK MED	09/02/2014	09/16/2014	39.00
<b>10-57-330</b>	<b>Fire Prevention/ Community Edu</b>			
92814	POSITIVE PROMOTIONS, INC.	08/08/2014	09/02/2014	320.31
93627	ALSIDE SUPPLY CENTER	09/03/2014	09/09/2014	55.00
<b>10-57-400</b>	<b>Emergency Management Planning</b>			
710	AMERIGAS	09/26/2014	09/30/2014	183.48
1620	BOMAN & KEMP	09/25/2014	09/30/2014	360.98
2291	DIRECTV	08/13/2014	09/02/2014	143.10
2291	DIRECTV	09/13/2014	09/30/2014	133.10
4159	LOWE'S BUSINESS ACCOUNT	09/25/2014	09/30/2014	35.50
4159	LOWE'S BUSINESS ACCOUNT	09/25/2014	09/30/2014	67.02
6563	SATCOM GLOBAL INC.	08/01/2014	09/02/2014	98.92
6563	SATCOM GLOBAL INC.	09/01/2014	09/24/2014	98.92
89205	BUDGET - CAR RENTAL	09/19/2014	09/30/2014	147.00
92279	PRAXAIR DISTRIBUTION	09/25/2014	09/30/2014	129.43
92279	PRAXAIR DISTRIBUTION	09/25/2014	09/30/2014	11.22
93660	ROYAL FARMS	09/19/2014	09/30/2014	16.92
93661	EXXON EXPRESS	09/14/2014	09/30/2014	57.00
<b>10-58-230</b>	<b>Travel &amp; Training</b>			
5522	UTAH CORRECTIONAL INDUSTRIES	09/23/2014	09/24/2014	33.52
7953	BONNEVILLE CHAPTER ICC	09/24/2014	09/24/2014	140.00
<b>10-58-280</b>	<b>CELLULAR PHONE</b>			
5326	SPRINT	08/28/2014	09/10/2014	76.81
<b>10-58-300</b>	<b>Gas, Oil &amp; Tires</b>			
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	62.27
<b>10-60-210</b>	<b>Books, Subscrip. Memberships</b>			
2081	COSTCO MEMBERSHIP	09/16/2014	09/24/2014	78.34
<b>10-60-248</b>	<b>Vehicle Maintenance</b>			
2598	EVCO HOUSE OF HOSE	09/09/2014	09/24/2014	155.86
3434	HOME DEPOT/GEFC	08/14/2014	09/10/2014	44.19
3434	HOME DEPOT/GEFC	08/14/2014	09/10/2014	14.73
<b>10-60-260</b>	<b>Building &amp; Grounds Maintenance</b>			
2598	EVCO HOUSE OF HOSE	09/12/2014	09/24/2014	131.38
<b>10-60-270</b>	<b>Utilities</b>			
4230	QUESTAR	08/25/2014	09/02/2014	7.16
4230	QUESTAR	08/25/2014	09/02/2014	41.07
4230	QUESTAR	09/25/2014	09/30/2014	49.99
4230	QUESTAR	09/25/2014	09/30/2014	7.16
6000	ROCKY MOUNTAIN POWER	08/27/2014	09/10/2014	183.61
6000	ROCKY MOUNTAIN POWER	08/27/2014	09/10/2014	34.56
6000	ROCKY MOUNTAIN POWER	08/27/2014	09/10/2014	35.46
6000	ROCKY MOUNTAIN POWER	08/28/2014	09/10/2014	979.53
6000	ROCKY MOUNTAIN POWER	08/28/2014	09/10/2014	90.86
6000	ROCKY MOUNTAIN POWER	08/28/2014	09/10/2014	18.95

Vendor Number	Vendor Name	Invoice Date	Date Paid	Amount Paid
6000	ROCKY MOUNTAIN POWER	08/28/2014	09/10/2014	14.31
6000	ROCKY MOUNTAIN POWER	08/28/2014	09/10/2014	20.69
6000	ROCKY MOUNTAIN POWER	08/28/2014	09/10/2014	6.08
6000	ROCKY MOUNTAIN POWER	08/29/2014	09/10/2014	13.66
6000	ROCKY MOUNTAIN POWER	08/29/2014	09/10/2014	11.16
6000	ROCKY MOUNTAIN POWER	08/29/2014	09/10/2014	29.40
6000	ROCKY MOUNTAIN POWER	08/31/2014	09/16/2014	6.50
6000	ROCKY MOUNTAIN POWER	08/31/2014	09/16/2014	31.52
6000	ROCKY MOUNTAIN POWER	08/31/2014	09/16/2014	11.16
6000	ROCKY MOUNTAIN POWER	08/29/2014	09/16/2014	12.85
6000	ROCKY MOUNTAIN POWER	09/10/2014	09/16/2014	154.44
<b>10-60-300 Gas, Oil &amp; Tires</b>				
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	1,008.73
<b>10-60-310 Professional</b>				
5944	UTAH COMMUNICATIONS AUTHORITY	08/31/2014	09/30/2014	186.00
<b>10-60-400 Class C Maintenance</b>				
1540	BOLT & NUT SUPPLY COMPANY	09/11/2014	09/24/2014	160.34
1540	BOLT & NUT SUPPLY COMPANY	09/08/2014	09/24/2014	5.00
1935	CHEMSEARCH	08/26/2014	09/24/2014	219.68
3020	GRANITE CONSTRUCTION CO.	08/25/2014	09/24/2014	280.72
3020	GRANITE CONSTRUCTION CO.	08/26/2014	09/24/2014	23.76
3020	GRANITE CONSTRUCTION CO.	09/08/2014	09/24/2014	23.76
3020	GRANITE CONSTRUCTION CO.	09/04/2014	09/24/2014	119.24
3020	GRANITE CONSTRUCTION CO.	09/03/2014	09/24/2014	93.28
92503	LEGACY EQUIPMENT	09/10/2014	09/24/2014	5,990.27
<b>10-60-480 Special Department Supplies</b>				
3434	HOME DEPOT/GEFCF	08/11/2014	09/10/2014	23.94
5300	SHERWIN WILLIAMS	09/16/2014	09/30/2014	248.95
<b>10-60-510 Road Proj/Improvements</b>				
6145	WASATCH CIVIL ENGINEERING CORP	09/03/2014	09/24/2014	2,116.63
<b>10-60-650 Lease Payments</b>				
6620	XEROX CORPORATION	09/01/2014	09/10/2014	252.58
<b>10-60-725 Sidewalk Replacements</b>				
93259	CURT HECKERT CONCRETE CO.	09/15/2014	09/30/2014	3,500.00
<b>10-70-210 Books, Subscriptions &amp; Mbrshps</b>				
4306	NATIONAL REC & PARK ASSOC.	09/12/2014	09/24/2014	260.00
<b>10-70-240 Special Dept. Supplies - Parks</b>				
1352	BELL JANITORIAL SUPPLY	09/23/2014	09/30/2014	61.10
2594	EWING IRRIGATION PRODUCTS	08/12/2014	09/02/2014	13.51
2594	EWING IRRIGATION PRODUCTS	08/12/2014	09/02/2014	21.19
2594	EWING IRRIGATION PRODUCTS	08/12/2014	09/02/2014	14.60
2594	EWING IRRIGATION PRODUCTS	08/14/2014	09/02/2014	40.20
2594	EWING IRRIGATION PRODUCTS	08/19/2014	09/02/2014	.52
2594	EWING IRRIGATION PRODUCTS	08/19/2014	09/02/2014	218.00
2594	EWING IRRIGATION PRODUCTS	08/20/2014	09/10/2014	337.97
2594	EWING IRRIGATION PRODUCTS	08/21/2014	09/10/2014	37.02
2594	EWING IRRIGATION PRODUCTS	08/22/2014	09/10/2014	24.71
2594	EWING IRRIGATION PRODUCTS	08/26/2014	09/10/2014	11.21
2594	EWING IRRIGATION PRODUCTS	08/29/2014	09/10/2014	16.86
2594	EWING IRRIGATION PRODUCTS	09/05/2014	09/30/2014	3.16
3434	HOME DEPOT/GEFCF	08/13/2014	09/10/2014	71.26
3724	JERRY'S PLUMBING SPECIALTIES	08/05/2014	09/02/2014	134.90
3724	JERRY'S PLUMBING SPECIALTIES	08/11/2014	09/02/2014	14.49
3750	JOHNSON ELECTRIC MOTOR	09/19/2014	09/30/2014	438.00
4225	AIRGAS USA, LLC	09/11/2014	09/24/2014	5.11
4700	OGDEN LAWN & GARDEN	09/15/2014	09/24/2014	16.74
5519	T.J. TRAILER	09/15/2014	09/24/2014	6.95
6460	WHITEHEAD WHOLESALE ELECTRIC	09/03/2014	09/30/2014	8.75

Vendor Number	Vendor Name	Invoice Date	Date Paid	Amount Paid
91948	TRUSCO	09/11/2014	09/24/2014	105.00
<b>10-70-248 Vehicle Maintenance</b>				
2992	GENUINE PARTS CO./NAPA (SLC)	08/18/2014	09/02/2014	310.11
2992	GENUINE PARTS CO./NAPA (SLC)	08/18/2014	09/02/2014	77.54
2992	GENUINE PARTS CO./NAPA (SLC)	08/26/2014	09/10/2014	21.03
2992	GENUINE PARTS CO./NAPA (SLC)	08/26/2014	09/10/2014	56.70
2992	GENUINE PARTS CO./NAPA (SLC)	08/29/2014	09/10/2014	20.00
2992	GENUINE PARTS CO./NAPA (SLC)	09/15/2014	09/30/2014	352.41
2992	GENUINE PARTS CO./NAPA (SLC)	09/17/2014	09/30/2014	20.00
5160	ROCKY MTN TURF & INDUSTRIAL	08/26/2014	09/10/2014	229.93
5160	ROCKY MTN TURF & INDUSTRIAL	09/12/2014	09/24/2014	80.73
5160	ROCKY MTN TURF & INDUSTRIAL	08/27/2014	09/24/2014	35.77
5160	ROCKY MTN TURF & INDUSTRIAL	09/16/2014	09/30/2014	28.68
93230	KENT'S REPAIR	09/03/2014	09/10/2014	30.19
<b>10-70-260 Building Maintenance</b>				
3895	KIESEL SALES & SERVICE	09/16/2014	09/30/2014	41.99
<b>10-70-270 Utilities</b>				
4230	QUESTAR	08/22/2014	09/02/2014	7.16
4230	QUESTAR	09/23/2014	09/30/2014	7.16
6000	ROCKY MOUNTAIN POWER	08/27/2014	09/10/2014	29.73
6000	ROCKY MOUNTAIN POWER	08/27/2014	09/10/2014	233.30
6000	ROCKY MOUNTAIN POWER	08/28/2014	09/10/2014	12.16
6000	ROCKY MOUNTAIN POWER	08/28/2014	09/10/2014	180.67
6000	ROCKY MOUNTAIN POWER	08/28/2014	09/10/2014	254.83
6000	ROCKY MOUNTAIN POWER	08/28/2014	09/10/2014	48.70
6000	ROCKY MOUNTAIN POWER	08/28/2014	09/10/2014	26.74
6000	ROCKY MOUNTAIN POWER	08/28/2014	09/10/2014	19.29
6000	ROCKY MOUNTAIN POWER	08/31/2014	09/16/2014	24.58
6000	ROCKY MOUNTAIN POWER	08/31/2014	09/16/2014	15.09
6000	ROCKY MOUNTAIN POWER	08/31/2014	09/16/2014	87.48
<b>10-70-280 Telephone/Internet</b>				
2021	COMCAST	08/13/2014	09/02/2014	240.23
2021	COMCAST	09/13/2014	09/30/2014	230.05
5326	SPRINT	08/28/2014	09/10/2014	269.44
6006	VERIZON WIRELESS	08/23/2014	09/10/2014	40.03
<b>10-70-300 Gas, Oil &amp; Tires</b>				
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	269.63
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	894.05
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	90.28
<b>10-70-450 RAMP Grant Projects</b>				
93667	RENNER SPORTS SURFACES	09/15/2014	09/30/2014	26,166.00
<b>10-71-210 Books, Subscriptions &amp; Mbrshps</b>				
2081	COSTCO MEMBERSHIP	09/16/2014	09/24/2014	39.17
4306	NATIONAL REC & PARK ASSOC.	09/12/2014	09/24/2014	130.00
<b>10-71-241 Comp League Expenses</b>				
5260	SAVON	09/09/2014	09/24/2014	2,595.75
<b>10-71-242 Special Dept. Supplies</b>				
5260	SAVON	08/16/2014	09/02/2014	5,259.90
5260	SAVON	08/29/2014	09/24/2014	1,630.55
5300	SHERWIN WILLIAMS	08/13/2014	09/02/2014	405.75
5300	SHERWIN WILLIAMS	09/10/2014	09/30/2014	105.40
5300	SHERWIN WILLIAMS	09/11/2014	09/30/2014	135.25
5300	SHERWIN WILLIAMS	09/15/2014	09/30/2014	405.75
<b>10-71-280 Telephone/Internet</b>				
2021	COMCAST	08/27/2014	09/10/2014	165.84
5326	SPRINT	08/28/2014	09/10/2014	55.01
<b>10-71-350 Officials Fees</b>				
2123	CRAWFORD, BENNY	08/30/2014	09/10/2014	160.00

Vendor Number	Vendor Name	Invoice Date	Date Paid	Amount Paid
2494	ENGLEDOW, MARK SCOTT	09/06/2014	09/24/2014	200.00
4984	PETERSON, DEREK	08/30/2014	09/10/2014	160.00
8350	JEFFERSON, DARRELL	09/20/2014	09/30/2014	120.00
88796	COLE, WYATT	09/06/2014	09/24/2014	200.00
90393	HUNTER, KIM	09/06/2014	09/24/2014	200.00
90962	WEBSTER, DARRELL	09/13/2014	09/24/2014	200.00
91399	URIONA, ANTHONY	09/27/2014	09/30/2014	120.00
92596	WALLERSTEIN, STEVE	09/27/2014	09/30/2014	120.00
92610	SCHRYVER, SCOTT	08/23/2014	09/02/2014	120.00
92627	JONES, MORGAN	08/23/2014	09/02/2014	120.00
93091	LARSON, CODY	09/20/2014	09/30/2014	120.00
93091	LARSON, CODY	09/27/2014	09/30/2014	120.00
93200	JENSEN, LANCE	09/13/2014	09/24/2014	200.00
93628	CURTIS, GARRETT	08/23/2014	09/10/2014	120.00
93630	EWING, JOEL	08/30/2014	09/10/2014	160.00
93652	NORRIS, CHANDRA	09/13/2014	09/30/2014	200.00
93664	SAUNDERS, SPENCER	09/20/2014	09/30/2014	120.00
<b>12-40-390 Telephone Expense</b>				
5326	SPRINT	08/28/2014	09/10/2014	21.90
6006	VERIZON WIRELESS	08/23/2014	09/10/2014	13.35
<b>12-40-475 Miscellaneous Expenses</b>				
6121	WAL-MART STORES, INC.	09/08/2014	09/09/2014	1,203.25
<b>40-21300 ACCOUNTS PAYABLE</b>				
3020	GRANITE CONSTRUCTION CO.	09/11/2014	09/30/2014	20,500.12-
<b>40-40-169 5100 South - Road Bond</b>				
6145	WASATCH CIVIL ENGINEERING CORP	09/03/2014	09/24/2014	94.00
<b>40-40-173 1075 E St. Proj. - bond</b>				
541	OLDCASTLE PRECAST	09/11/2014	09/24/2014	113.28
3578	INTERMOUNTAIN CONCRETE	09/08/2014	09/24/2014	1,823.80
6145	WASATCH CIVIL ENGINEERING CORP	09/03/2014	09/24/2014	853.25
<b>40-40-175 Chambers St. Proj - bond</b>				
3020	GRANITE CONSTRUCTION CO.	09/11/2014	09/30/2014	410,002.22
3578	INTERMOUNTAIN CONCRETE	08/26/2014	09/10/2014	775.20
6145	WASATCH CIVIL ENGINEERING CORP	09/03/2014	09/24/2014	1,128.00
93204	GSH MATERIALS TESTING & INSPECTION INC.	09/09/2014	09/24/2014	414.15
93204	GSH MATERIALS TESTING & INSPECTION INC.	09/15/2014	09/30/2014	152.50
<b>40-40-176 Willow Wood Proj - bond</b>				
6145	WASATCH CIVIL ENGINEERING CORP	09/03/2014	09/24/2014	1,705.75
<b>51-30-200 Water Sales</b>				
91618	NORTH AMERICAN RECOVERY	07/31/2014	09/30/2014	252.06
<b>51-40-210 Books, Subscript. &amp; Membership</b>				
2081	COSTCO MEMBERSHIP	09/16/2014	09/24/2014	39.17
<b>51-40-230 Travel &amp; Training</b>				
2280	DIVISION OF DRINKING WATER	09/18/2014	09/24/2014	100.00
<b>51-40-280 Telephone</b>				
2021	COMCAST	08/26/2014	09/10/2014	232.79
5326	SPRINT	08/28/2014	09/10/2014	638.19
6006	VERIZON WIRELESS	08/23/2014	09/10/2014	80.04
<b>51-40-300 Gas, Oil &amp; Tires</b>				
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	1,197.10
<b>51-40-320 Blue Stake Service</b>				
1513	BLUE STAKES OF UTAH	08/31/2014	09/10/2014	222.27
<b>51-40-480 Special Department Supplies</b>				
541	OLDCASTLE PRECAST	08/28/2014	09/10/2014	268.85
3434	HOME DEPOT/GEFC	07/31/2014	09/10/2014	62.14
3434	HOME DEPOT/GEFC	08/13/2014	09/10/2014	6.34
3434	HOME DEPOT/GEFC	08/27/2014	09/10/2014	20.72
3434	HOME DEPOT/GEFC	08/27/2014	09/10/2014	8.68

Vendor Number	Vendor Name	Invoice Date	Date Paid	Amount Paid
4900	STAKER & PARSON COMPANIES	08/27/2014	09/24/2014	181.74
5114	RICH FASTENER & SUPPLY	09/18/2014	09/24/2014	79.00
<b>51-40-490 Water Sample Testing</b>				
5913	STATE OF UTAH DEPT. OF HEALTH	09/02/2014	09/10/2014	907.00
6355	WEBER BASIN WATER CONSERVANCY	09/11/2014	09/24/2014	324.00
<b>51-40-560 Power and Pumping</b>				
6000	ROCKY MOUNTAIN POWER	08/27/2014	09/10/2014	122.74
<b>51-40-710 Willow Wood Waterline</b>				
4172	METERWORKS	08/25/2014	09/02/2014	8,397.36
6145	WASATCH CIVIL ENGINEERING CORP	09/03/2014	09/24/2014	329.00
93204	GSH MATERIALS TESTING & INSPECTION INC.	09/09/2014	09/24/2014	283.05
<b>52-40-240 Office Supplies</b>				
5343	STAPLES	08/04/2014	09/02/2014	72.95
5511	SUPERIOR WATER AND AIR, INC.	09/06/2014	09/24/2014	19.95
<b>52-40-290 Building Maintenance</b>				
3434	HOME DEPOT/GECF	07/29/2014	09/10/2014	14.94
92435	RESOLUTE PEST CONTROL, LLC	08/04/2014	09/24/2014	269.50
<b>52-40-300 Gas, Oil &amp; Tires</b>				
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	414.26
<b>52-40-310 Professional &amp; Technical</b>				
2959	G & K SERVICES	08/05/2014	09/02/2014	15.00
2959	G & K SERVICES	08/12/2014	09/02/2014	15.00
2959	G & K SERVICES	08/19/2014	09/02/2014	15.00
2959	G & K SERVICES	08/26/2014	09/02/2014	15.00
3569	INTERMOUNTAIN DRUG TESTING, LC	07/31/2014	09/24/2014	70.00
<b>52-40-480 Maintenance Supplies</b>				
5784	UNITED LABORATORIES	08/29/2014	09/24/2014	138.69
<b>52-40-610 Central Weber Sewer Fees</b>				
1870	CENTRAL WEBER SEWER IMP. DIST.	08/19/2014	09/10/2014	246,687.00
<b>53-40-230 Travel &amp; Training</b>				
877	APWA	09/11/2014	09/24/2014	.00
877	APWA	09/11/2014		.00
877	APWA	09/11/2014		.00
877	APWA	09/11/2014		.00
877	APWA	09/11/2014	09/24/2014	350.00
<b>53-40-300 Gas, Oil &amp; Tires</b>				
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	612.73
<b>53-40-310 Prof &amp; Tech Services</b>				
2285	DIVISION OF WATER QUALITY	08/21/2014	09/10/2014	1,200.00
6145	WASATCH CIVIL ENGINEERING CORP	09/03/2014	09/24/2014	446.50
<b>53-40-665 40th St. Storm Drain Phase I</b>				
3586	INTERMOUNTAIN TESTING SERVICES	09/13/2014	09/24/2014	220.80
<b>53-40-710 40th St. Storm Drain</b>				
6145	WASATCH CIVIL ENGINEERING CORP	09/03/2014	09/24/2014	775.50
<b>53-40-980 Contingency</b>				
5052	HOFFMAN UTAH, INC	08/14/2014	09/10/2014	400.00
<b>54-21310 Trailer Deposits</b>				
90288	LARSEN, SHANNON	08/27/2014	09/10/2014	100.00
92642	SHAW, SUSAN	08/20/2014	09/10/2014	100.00
93663	WALTZ, MICHAEL	09/23/2014	09/30/2014	100.00
<b>54-30-850 Misc. Rental</b>				
93663	WALTZ, MICHAEL	09/23/2014	09/30/2014	45.00
<b>54-40-300 Gas, Oil &amp; Tires</b>				
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	340.44
<b>54-40-420 Allied Waste - Contract Srv.</b>				
92490	ALLIED WASTE SERVICES #493	09/09/2014	09/09/2014	35,132.35
<b>54-40-430 Tipping Fees</b>				
6360	WEBER COUNTY TRANSFER STATION	08/30/2014	09/24/2014	16,957.94

Vendor Number	Vendor Name	Invoice Date	Date Paid	Amount Paid
54-40-440	Additional Cleanups			
92490	ALLIED WASTE SERVICES #493	09/09/2014	09/09/2014	333.25
<b>54-40-450</b>	<b>Construction Materials Tipping</b>			
4258	MOULDING & SONS LANDFILL, LLC	08/27/2014	09/24/2014	200.00
<b>58-30-201</b>	<b>Ambulance Fees - S/O - DPS</b>			
93432	EMS MANAGEMENT & CONSULTANTS	07/31/2014	09/02/2014	546.18
<b>58-40-245</b>	<b>Uniform Allowance</b>			
104	A-1 UNIFORMS	08/28/2014	09/16/2014	100.88
104	A-1 UNIFORMS	09/17/2014	09/24/2014	183.88
92916	STOKER, RAYANN	08/12/2014	09/02/2014	150.00
92916	STOKER, RAYANN	08/27/2014	09/02/2014	420.00
<b>58-40-248</b>	<b>Vehicle Maintenance</b>			
6420	WESTLAND FORD	08/21/2014	09/02/2014	23.22
<b>58-40-300</b>	<b>Gas, Oil &amp; Tires</b>			
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	247.15
2970	STATE OF UTAH GAS CARD-FUELMAN	09/01/2014	09/24/2014	506.60
<b>58-40-312</b>	<b>PMA Fees</b>			
2786	FIRST PROFESSIONAL SERVICES CO	08/31/2014	09/16/2014	4,612.27
2786	FIRST PROFESSIONAL SERVICES CO	08/31/2014	09/16/2014	171.46
<b>58-40-490</b>	<b>Disposable Medical Supplies</b>			
4099	LIFE-ASSIST, INC.	08/11/2014	09/02/2014	1,695.02
4099	LIFE-ASSIST, INC.	08/26/2014	09/16/2014	148.30
4099	LIFE-ASSIST, INC.	09/12/2014	09/30/2014	923.48
4333	NORCO, INC.	08/05/2014	09/16/2014	17.32
4333	NORCO, INC.	08/15/2014	09/16/2014	112.60
4333	NORCO, INC.	08/15/2014	09/16/2014	86.62
4333	NORCO, INC.	08/25/2014	09/16/2014	51.98
4333	NORCO, INC.	08/31/2014	09/16/2014	94.38
91650	CINTAS FIRST AID & SAFETY	09/04/2014	09/10/2014	22.33
91650	CINTAS FIRST AID & SAFETY	09/22/2014	09/30/2014	36.70
<b>67-40-400</b>	<b>Professional &amp; Technical</b>			
4098	LIEBERSBACH, STEVE	09/25/2014	09/30/2014	37.63
92705	KEDDINGTON & CHRISTENSEN, LLC	09/05/2014	09/10/2014	1,350.00
Grand Totals:				996,128.38

## Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Only paid invoices included.

Invoice Detail.Description = {&lt;&gt;} "1099 adjustment"

# Planning Commission Report



**Subject:** Subdivision Application -  
Tuscan Ridge Townhomes, Phase 5

**Author:** Mark Vlastic

**Department:** Planning & Zoning

**Date:** September 11, 2014

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## **Background**

This is a Subdivision Application for Phase 5 of the Tuscan Ridge Townhomes project, which was approved as part of a Preliminary Subdivision Approval in 2008. The subdivision is located in an R-3ZC(E) zone, which is a multi-family residential zone that allows up to 11 units per acre.

## **Discussion**

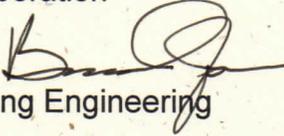
Staff has reviewed the plat and finds it consistent with the approved preliminary subdivision plat, and the requirements of Title 11 - Subdivision Regulations of the City Code.

## **Recommendation**

Staff recommends approval of the Preliminary Plat contingent on it meeting all requirements and conditions required by the formal review of the City Engineer.



**To:** Leesa Kapatnov, Building Official  
South Ogden City Corporation

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

**Date:** September 10, 2014

**Subject:** Tuscan Ridge Townhomes, Phase 5

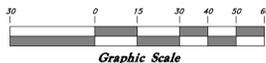
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All of the improvements required for the subject project were installed previously. The required improvements include sanitary sewer, culinary water, storm drain and roads. These improvements have been in and operating for some time now. Consequently, we recommend approval of Tuscan Ridge Townhomes, Phase 5.

If you have any questions or require additional information, feel free to contact me.



Scale: 1" = 30'



# Tuscan Ridge Townhomes Phase No. 5

A Planned Residential Unit Development  
A part of the Southwest 1/4 of Section 22, T5N, R1W, SLB&M, U.S. Survey  
South Ogden City, Weber County, Utah

North 1/4 corner of Section 22, T5N, R1W, SLB&M, U.S. Survey (Found Brass Cap Monument)

Center of Section 22, T5N, R1W, SLB&M, U.S. Survey (Found Brass Cap Monument)

S 0°36'34" W (Basis of Bearing) 2641.03' Meas. (2641.15' W.C.S.)

1172.46' 2672.02' Meas. (2673.12' W.C.S.)

S 0°20'39" E Meas. (S 0°20'49" E W.C.S.)

South 1/4 corner of Section 22, T5N, R1W, SLB&M, U.S. Survey

### LEGEND

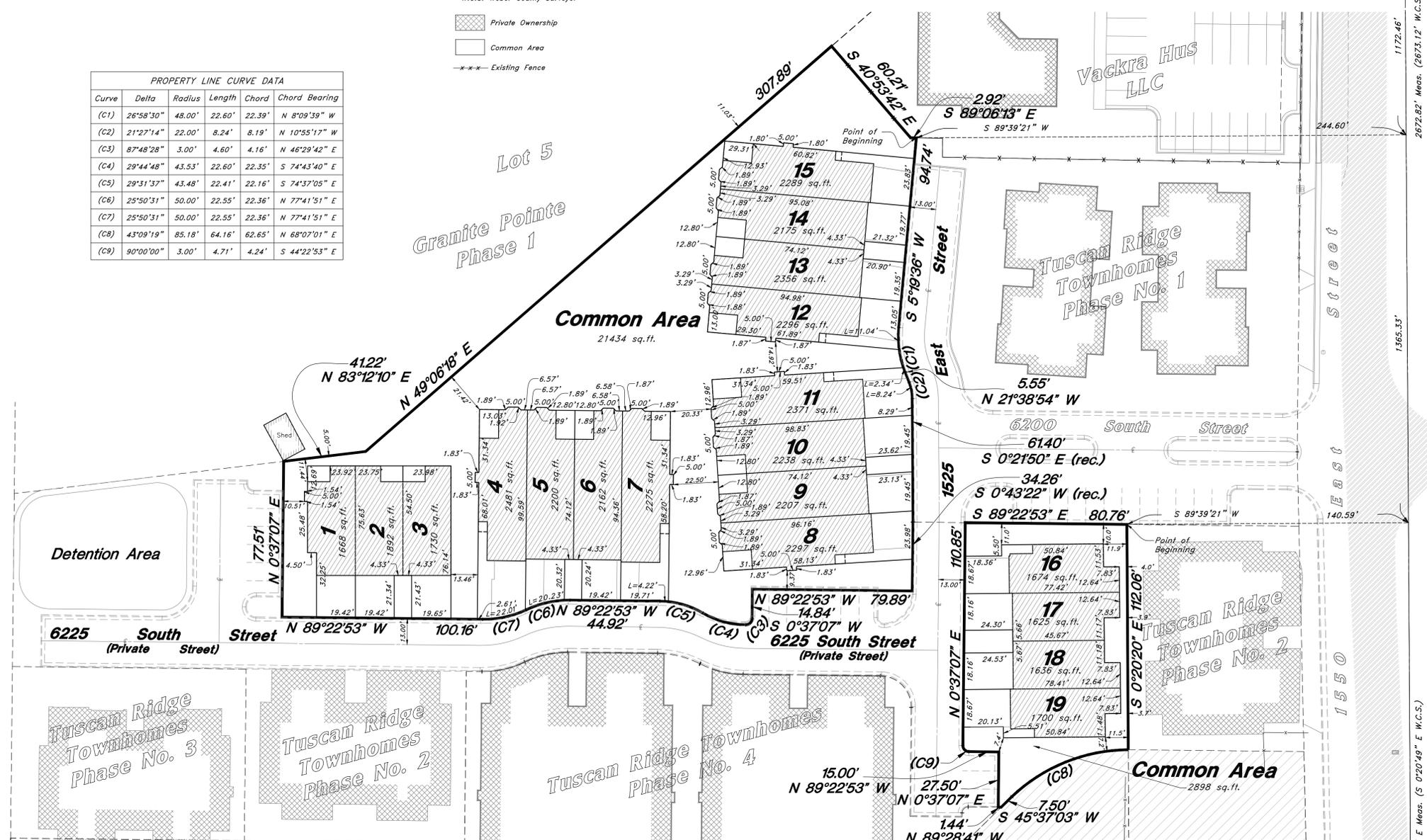
W.C.S. Weber County Surveyor

Private Ownership

Common Area

Existing Fence

Curve	Delta	Radius	Length	Chord	Chord Bearing
(C1)	26°58'30"	48.00'	22.60'	22.39'	N 8°09'39" W
(C2)	21°27'14"	22.00'	8.24'	8.19'	N 10°55'17" W
(C3)	87°48'28"	3.00'	4.60'	4.16'	N 46°29'42" E
(C4)	29°44'48"	43.53'	22.60'	22.35'	S 74°43'40" E
(C5)	29°31'37"	43.48'	22.41'	22.16'	S 74°37'05" E
(C6)	25°50'31"	50.00'	22.55'	22.36'	N 77°41'51" E
(C7)	25°50'31"	50.00'	22.55'	22.36'	N 77°41'51" E
(C8)	43°09'19"	85.18'	64.16'	62.65'	N 68°07'01" E
(C9)	90°00'00"	3.00'	4.71'	4.24'	S 44°22'53" E



### SURVEYOR'S CERTIFICATE

I, Andy Hubbard, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah, and that I hold Certificate No. 6242920 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Licensing Act. I also certify that this plat of Tuscan Ridge Townhomes Phase No. 5 in South Ogden City, 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 in accordance with Section 17-23-17. Monuments have been set as depicted on this Drawing.

Signed this \_\_\_ day of \_\_\_, 2014.

6242920 License No. Andy Hubbard

### NARRATIVE

This Subdivision plat was requested by Mr. John W. Hansen for the purpose of platting 19 Residential lots as well as revising the boundary.

Brass Cap Monuments were found at the North quarter corner and the Center of Section 22, T5N, R1W, SLB&M, U.S. Survey. A line bearing South 00°36'34" West between these monuments was used as the basis of bearings.

### OWNER'S DEDICATION

Know all men by these presents that we the undersigned owners of the hereon described tract of land do hereby set apart and subdivide the same into lots, units and common areas as shown on this plat and name said tract Tuscan Ridge Townhomes Phase No. 5, and do hereby dedicate and reserve unto themselves, their heirs, grantees and assigns, a right of way to be used in common with all others within said subdivision on, over and across all those portions or parts of said tract of land designated on said plat as Common Area as access to the individual units and lots, to be maintained by a Owners Association consisting of said owners, their grantees, successors or assigns, also grant and convey to the Unit and Lot Owners all those parts or portions of said tract of land designated as Common Areas, and also dedicate, grant and convey to South Ogden City a perpetual right and easement over, upon and under the lands designated on the plat as Common Area, and Easements for Public Utility and Drainage purposes as indicated hereon, the same to be used for the installation, maintenance and operation of public utility service lines and storm drainage facilities, the same to be maintained and managed by the Owners Association. The terms and conditions of said dedications are set forth in the Declaration of Covenants, Conditions and Restrictions recorded concurrently herewith.

Shooter Development Inc.

By: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_

### BOUNDARY DESCRIPTION

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

Beginning at the Northwest corner of Tuscan Ridge Townhomes Phase No. 1, South Ogden City, Weber County, Utah, being 1172.29 feet South 0°20'39" East along the Quarter Section line and 244.60 feet South 89°39'21" West from the Center of said Section 22, and running thence five (5) courses along the Westerly line of said Tuscan Ridge Townhomes Phase No. 1 as follows: (1) South 5°19'36" West 94.74 feet to a point of curvature; (2) Southerly along the arc of a 48.00 foot Radius curve to the left a distance of 22.60 feet (Central Angle equals 26°58'30", Long Chord bears South 08°09'39" East 22.39 feet); (3) South 21°27'14" East 5.55 feet to a point of curvature; (4) southerly along the arc of a 22.00 foot Radius curve to the right a distance of 8.24 feet (Central Angle equals 21°27'14", Long Chord bears South 10°55'17" East 8.19 feet); and (5) South 0°21'50" East 61.40 feet to the Northwest corner of Tuscan Ridge Townhomes Phase No. 2, South Ogden City, Weber County, Utah; thence eleven (11) courses along the Westerly, Northerly, and Easterly line of said Tuscan Ridge Townhomes Phase No. 2 as follows: (1) South 0°43'22" West 34.26 feet; (2) North 82°22'53" West 79.89 feet; (3) South 0°43'22" West 14.84 feet to a point of curvature; (4) Southerly along the arc of a 3.00 foot Radius non-tangent curve to the right a distance of 4.60 feet (Central Angle equals 87°48'28", Center bears North 87°24'32" West, Long Chord bears South 46°29'42" West 4.16 feet) to a point of compound curvature; (5) Westerly along the arc of a 43.53 foot Radius compound curve to the right a distance of 22.60 feet (Central Angle equals 29°44'48", Long Chord bears North 74°43'40" West 22.35 feet) to a point of reverse curvature; (6) Westerly along the arc of a 43.48 foot Radius reverse curve to the left a distance of 22.41 feet (Central Angle equals 29°31'37", Long Chord bears North 74°37'05" West 22.16 feet); (7) North 89°22'53" West 44.92 feet to a point of curvature; (8) Westerly along the arc of a 50.00 foot Radius curve to the left a distance of 22.55 feet (Central Angle equals 25°50'31", Long Chord bears South 77°41'52" West 22.36 feet) to a point of reverse curvature; (9) Westerly along the arc of a 50.00 foot radius reverse curve to the right a distance of 22.55 feet (Central Angle equals 25°50'31", Long Chord bears South 77°41'51" West 22.36 feet); (10) North 89°22'53" West 100.16 feet; and (11) North 0°37'07" East 77.51 feet; thence North 83°12'10" East 41.22 feet; thence North 49°06'18" East 307.89 feet; thence South 40°53'42" East 60.21 feet; thence South 89°06'13" East 2.92 feet to the point of beginning.

Contains: 1.250 acres

Together with:

Beginning at the Northwest corner of Tuscan Ridge Townhomes Phase No. 2, South Ogden City, Weber County, Utah being 1365.33 feet South 0°20'39" East along the Quarter Section line and 140.59 feet South 89°39'21" West from the Center of said Section 22, and running thence South 0°20'20" East 112.06 feet along the West line of said Tuscan Ridge Townhomes Phase No. 2 to a point on the arc of a curve; thence Southwesterly along the arc of a 85.18 foot Radius non-tangent curve to the left a distance of 64.16 feet (Central Angle equals 43°09'19", Center bears South 00°18'20" East, Long Chord bears South 68°07'01" West 62.65 feet); thence South 45°37'06" West 7.50 feet; thence North 89°28'41" West 1.44 feet to a point on the Easterly line of said Tuscan Ridge Townhomes Phase No. 2; thence four (4) courses along said Easterly line as follows: (1) North 0°37'07" East 27.48 feet; (2) North 89°22'53" West 15.00 feet to a point of curvature; (3) Northwesterly along the arc of a 3.00 foot Radius curve to the right a distance of 4.71 feet (Central Angle equals 90°00'00", Long Chord bears North 44°22'53" West 4.24 feet); and (4) North 0°37'07" East 110.85 feet; thence South 89°22'53" East 80.76 feet to the point of beginning.

Contains: 0.225 acres

### ACKNOWLEDGMENT

State of Utah } ss  
County of \_\_\_\_\_

On the \_\_\_ day of \_\_\_, 2014, personally appeared before me, John W. Hansen who acknowledged to me that he is authorized to, and did in fact execute this Agreement on behalf of Shooter Development, Inc.

Residing at: \_\_\_\_\_  
A Notary Public commissioned in Utah

Commission Expires: \_\_\_\_\_  
Print Name

### Tuscan Ridge Townhomes Phase No. 5

A Planned Residential Unit Development  
A part of the Southwest 1/4 of Section 22, T5N, R1W, SLB&M, U.S. Survey  
South Ogden City, Weber County, Utah

### 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, Utah this day of \_\_\_, 2014.

Attest: \_\_\_\_\_  
Title: \_\_\_\_\_  
Mayor

### WEBER COUNTY RECORDER

ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_  
RECORDED \_\_\_\_\_, AT \_\_\_\_\_  
IN BOOK \_\_\_\_\_ OF OFFICIAL RECORDS, PAGE \_\_\_\_\_, RECORDED FOR \_\_\_\_\_  
BY: \_\_\_\_\_ WEBER COUNTY RECORDER  
DEPUTY

NOTE: Utilities shall have the right to install, maintain, and operate their equipment above and below ground and all other related facilities within the Public Utility Easements (PUE) identified on this plat map as may be necessary or desirable in providing utility services within and without the units and lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the PUE. At no time may any permanent structures be placed within the PUE or any other obstruction which interferes with the use of the PUE without the prior written approval of the utilities with facilities in the PUE.

### 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 and dedication have been complied with. Signed this \_\_\_ day of \_\_\_, 2014.

\_\_\_\_\_  
City Engineer

### SOUTH OGDEN CITY PLANNING COMMISSION

Approved by the South Ogden City Planning Commission on the \_\_\_ day of \_\_\_, 2014.

\_\_\_\_\_  
Chair

### SOUTH OGDEN CITY ATTORNEY

I have examined the foregoing plat and description of Tuscan Ridge Townhomes Phase No. 5 and in my opinion it conforms with the City Ordinances applicable thereto and now in force and effect. Signed this \_\_\_ day of \_\_\_, 2014.

\_\_\_\_\_  
City Attorney

# City Council Staff Report



**Subject:** FY 2015 Budget Amendment  
**Author:** Steve Liebersbach  
**Department:** Finance  
**Date:** Council meeting on 10/07/2014

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## **Background**

The City is able to make budget amendments periodically throughout the year to account for new revenues or unforeseen expenses.

## **Analysis**

The amendment is showing the line item breakdown from what was initially adopted and the new budgeted amounts.

## **Recommendation**

Staff recommends that the budget amendment be accepted as presented.

## **Significant Impacts**

The budget amendment will have a financial impact of +/- \$150,000 .

## **Attachments**

The budget amendment will be sent out with the packet. However, there may be some minor changes between now and council meeting on 10/07/2014.

## **ORDINANCE NO. 14-13**

**AN ORDINANCE OF SOUTH OGDEN CITY, UTAH, AMENDING THE CITY'S 2014-2015 BUDGET BY MAKING CERTAIN CHANGES TO VARIOUS OF THE CITY'S FUNDS AND COMPENSATION PLANS; ACCOUNTING FOR REVENUE AND EXPENDITURE CHANGES; MODIFYING PRIOR CITY ORDINANCES AS NECESSARY, BY THESE ACTIONS; AND ESTABLISHING AN EFFECTIVE DATE.**

### **SECTION I - RECITALS**

WHEREAS, the City of SOUTH OGDEN City ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the city Council finds that in conformance with Utah Code (UC") §10-3-717, the governing body of the city may exercise all administrative powers by resolution; and,

WHEREAS, the city Council finds that in conformance with UC §10-3-702, the governing body of the city may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by State law or any other provision of law; and,

WHEREAS, the city Council finds that certain exigencies of city governmental operations require amendments be made to the current city budget and related documents; and,

WHEREAS, the city Council finds that UC §10-6-119 provides authority for amending the City's budget as necessary; now,

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH OGDEN THAT THE SOUTH OGDEN CITY BUDGET AND STAFFING DOCUMENT FOR FISCAL YEAR 2014-2015 BE, AND THE SAME HEREBY IS, AMENDED AS FOLLOWS:**

### **SECTION II - CHANGES TO BUDGET**

Those changes set out in Attachment "A" of the 7th day of October, 2014, attached hereto, and incorporated as if fully set out, as those changes affect and adjust the previously authorized budgets and staffing provisions, including compensation schedules of various city departments and funds represented, ought to be, and the same are, amended, re-adopted and enacted as amendments to the fiscal year 2014-2015 Budget for South Ogden City.

### **SECTION III - PRIOR ORDINANCES AND RESOLUTIONS**

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

### **SECTION IV - REPEALER OF CONFLICTING ENACTMENTS**

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

**SECTION V - SAVINGS CLAUSE**

If any provision of this Ordinance 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 invalid, inoperative or unenforceable to any extent whatever, this Ordinance being deemed to be the separate independent and severable act of the City Council of South Ogden City.

**SECTION VI - DATE OF EFFECT**

This Ordinance shall be effective on the 7th day of October, 2014, and after publication or posting as required by law.

DATED this 7th day of October, 2014

SOUTH OGDEN, a municipal corporation

by: \_\_\_\_\_  
James F. Minister, Mayor

Attested and recorded

\_\_\_\_\_  
Leesa Kapetanov  
City Recorder

# **ATTACHMENT “A”**

## **ORDINANCE NO. 14-13**

An Ordinance Of South Ogden City, Utah, Amending The City’s 2014-2015 Budget By Making Certain Changes To Various Of The City’s Funds And Compensation Plans; Accounting For Revenue And Expenditure Changes; Modifying Prior City Ordinances As Necessary, By These Actions; And Establishing An Effective Date.

07 Oct 14

[Information will be provided by Finance Director]

# South Ogden City

## October 07, 2014

### Fiscal Year 2014 - 2015

### Budget Amendment

	Current Budget	New Budget	Difference +/-
40-40-125 2014 - 2015 Road/Sidewalk Projects	\$176,919	\$368,978	\$192,059
40-40-349 40th St. Widening - City's %age	\$0	\$27,832	\$27,832
40-30-800 Appropriate Fund Balance - Cap Proj Fund	\$912,675	\$1,132,566	\$219,891
* Appropriate FY 2014 carry-over amounts			
51-40-700 Doren Drive H2O line	\$0	\$49,662	\$49,662
51-40-710 Willow Wood H2O line	\$144,340	\$156,079	\$11,739
51-30-890 Appropriation of fund balance - Water Fund	\$600,000	\$661,401	\$61,401
* Appropriate FY 2014 carry-over amounts			
52-40-655 1300 East Re-lining Project	\$47,430	\$53,000	\$5,570
52-30-890 Appropriation of Fund Balance - Sewer Fund	\$350,000	\$355,570	\$5,570
* Fully fund the Re-lining project			
10-70-649 Lease Interest/Taxes - Parks	\$804	\$711	(\$93)
10-70-650 Lease Payments - Parks	\$18,520	\$17,488	(\$1,032)
10-71-649 Lease Interest/Taxes - Recreation	\$0	\$93	\$93
10-71-650 Lease Payments - Recreation	\$0	\$1,032	\$1,032
* Move lease data from parks to recreation			
10-60-260 Buildings and Ground Maintenance - Streets	\$5,000	\$16,000	\$11,000
10-55-247 Animal Control Cost - Police	\$37,174	\$61,185	\$24,011
10-49-600 Community Programs - Non-Departmental	\$4,100	\$5,200	\$1,100
10-39-800 Appropriated Fund Balance - General Fund	\$185,429	\$221,540	\$36,111
* Items not included by departments in FY 2015 budget			
10-34-500 Football Registrations	\$17,936	\$18,308	\$372
10-36-900 Miscellaneous Revenue - General Fund	\$20,000	\$27,649	\$7,649
10-36-601 Donations to South Ogden City	\$0	\$3,521	\$3,521
10-32-350 Animal Adoptions	\$73,500	\$75,240	\$1,740
10-32-300 Animal Licenses	\$14,000	\$14,091	\$91
10-32-375 Animal Shelter Fees	\$4,500	\$6,190	\$1,690
10-55-750 Capital Outlay - Police	\$0	\$833	\$833
10-55-247 Animal Control Costs - Police	\$61,185	\$65,209	\$4,024
10-71-242 Special Dept. Supplies - Recreation	\$28,000	\$28,372	\$372
10-55-300 Gas, Oil & Tires - Police	\$85,000	\$85,150	\$150
10-49-600 Community Programs - Non-Departmental	\$5,200	\$7,385	\$2,185
10-60-725 Sidewalk Replacements - Streets	\$14,000	\$14,650	\$650
10-55-248 Vehicle Maintenance - Police	\$17,000	\$23,849	\$6,849
* Football photo commissions - \$372			
* Mileage reimbursement from the State - \$150			
* Veteran's donations - \$2,185			
* Quest School donation - \$833			
* Various animal donations - \$503			
* Petco adoptions - \$1,740			
* WTC animal license - \$91			
* Veterinary Hospital rabies clinic - \$1,690			
* Sidewalk resident replacement - \$650			
* Nelson's accident insurance proceeds - \$6,849			
10-33-600 State/Local Grants	\$16,300	\$18,347	\$2,047
10-55-112 Overtime wages - Police	\$14,801	\$16,848	\$2,047
* State DUI reimbursement			
10-52-310 Professional & Technical - Planning	\$50,000	\$150,000	\$100,000
10-39-800 Appropriated Fund Balance - General Fund	\$221,540	\$321,540	\$100,000
* Legal fees for Monastery resolution			

## **ORDINANCE NO. 14-11**

### **ORDINANCE OF SOUTH OGDEN CITY AMENDING THE CITY'S CONSOLIDATED FEE SCHEDULE BY AMENDING OR REMOVING CERTAIN FEES OR MAKING NECESSARY CLERICAL AND ADMINISTRATIVE CHANGES; AND PROVIDING AN EFFECTIVE DATE FOR THESE ACTIONS.**

#### **Section 1 - Recitals**

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

WHEREAS, the City Council finds that in conformance with UC §10-3-702, the governing body of the city may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by State law or any other provision of law; and,

WHEREAS, the City Council finds that certain fees and rates should be adjusted and that all fees should be reviewed as part of the ongoing management of the City; and,

WHEREAS, the City Council finds it is in the best interest of the citizens of the City to confirm, accept, adopt and implement the results, conclusions and recommendations of the staff review of these fees and costs and make necessary clerical and administrative changes; and,

WHEREAS, the City Council finds that providing this information in the City's Consolidated Fee Ordinance is an effective way to make this information available to the public; and,

WHEREAS, the City Council of South Ogden City finds it is in the best interest of the City to again amend the consolidated fee schedule set out in prior Ordinances; and,

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health and welfare is at issue and requires administrative action to be taken by the City; now,

**THEREFORE, BE IT ORDAINED** by the City of South Ogden that:

#### **Section 2 - Amendment of the City's Consolidated Fee Ordinance & Fee Schedule**

Based upon the recommendation of responsible city staff, and the City Manager, and the findings of the City Council, the City's Consolidated Fee Ordinance and Fee Schedule are amended and are now constituted to incorporate those fees and changes as discussed above and the same are adopted as a part of, and shall constitute their respective part of, the official fee schedule for South Ogden City as attached hereto as **Attachment "A"**, made a part by this reference and as then set out in the full Consolidated Fee Ordinance.

#### **Section 3 - Prior Ordinances and Resolutions**

That the above fees, where they may have been taken from prior City Ordinances and Resolutions, are listed here for centralization and convenience; and that the body and substance of those prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

**Section 4 - Repealer of Conflicting Enactments**

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

**Section 5 - Savings Clause**

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

**Section 6 - Date of Effect**

**BE IT FURTHER ORDAINED** that this Ordinance, and the fees listed, shall become effective on the 7<sup>th</sup> day of October, 2014, and after publication or posting as required by law.

**PASSED AND ADOPTED AND ORDERED POSTED** by the City Council of South Ogden City, Utah this 7<sup>th</sup> day of October, 2014.

SOUTH OGDEN, a municipal corporation

By: \_\_\_\_\_  
James F. Minister, Mayor

Attested and recorded

\_\_\_\_\_  
Leesa Kapetanov  
City Recorder

# **ATTACHMENT “A”**

## **ORDINANCE NO. 14-11**

Ordinance Of South Ogden City Amending The City’s Consolidated Fee Schedule By Amending Or Removing Certain Fees Or Making Necessary Clerical And Administrative Changes; And Providing An Effective Date For These Actions.

07 Oct 14

Door-to-door sales		
<b>Storage</b>	<b>\$116</b>	<b>\$116</b>
Self-Storage Units Rental		
Storage Facility		
<b>Temporary/Seasonal</b>	<b>\$25</b>	<b>\$25</b>
If you are uncertain of which license category your business falls under, please call 801-622-2709.		

\*\* Late Fees shall be assessed if the base license fee is not paid within 30 days of the original due date for either renewal or new license - This Late fee added 06 Feb 07

\*\*\*The Listed Total Fees for the Good Landlord Program do NOT include the fee for the landlord training class. The fee is set by the training provider and will vary from time to time. The present fee is \$50 but is subject to change

~~Rental units for which no financial payment is received (or those otherwise exempted by act of law) shall still be required to obtain a business license but without cost to the landlord.~~

The Business License Fees shall be paid and credited such that payment of the annual fee will not be due and payable again until one calendar year has elapsed from the date the fee is paid

<b>Miscellaneous Fees</b>	
Description	Amount
Returned check fee	<sup>aa</sup> 25.00
<del>Copies of minutes</del>	<del>10 cents per page</del>
Copies of <del>all other</del> City documents *	25 cents per page
Fireworks sales permit	200.00
<del>Business license list purchase</del>	<del>5.00</del>
<del>Bicycle license</del>	<del>2.00</del>
<del>Audio tape of Council meetings, Planning Commission and Board Of Adjustment</del>	<del>7.50</del>
<del>Copy of Video Tape of a City Council Meeting</del> <sup>aa</sup>	<del>25.00</del>
Copy of Court Audio (CJA Rule 4-202.08) <sup>+</sup>	\$10.00
Copies of Customer Utility Billing History	5.00
Notary Fee <sup>**</sup>	5.00
Youth Court Registration Fee <sup>***</sup>	30.00
Special Events Permit <sup>#</sup>	25.00
<del>Overpayment Refund Processing Fee</del>	<del><sup>aa</sup>5.00</del>
Newsletter Advertising Fees <sup>++</sup>	Full Side / mo. \$250
	Full Front & Back / mo \$450
	Half Side / mo. \$150

~~<sup>aa</sup> Amount amended 15 May 07 - Ordinance 07-09~~

<del>Fee for GRAMA requests - (See Utah Code §63G-2-203)</del>	<del>As permitted</del>
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\* One copy of Council agendas will be provided at no charge

\*\* Cost is not applicable to city employees or city-related documents

\*\*\* Costs to be paid prior to attendance at "Court" session - City staff member responsible for administration of the program may grant waiver of fee for good cause shown.

# **Special Events Permit** - 5k runs; parades, etc., require a permit from the Police Department and are subject to traffic control requirements and restrictions. (Adopted 06 Feb 07)

<sup>aa</sup> Amount Amended 15 Jun 10 - Ordinance 10-06

<sup>+</sup> Amount added 07 May 13 - Ord 13-05

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\$50,000 - \$100,000	each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 - \$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000 or fraction thereof, to and including \$500,000
\$500,001 - \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000 plus \$3.65 for each additional \$1,000,000 or fraction

<b>Building Inspection Fees</b>	
Description	Fee
Inspections Outside Normal Business Hours	\$47 per hour
Re- inspection fees assessed under Section 108.8	\$47 per hour
Commercial plan check and site plan review	45% of building permit fee cost
Residential plan review fee	35% of building permit fee cost
Inspections for which no fee is specifically established	\$47 per hour
Additional Plan reviews required by changes to plans	\$47 per hour
For use of outside consultants for plan checking and inspections	Actual costs

<b>Planning and Zoning Fees</b>	
Description	Fee
Residential zoning map amendment	\$100 plus \$25 for each acre over one (1) to five (5) acres, then \$4 for each additional acre or part thereof
Commercial zoning map amendment	\$100 plus \$50 for each acre over one (1) to five (5) acres, then \$10 for each additional acre or part thereof
Ordinance amendment	\$100 plus advertising costs
Conditional use petition Conditional use petition for Home Occupation License in applicable zones	\$100 plus \$25 for each acre over one (1) to five (5) acres, then \$10 for each additional acre or part thereof \$10*
Appeal Hearing <del>Officer petition</del> Petition	\$100 plus mailing costs
Subdivision site plan reviews	\$100 plus \$10 per lot preliminary, plus \$100 for final review
Engineering plat review	\$100 plus actual costs incurred to be paid before final release. 4% of the bonded value on inspected improvements

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Annexations	\$200 for first five (5) acres plus \$25 per acre up to 10 additional acres
Appeals	\$100 plus advertising and mailing
Items placed on Planning Commission Agenda prior to formal submission of a petition	\$75
Amendment to a previously approved plat	\$75

\* Category Created Ord 14-06 – 06 May 14

### Police Department Fees – General Fund

Police Reports, Fingerprint, and Photograph Fees		
Description	Resident	Non-Resident
Police Reports*	\$25.00^^	\$25.00^^
Fingerprints	\$10.00	\$25.00
Photographs	\$2.00 each + \$10.00	\$2.00 each + \$10.00
Annual Sex Offender Registry Fee <sup>bb</sup>	\$25.00	N/A

^^ Amount amended 15 May 07 – Ordinance 07-09

<sup>bb</sup> Fee added 15 June 10 by ordinance 10-06

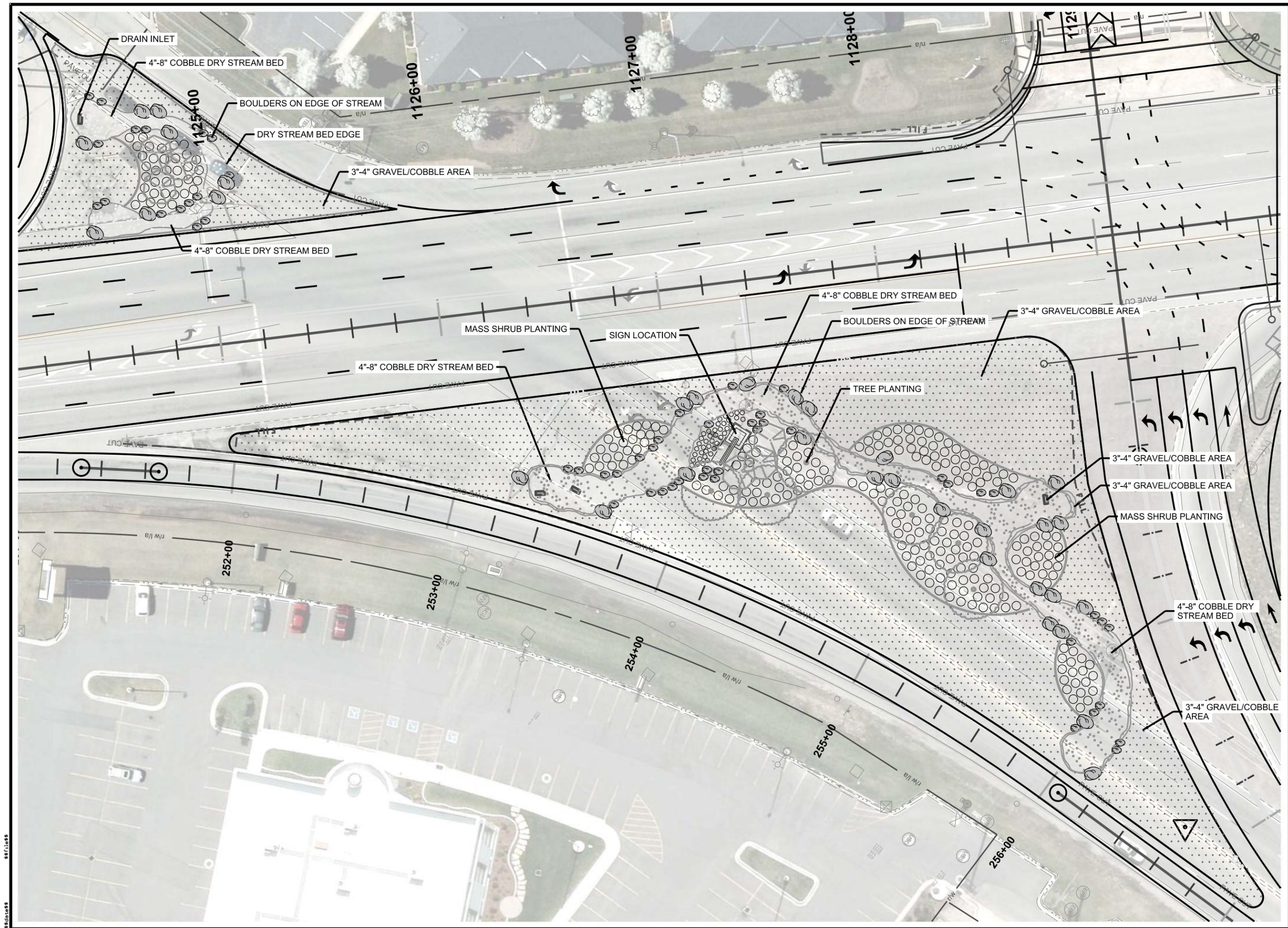
- In accordance with UCA §77-36.2.2(6)(a), Police Reports shall be made available to the victim of the crime which forms the basis for the report at no charges (Added 15 Feb 05)

Alarm Fees and Fines	
Description	Fee/Fine
Alarm Permit Fee	\$50.00
Third False Alarm Fine	\$50.00
Fourth False Alarm Fine	\$100.00
Fifth False Alarm Fine	\$100.00
Reinstatement Fee (after fifth false alarm)	\$50.00

Once a reinstatement fee has been paid, the alarm fine cycle begins again at the third false alarm following the reinstatement.

Traffic School Fees		
Violation	Base Criteria	Fee
Speeding** 1-14.99	No other moving violations within the past 6 months	<ul style="list-style-type: none"> <li>• Reg Bail Schedule for Speeding</li> <li>• \$25 Admin Fee to Court</li> <li>• Cost of on-line Traffic School Course</li> </ul>





REVISIONS	
NO.	DATE

**NOT FOR  
CONSTRUCTION**

<b>UTAH DEPARTMENT OF TRANSPORTATION</b>	
ROADWAY DESIGN	
DRAWN BY	QC
MM/DD/YY	DATE
APPROVED	PROFESSIONAL ENGINEER

PROJECT	US-89; SR-203
PROJECT NUMBER	INTERSECTION IMPROVEMENTS
	F-00889(326)408
	PIN 10708
SHEET NO.	

REMARKS

APPROVED BY

CHECKED BY

DATE

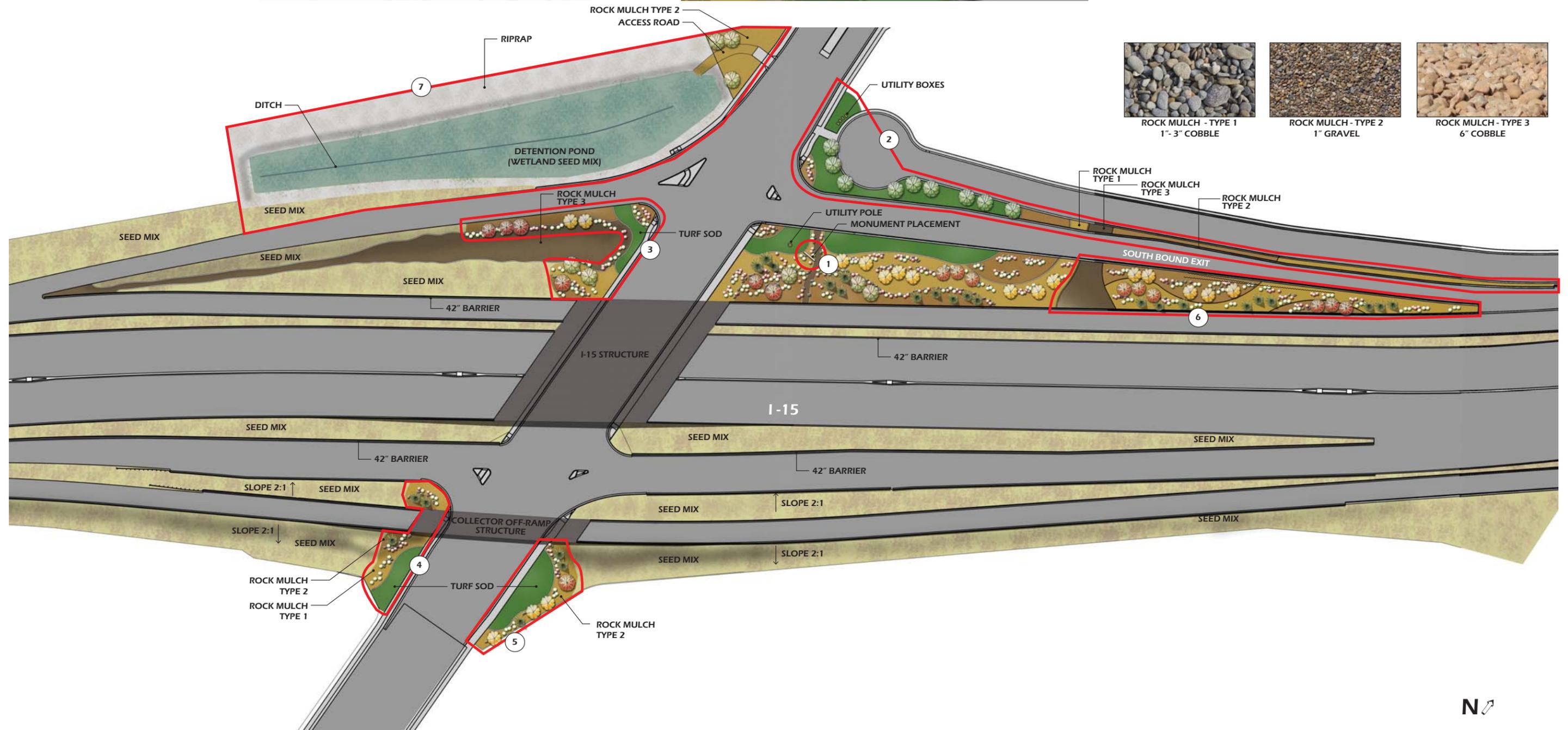
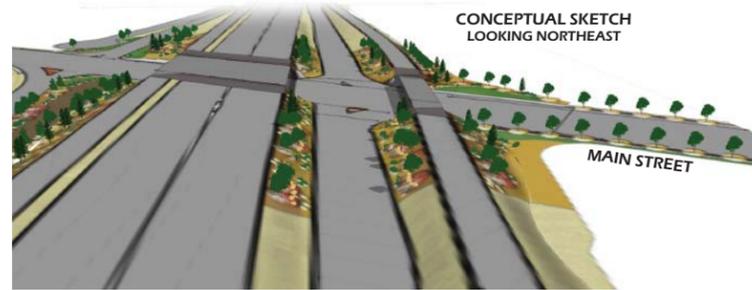
## US-89 & SR-203 Intersection Improvements

<b>US-89 Intersection (Monument Entry Sign)</b>				
	<i>Units</i>	<i>Quantity</i>	<i>UDOT Unit Price</i>	<i>Cost</i>
Monument Without Lights	EA	1	\$20,000.00	\$20,000.00
<b>Total</b>				<b>\$20,000.00</b>

<b>US-89 Landscape Area</b>				
	<i>Units</i>	<i>Quantity</i>	<i>UDOT Unit Price</i>	<i>Cost</i>
Boulders	EA	100	\$200.00	\$20,000.00
Shrubs	EA	250	\$12.00	\$3,000.00
Deciduous Trees	EA	12	\$200.00	\$2,400.00
Rock Mulch - Type 1 (1-3" Cobble)	CY	254	\$53.25	\$13,525.50
Rock Mulch - Type 2 (1" Gravel)	CY	54	\$45.00	\$2,430.00
Rock Mulch - Type 3 (6" Cobble)	CY	137	\$90.00	\$12,330.00
6" Concrete Mow Strip	LF	550	\$3.00	\$1,650.00
Irrigation System	LUMP	1	\$9,000.00	\$9,000.00
Turf Sod	SF	0	\$0.60	\$0.00
Weed Fabric	SY	1,236	\$2.45	\$3,028.20
Topsoil	CY	391	\$50.00	\$19,550.00
Design	Lump	1	\$7,800.00	\$7,800.00
<b>Total</b>				<b>\$94,713.70</b>

<b>Grand Total</b>	<b>\$114,713.70</b>
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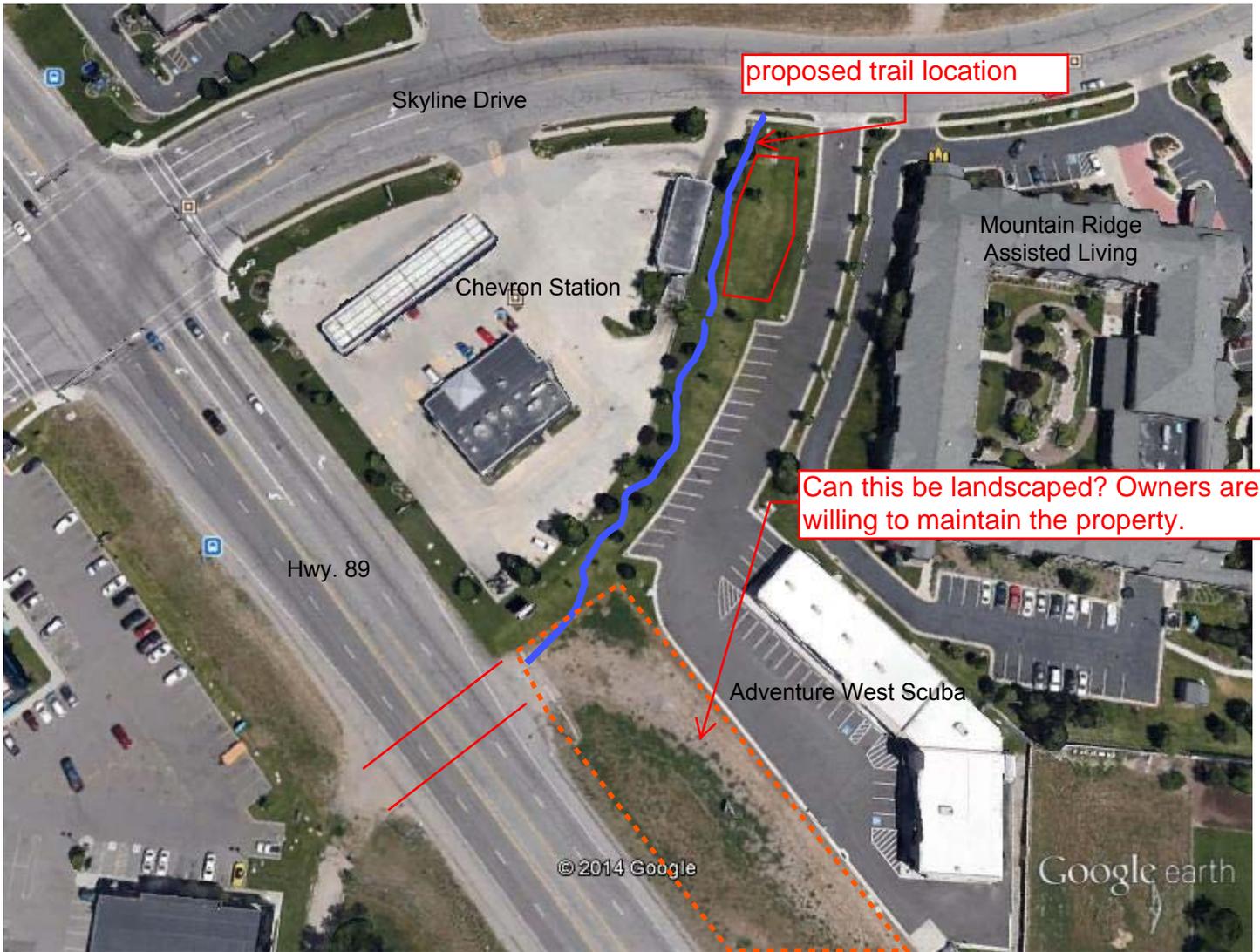
# Spanish Fork City Main Street/I-15 Interchange





Spanish Fork

North  
Salt Lake City



Google earth



All sign prices start at \$19.95 depending on size, color, etc.







**Top Picture: Bollards to install as a set \$275.00**

**Bottom Picture: 12' Gate is \$365.00.**

**Signs that need to be ordered:**

**Dog park signs:** 12"x18"

Vinyl lettering \$50.00 a sign  
Printed with U.V. protection \$55.00 a sign

**Bicycle signs:** 30"x24"

**Engineered Grade:** \$60.00 a sign  
**High intensity:** \$63.00 a sign

**High intensity recommended for roadway use**

**Signs:** 18"x24"

**Engineered Grade:** \$65.00 a sign  
**High intensity:** \$70.00 a sign

**NOTICE AND AGENDA**  
**SOUTH OGDEN CITY**  
**COMMUNITY DEVELOPMENT & RENEWAL AGENCY**  
**BOARD MEETING**

**Tuesday, October 7, 2014, 2014**

*Notice is hereby given that the South Ogden City Community Development and Renewal Agency will hold a meeting on Tuesday, October 7, 2014, 2014, at 6 p.m., or as soon as the agenda permits, in the council chambers located at 3950 Adams Avenue, South Ogden, Utah.*

- I. **CALL TO ORDER** – Chairman James F. Minster
  
- II. **CONSENT AGENDA**
  - A. Approval of July 15, 2014 CDRA Minutes
  
- III. **RECESS INTO AN EXECUTIVE SESSION**
  - A. Pursuant to UCA §52-4-205 1(d) to discuss the purchase, exchange, or lease of real property
  
- IV. **ADJOURN EXECUTIVE SESSION AND RECONVENE CDRA BOARD MEETING**
  
- V. **DISCUSSION/ACTION ITEMS**
  - A. Possible Action on Items Discussed in Executive Session
  
- VI. **ADJOURN CDRA BOARD MEETING**

Posted and faxed to the Standard Examiner October 3, 2014

The undersigned duly appointed Community Development and Renewal Agency Board Secretary hereby certifies that a copy of the foregoing notice and agenda was posted in three public places within the South Ogden City limits on October 3, 2014. These public places being: the State of Utah Public Notice Website, the Municipal Center (1<sup>st</sup> and 2<sup>nd</sup> floors), the South Ogden Senior Center, and on the City's website (southogdencity.com). Copies were also provided to the governing body.

  
Leesa Kapetanov, Board Secretary

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should notify the board secretary at least 72 hours in advance of the meeting.

**FINAL ACTION MAY BE TAKEN ON ANY ITEM ON THIS AGENDA**

1  
2  
3 **MINUTES**  
4 **OF THE SOUTH OGDEN CITY**  
5 **COMMUNITY DEVELOPMENT AND RENEWAL AGENCY BOARD MEETING**  
6 **Held Tuesday, July 15, 2014 in the Council Chambers of City Hall**

7 **BOARD MEMBERS PRESENT**

8 Chairman James F. Minster, Board Members Wayne Smith, Sallee Orr, Bryan Benard  
9 and Russell Porter

10  
11 **BOARD MEMBERS EXCUSED**

12 Council Member Brent Strate

13  
14 **STAFF MEMBERS PRESENT**

15 City Manager Matthew Dixon, City Attorney Ken Bradshaw and Recorder Leesa Kapetanov

16  
17 **CITIZENS PRESENT**

18 Jim Pearce, Raymond Rounds

19  
20 (Motion from city council meeting to enter CDRA Board Meeting):

21  
22 **Council Member Benard moved to recess into a Community Development and Renewal Agency**  
23 **Board Meeting, followed by a second from Council Member Porter. All present voted aye.**

24  
25  
26 **I. CALL TO ORDER**

27 Chairman Minster called the CDRA Board Meeting to order at 6:53 pm and moved to the first item  
28 on the agenda.

29  
30  
31 **II. CONSENT AGENDA**

32 **A. Approval of June 3, 2014 CDRA Board Minutes**

33 The chairman asked if there were any questions concerning the minutes, and seeing none,  
34 he called for a motion.

35  
36 **Board Member Smith moved to approve the consent agenda as presented. The motion**  
37 **was seconded by Board Member Porter. Board Members Benard, Smith, Porter, and Orr**  
38 **all voted aye.**

39  
40 **The minutes were approved.**

41  
42 **III. RECESS CDRA BOARD MEETING AND CONVENE INTO AN EXECUTIVE SESSION**

43 **A. Pursuant to UCA §52-4-205 1(d) to discuss the purchase, exchange, or lease of real**  
44 **property**

45 Chairman Minster indicated it was time to enter an executive session and called for a  
46 motion to do so.

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**At 6:54 pm, Board Member Porter moved to recess the CDRA Board Meeting and convene into an executive session. Board Member Smith seconded the motion. The vote to convene into a closed session was unanimous.**

Note: The CDRA Board moved to the conference room adjacent to the council room to hold the executive session.

**IV. RECONVENE CDRA BOARD MEETING AND ADJOURN**

The CDRA Board returned to the council room. Board Chairman Minster called for a motion to reconvene the CDRA Board meeting and adjourn, as well as reconvene as the South Ogden City Council.

**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.**

Not Approved

I hereby certify that the forgoing is a true, accurate and complete record of the South Ogden City Community Development and Renewal Agency Board Meeting held Tuesday, July 15, 2014.

  
\_\_\_\_\_  
Leesa Kapetanov, Board Secretary

Date approved by the CDRA Board \_\_\_\_\_

# UTAH'S LAND USE TRAINING HANDBOOK

*for Effective Land Use Decision Making in Utah's Communities*



# ACKNOWLEDGEMENTS

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The Utah League of Cities and Towns sincerely thanks those who have provided the impulse, insight, innovation and common ground manifested in this manual. This book has been three years in the making and is the result of constructive conflict and collaboration engaged in the forum of the Land Use Task Force, whose members include a number of professionals in the field of city planning, public and private land use attorneys, and representatives from the Utah Homebuilders Association and the Utah Association of Realtors, respectively.

This task force has met biweekly, during interim legislative periods since 2004, to resolve inevitable issues that arise between development interests and local regulators.

The generous financial assistance from the Utah Local Governments Trust and the Utah Association of Realtors provided the funds to print this and related documents that will be used to train countless professional and citizen planners around the state.

## **Board of Directors, Utah League of Cities and Towns**

**Council Member Steve Fairbanks**, *President, Sandy City*

**Mayor Mike Winder**, *First Vice President, West Valley City*

**Council Member Lisa Watts Baskin**, *Second Vice President, City of North Salt Lake*

**Mayor JoAnn Seghini**, *Treasurer, Midvale City*

**Council Member Jill Remington Love**, *Past President, Salt Lake City*

**Mayor Burtis Bills**, *Payson City*

**Council Member Candace Erickson**, *Park City*

**Mayor Scott Harbertson**, *Farmington City*

**Council Member Melissa Johnson**, *West Jordan City*

**Mayor Gerald Knight**, *Nibley City*

**Council Member Sonja Norton**, *Vernal City*

**Council Member Jim Ortler**, *Brian Head Town*

**Council Member Lynn Pace**, *Holladay City*

**Mayor Dave Sakrison**, *Moab City*

**Council Member Brandon Stephenson**, *Ogden City*

**Council Member Steve Turley**, *Provo City*

**Mayor Russ Wall**, *Taylorsville City*

## **Board of Directors, Utah Local Governments Trust**

**Burtis Bills**, *Mayor, Payson City*

**Blake Frazier**, *Auditor, Summit County*

**Brad Hancock**, *Board Member, Duchesne County Water Conservancy District*

**Gary Hatch**, *Manager, Davis County Mosquito Abatement District*

**Jeff Horrocks**, *Commissioner, Emery County*

**Dean Howard**, *Mayor, Hyrum City*

**Joe Piccolo**, *Mayor, Price City*

**JoAnn Seghini**, *Mayor, Midvale City*

**Bob Sutherland**, *General Manager, Midvalley Improvement District*

## SECTION 3 | Enforcement and Appeals Procedures

### 3.1 Enforcement of Land Use Ordinances

1. **Formal Requirements Only.** Municipality may not impose requirements on the holder of an issued land use permit that are not expressed:
  - a. In the land use permit; or
  - b. In documents upon which the land use permit is based; or
  - c. In LUDMA; or
  - d. In the municipality's ordinances.  
10-9a-509(1)(h)
2. **Certificate of Occupancy.** Municipality may not withhold a certificate of occupancy because of an applicant's failure to comply with a requirement that is not expressed:
  - a. In the building permit or documents upon which the building permit is based;
  - b. In LUDMA;
  - c. In the municipality's ordinances.  
10-9a-509(1)(i)
3. **Municipality Must Follow Ordinances.** A municipality is bound by the mandatory terms and standards of applicable land use ordinances and shall comply with mandatory provisions of those ordinances.  
10-9a-509(2); *Springville Citizens v. Springville*, 1999 UT 25; *Culbertson v. Salt Lake County*, 2001 UT 108
4. **Private Enforcement.** A municipality or any adversely affected owner of real estate within the municipality may enforce land use ordinances and the LUDMA statute by instituting proceedings for:
  - a. Injunctions:
    - i. Which shall be granted to a municipality if the violation is established;  
10-9a-802(1)(b)
    - ii. Which may only be granted to a property owner seeking to enforce the ordinance or statute upon a showing of standing, prejudice, and appropriate cause; *Specht v. Big Water Town*, 2007 UT App 335
  - b. Mandamus;
  - c. Abatement;
  - d. Or other appropriate actions. 10-9a-802(1)(a)
5. **Private Enforcement Only if Adversely Affected.** Property owners may only enforce a land use ordinance if they:
  - a. Own property within the municipality;  
10-9a-802(1)(a)
  - b. Are "adversely affected" which means:
    - i. That the property owner has been prejudiced by the violation or pending violation; and
    - ii. Can establish what relief, if any, they are entitled to as a result of the illegal decision. *Springville Citizens v. Springville*, 1999 UT 25; *Specht v. Big Water Town*, 2007 UT App 335
6. **Current or Prospective Violations.** Enforcement actions may be brought against violations which have occurred or which are about to occur. 10-9a-802(1)(a)
7. **Local Penalties.** The municipality may establish penalties for the violation of LUDMA or land use ordinances created under the authority of LUDMA. The penalties must be established by ordinance. 10-9a-803(1)
8. **State Penalties.** The penalty for violation of LUDMA under state law is a class C misdemeanor. A class C misdemeanor is punishable by:
  - a. Up to 90 days in jail; 76-3-204
  - b. A fine of up to \$750.00 for a person. This limit does not apply to a fine against a business entity; 76-3-301
  - c. Other penalties and costs. 76-3-201
9. **Attorney's Fees.** Attorney's fees may only be assessed against those bringing an action related to land use issues if the action is brought in bad faith. *Hatch v. Boulder Town*, 2001 UT App 55 Attorneys fees may be ordered against a local government in the land use regulation context, however, if appropriate to vindicate a

strong or societally appropriate public policy, to compensate a party for the cost of litigation that exceeds his or her interest in the lawsuit, and where an exceptional case justifies such an award as an equitable remedy. *Culbertson v. Salt Lake County*, 2008 UT App 22

## 3.2 Appeal Authority

### 3.2A General Provisions

1. **Required.** Each municipality adopting a land use ordinance shall:
  - a. Establish one or more appeal authorities to decide:
    - i. Requests for variances from the terms of the land use ordinances; and
    - ii. Appeals from decisions applying the land use ordinances; 10-9a-701(1)
  - b. Enact an ordinance establishing a reasonable time of not less than ten days to appeal to an appeal authority a written decision issued by a land use authority; 10-9a-704(1)
  - c. If the council has not adopted an ordinance establishing a time to file an appeal to the board of appeals, a party shall have ten calendar days to appeal a written decision issued by a land use authority. 10-9a-704(2)
2. **Right to Appeal.** Decisions of a land use authority in administering or interpreting a land use ordinance may be appealed:
  - a. To the appeal authority appointed by ordinance to hear such an appeal;
  - b. By the applicant, the municipality, or any person adversely affected by the decision;
  - c. Within the time period established by ordinance;
  - d. By alleging that there is an error in any order, requirement, decision, or determination made by the land use authority in the administration or interpretation of the land use ordinance. 10-9a-703

3. **Options.** A municipality may:
  - a. Enact by ordinance the designation of separate appeal authorities to hear variance requests and other distinct types of appeals from the decisions of land use authorities;
  - b. Require by ordinance that an adversely affected party must present to an appeal authority every theory of relief that it can raise in district court;
  - c. Provide that specified types of land use decisions may be appealed directly to district court; 10-9a-701(4)
  - d. Establish a standard of review for appeals of land use authority decisions. 10-9a-707(1)
4. **One Appeal.** A municipality may not require an adverse party to pursue duplicate or successive appeals before the same or separate appeal authorities prior to going to court. 10-9a-701(4)(d)
5. **Process.** An appeal authority shall:
  - a. Act in a quasi-judicial manner; and
  - b. Serve as the final arbiter of issues involving the interpretation or application of local land use ordinances; and 10-9a-701(3)
  - c. Conduct each appeal and variance request as provided in local ordinance; and
  - d. Respect the due process rights of each of the participants: 10-9a-706
    - i. The demands of due process rest on the concept of basic fairness of procedure and demand a procedure appropriate to the case and just to the parties involved; *Rupp v. Grantsville City*, 610 P.2d 340 (Utah 1980)
    - ii. The minimum requirements of due process are adequate notice and an opportunity to be heard in a meaningful manner; *Dairy Products v. Wellsville*, 2000 UT 81
    - iii. To be considered a meaningful hearing, the concerns of the affected parties should

## SECTION 3 Enforcement and Appeals Procedures

be heard by an impartial decision maker;  
*V-1 Oil Co. v. Dept. of Environmental Quality*, 939 P.2d 1192 to 1197 (Utah 1997)

- iv. In addition, a record is helpful to allow for judicial review, though where not available or complete, the reviewing court must be allowed to determine the facts to ensure due process was given. *Xanthos v. Board of Adjustment*, 685 P.2d 1032, 1034 (Utah 1984)
6. **Board Procedures.** If the appeal authority is a multi-person board, body, or panel, it shall:
  - a. Notify each of its members of each meeting or hearing; and
  - b. Provide each member the same information and access to municipal resources as any other member; and
  - c. Convene only if a quorum of its members is present; and
  - d. Act only upon the vote of a majority of its convened members. 10-9a-701(5)
7. **Duty to Exhaust.** Each adversely affected person who wishes to challenge a local land use decision shall, before going to court, timely and specifically challenge the local land use decision in accordance with local ordinance. 10-9a-701(2); *Patterson v. American Fork City*, 2003 UT 7
8. **Deadlines Mandatory.** An appeal must be filed within the strict timeline imposed by state law or by local ordinance. Even the municipality is bound by such time limits and cannot reverse a local administrative land use decision if the decision is not timely appealed. *Brendle v. City of Draper*, 937 P.2d 1044 (UT App 1997)

### 3.2B Appeals Procedures

1. **Can Only Appeal Decisions Applying Ordinance.** Only those decisions in which a land use authority has applied a land use ordinance to a particular application, person, or parcel may be appealed to an appeal authority. 10-9a-707(4)
2. **Burden.** The appellant has the burden of proving that a land use authority has erred. 10-9a-705
3. **Standard of Review.** The appeal authority shall:
  - a. Review matters brought before it as if the matter had not been decided before (that is, de novo) unless the council has set a different standard of review. 10-9a-707(2) Examples of a different standard of review might include a standard of deference to the land use authority making the decision unless clear error is shown;
  - b. Review an issue related to the interpretation and application of a land use ordinance for correctness: 10-9a-707(3)
    - i. In interpreting the meaning of zoning ordinances, the previous decision that is being reviewed as to the meaning of an ordinance is not entitled to deference. The appeal authority need not give any deference to the interpretation involved in the board, commission, official or council's decision that is being appealed to the appeal authority; *Carrier v. Salt Lake County*, 2004 UT 98
    - ii. The board is to review the staff's interpretation for correctness, giving it no deference. Although the person or entity making the appeal has the burden of proving that an error has been made, the person need show only an error in an order, requirement, decision, or determination made by an official in the administration or interpretation of the zoning ordinance. There is no requirement

that the appeal authority give any deference to the administrator or executive official making the determination. The issue is “was the decision applying the ordinance correct,” not “did the person making the decision act reasonably?” *Brown v. Sandy City Board of Adj.*, 957 P.2d 207 (UT App 1998)

4. **Interpreting Ordinances.** How to interpret the meaning of an ordinance or rule:

- a. When we interpret a law, we look first to its plain language; only if the law’s language is ambiguous do we rely on other methods of statutory interpretation; *Toone v. Weber County*, 2002 UT 103
- b. Because zoning ordinances are in derogation of a property owner’s common-law right to unrestricted use of his or her property, provisions therein restricting property uses should be strictly construed, and provisions permitting property uses should be liberally construed in favor of the property owner; *Patterson v. Utah County Bd. of Adjustment*, 893 P.2d 602, 606 (UT App 1995)
- c. The primary goal in interpreting the law is to give effect to the legislative intent, as evidenced by the plain language, in light of the purpose the statute was meant to achieve; *Mouty v. Sandy City*, 2005 UT 41
- d. In cases of apparent conflict between provisions of the same law, it is the appeal authority’s duty to harmonize and reconcile statutory provisions, since the court cannot presume that the legislature intended to create a conflict; *Bennion v. Sundance Development*, 897 P.2d 1232 (Utah 1995)
- e. A provision treating a matter specifically prevails over an incidental reference made thereto in a provision treating another issue,

not because one provision has more force than another, but because the legislative mind is presumed to have stated its intent when it focused on that particular issue; *Bennion v. Sundance Development*, 897 P.2d 1232 (Utah 1995)

- f. It is axiomatic that a statute should be given a reasonable and sensible construction and that the legislature did not intend an absurd or unreasonable result. *State ex rel. Div. of Consumer Prot. v. GAF Corp.*, 760 P.2d 310, 313 (Utah 1988)

5. **Separate Appeals Body.** An appeal authority may not entertain an appeal of a matter in which the appeal authority, or any participating member of the appeal authority, had first acted as a land use authority. 10-9a-701(3)(b)

6. **Substantial Evidence.** Any decision by the appeal authority is subject to 10-9a-801(3)(c). It is only valid if the decision is supported by substantial evidence in the record and is not arbitrary, capricious, or illegal.

### 3.2C Variances

1. **Characteristics.** Variances:

- a. Involve a waiver or modification of the requirements of a land use ordinance as applied to a parcel of property; 10-9a-702(1)
- b. Do not vary the use of property; 10-9a-702(5)
- c. Run with the land. 10-9a-702(4)

2. **Requested by Property Owner.** A variance may be requested by a person who owns, leases, or holds some other beneficial interest in a parcel of property that is to be the subject of the variance request. 10-9a-702(1)

3. **Required Findings.** A variance may only be granted if all of the following findings are made on the record:

- a. Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the

## SECTION 3 Enforcement and Appeals Procedures

- general purpose of the land use ordinances.
- 10-9a-702(2)(a)(i) An unreasonable hardship can only be found when the alleged hardship:
- i. Is located on or associated with the property and not from conditions that are general to the neighborhood;
  - ii. Comes from circumstances peculiar to the property, and not from conditions that are general to the neighborhood;
  - iii. Is not self-imposed;
  - iv. Is not primarily economic, although there may be an economic loss tied to the special circumstances of the property; *Chambers v. Smithfield City*, 714 P.2d 1133 (Utah 1984)
- b. There are special circumstances attached to the property that do not generally apply to other properties in the same zone.
- 10-9a-702(2)(a)(ii) The appeal authority may find that special circumstances exist only if the special circumstances:
- i. Relate to the hardship complained of; and
  - ii. Deprive the property owner of privileges granted to other properties in the same zone;
  - iii. Are not simply differences between the property and others in the area; *Xanthos v. Board of Adj.*, 685 P.2d 1032 (Utah 1986)
- c. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone; 10-9a-702(2)(a)(iii) and
- d. The variance will not substantially affect the general plan and will not be contrary to the public interest; 10-9a-702(2)(a)(iv) and
- e. The spirit of the land use ordinance is observed and substantial justice done. 10-9a-702(2)(a)(v)
4. **Burden.** The applicant bears the burden of proving that all the conditions justifying a variance have been met. 10-9a-702(3)
5. **Conditions.** In granting a variance, the appeal authority may impose additional requirements on the applicant that will:
- a. Mitigate any harmful effects of the variance; or
  - b. Serve the purpose of the standard requirement that is waived or modified. 10-9a-702(6)
6. **Substantial Evidence.** Decision granting a variance must be supported by findings and substantial evidence in the record of the proceedings where the decision to grant the variance was made. *Wells v. Salt Lake City Bd. of Adj.*, 936 P.2d 1102 (UT App 1997)

### 3.2D Decisions by the Appeal Authority

1. **Effective Date.** The decision of an appeal authority takes effect on the date when it is issued in writing or as otherwise provided by ordinance. 10-9a-708(1)
2. **Appeal to District Court.** Once a written, final decision is made by the appeal authority, or other final action is taken by the appeal authority as defined by local ordinance:
  - a. The decision is ripe for an appeal of the matter to district court under 10-9a-801; and
  - b. The 30-day time period begins to run during which an appeal to district court may be filed under 10-9a-801(2) and 801(4); 10-9a-708(2)
  - c. The strict application of the appeals deadline may not apply if the appeal authority failed to conform to the notice requirements of LUDMA (unless the aggrieved person who should have had notice had “actual” notice of the pending decision). 10-9a-801(4)

### 3.2E District Court Review

1. **Exhaust Local Remedies First.** Before challenging a municipality’s land use decisions in district court, a person must make an appeal through the local appeals process. 10-9a-801(1); *Patterson v. American Fork City*, 2003 UT 7, par 16

- a. A person need not appeal a local *legislative* decision to the local appeal authority. Legislative decisions include:
    - i. Enacting or amending an ordinance;
    - ii. Adopting the general plan;
    - iii. Changing the zoning classification of a property; or
    - iv. Annexing land;
  - b. A person must appeal through the local appeal authority process most *administrative* decisions, including any decision interpreting or applying the land use ordinance, such as:
    - i. Subdivision actions;
    - ii. Conditional use permit decisions;
    - iii. Building permit matters arising from the land use ordinance rather than the building code (the building code creates its own separate appeals process);
  - c. A person may appeal a decision from the appeal authority to court, even if that appeal authority decision is the first action taken on a matter within the local administrative process. An example of this would be a variance decision, which is only heard once locally before it may be taken to the district court. 10-9a-708; 10-9a-801(2) and (4)
2. **Thirty Day Deadline.** In order to appeal a decision to district court, the person must file a petition for review with the court within 30 days of the date that the land use decision is final: 10-9a-801(2)(a), 10-9a-801(6)
- a. A local appeal authority decision is final when it is reduced to writing. 10-9a-708
  - b. Other land use decisions are final:
    - i. As provided for in local ordinance;
    - ii. When reduced to writing. 10-9a-704
3. **Faulty Notice.** The 30-day deadline to file an appeal:
- a. Might not limit the right of a person to appeal to the district court if the municipality did

- not comply with the notice requirements of 10-9a-205 for the meeting or hearing where the decision to be appealed was made.
- b. The notice requirements are:
    - i. Notice required prior to a public *hearing* to adopt or modify a land use ordinance; 10-9a-205(2)
      - A. Ten calendar days notice;
      - B. Mail to affected entities; and
      - C. Post in three physical locations, or on the website; and
      - D. Publish in newspaper or mail to each property owner whose land is directly affected by the land use ordinance change and adjacent property owners within a distance specified by local ordinance;
    - ii. Notice required prior to a public *meeting* to adopt or modify a land use ordinance; 10-9a-205(3)
      - A. Twenty-four hour notice;
      - B. Post in three physical locations or on the website.
  - c. If the notice requirements were met for the meeting or hearing where the decision was made, the 30-day deadline to file litigation applies, and any lawsuit challenging the decision will likely be dismissed.
  - d. In order to challenge the notice requirements, and thus avoid the 30-day filing deadline, the person making the challenge cannot have had actual knowledge that the decision was pending at that meeting or hearing. A person attending the meeting, for example, cannot challenge notice of the meeting. 10-9a-801(4)
4. **Ombudsman's Arbitration of a Taking.** The 30-day deadline to file an appeal is stayed, so the time limit stops running for the narrow issues raised in a request for arbitration filed with the office of the property rights

## SECTION 3 Enforcement and Appeals Procedures

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ombudsman before the 30-day period has run out. 10-9a-801(2) These issues include only constitutional takings issues as defined in 13-43-102 and thus are limited to certain property rights questions such as:

- a. Whether a land use decision has denied the property owner all economically viable use of his or her property; *Arnell v. Salt Lake County Bd. of Adj.*, 2005 UT App 165
  - b. Whether a land use decision has imposed burdens on the property owner that are grossly disproportionate when weighed against the public benefits conferred and the property owner's reasonable investment-backed expectations; *Penn Central Transportation Co. v. City of New York*, 438 U.S. 104, 57 L. Ed. 2d 631, 98 S. Ct. 2646 (1978); *Lingle v. Chevron U.S.A. Inc.*, 544 U.S. 528, 161 L. Ed. 2d 876, 125 S. Ct. 2074 (2005)
  - c. Whether the approval of a land use application has been made subject to an illegal exaction. *B.A.M. Dev., L.L.C., v. Salt Lake County*, 2006 UT 2
5. **No Change in Decision's Effective Date.** Filing an appeal does not stay the decision of a land use authority or appeal authority:
- a. There is no stay provided for in statute for decisions of a land use authority;
  - b. An appeal authority decision may be stayed if, before filing a petition with the court, the aggrieved party petitions the appeal authority to stay its decision;
  - c. The appeal authority may stay its decision if it finds that doing so is in the best interest of the municipality;
  - d. The aggrieved party may also seek an injunction staying a decision by an appeal authority. 10-9a-801(9)
6. **Judicial Deference.** In reviewing a local land use decision, the courts shall give deference to the municipality and shall:
- a. Presume that the decision, ordinance, or regulation is valid; and
  - b. Determine only whether the decision is arbitrary, capricious, or illegal.
7. **Standard of Review.** The standard of review that a court will apply in judging a municipality's land use decision depends on whether the decision is administrative or legislative:
- a. Decisions by a legislative body may be either legislative or administrative; *Keigley v. Bench*, 89 P.2d 480, 483 (Utah 1939)
  - b. Legislative decisions create new law. Administrative decisions execute or implement existing law; *Low v. City of Monticello*, 2002 UT 90 par 23
  - c. All acts by a city council in a city using the "council-mayor" form of government are legislative. *Mouty v. Sandy City*, 2005 UT 41 par 36 (These cities include: Holladay, Hooper, Logan, Marriott-Slaterville, Murray, Naples, Provo, Riverton, Salt Lake City, Sandy, South Salt Lake, and Taylorsville.)
8. **Administrative Decisions.** Administrative decisions by a land use authority are valid if they are supported by substantial evidence in the record and are not otherwise arbitrary, capricious, or illegal: 10-9a-801(3)(c)
- a. A decision that is the result of careful consideration and supported by substantial evidence is not arbitrary and capricious; *Springville Citizens v. Springville*, 1999 UT 25
  - b. Even if there is evidence to support a decision, the decision is invalid if the evidence is not in the record. The court will not assume that the land use authority silently made sufficient findings; *Wells v. Bd. of Adj. of Salt Lake*, 936 P.2d 1102 (UT App 1997)

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## 4.7 Appeals from the Land Use Authority

It would be great if every land use authority always objectively applied the law of the jurisdiction to the facts of the application. They don't always get it right. They are human.

Even when the land use authority gets it exactly right, opinions can differ as to whether the law was applied correctly. No matter how tightly the local land use ordinance is written, creative minds can find ambiguity.

It is the appeal authority's role to correct land use authority errors and to interpret local land use ordinances. The appeal authority acts as the jurisdiction's final word on the application. Insulated from the heat of the original land use authority decision, the appeal authority serves as the jurisdiction's last good chance to "get it right."

The appeal authority is the person, board, commission, agency, or other body designated by ordinance to decide an appeal of a decision of a land use application or a variance.

Historically, boards of adjustment have served as the appeal authority for most appeals in most jurisdictions. Because appeals and requests for variances are infrequent, and because the expectations for appeal authorities to act in a "quasi-judicial" manner have risen in the last decade, many jurisdictions have replaced their boards of adjustment with a professional hearing examiner or a professional Board of Land Use Appeals.

### 4.7 Checklist | Appeals from Decisions Applying the Land Use Ordinance

- 1. Determine that a final land use decision has been rendered by a land use authority.
- 2. Determine that the request for appeal was filed in a timely manner. State law requires that the local ordinance set a deadline to appeal that is not less than ten days after the land use decision has been rendered in writing.
- 3. Determine that the request for appeal is sufficiently complete for consideration. If it is incomplete, tell the appellant, specifically, how the appeal is deficient.
- 4. Determine that all appeal fees have been paid.
- 5. Place the item on an agenda for the appeal authority, if the appeal authority is composed of a board or commission that includes more than one person.
- 6. Provide the required notice of the meeting (or, if required by local ordinance, a hearing) to consider the application. If the appeal authority is composed of a board or commission that includes more than one person, notify the members of the appeal authority of the meeting.
- 7. Review standards in the local land use ordinance and state law that apply to the consideration of the appeal.
- 8. Verify that the appeal authority is impartial and free of bias from conflicts of interest with regard to the matter before it.
- 9. Conduct the meeting, and, if a hearing is required by local ordinance as part of the consideration of an appeal application, a hearing. A hearing is not required by state law.
- 10. Act in a quasi-judicial manner and gather evidence impartially. Afford the applicant and the appellant due process, which includes the rights of notice, to be heard, to confront witnesses, and to respond to evidence submitted by others.

## SECTION 4 Checklists for Land Use Actions

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### 4.7 Checklist | Appeals from Decisions Applying the Land Use Ordinance, *CONTINUED*

- 11. If there is no standard of review provided for in the local land use ordinance, consider the appeal “de novo,” which means that the appeal authority may look at the issue as a new issue, as if the matter had not been decided before. The appeal authority, if acting “de novo,” does not need to defer to the prior decision of the land use authority. If the ordinance provides for a different standard of review, follow the local ordinance.
- 12. Allow the person bringing the appeal to present evidence supporting his or her appeal. The person bringing the appeal has the burden to show that the previous decision was in error. If the person does not meet this burden, dismiss the appeal.
- 13. If a person appears in opposition to the appeal and will be adversely affected if the appeal is granted, allow him or her to present evidence supporting his or her point of view. While the procedure need not be overly formal, allow each side to respond to the evidence presented by the other side.
- 14. Deliberate. Since an appeal authority is a quasi-judicial body, its deliberations may be conducted in private. Consider evidence that is before the appeal authority that is both relevant and credible related to the issue on appeal. Seek advice from professionals. After considering the standards and the evidence, determine which view of the matter is correct.
- 15. In interpreting the law or ordinance, look to its plain language. If the ordinance has been interpreted in the past, be consistent with prior interpretation. If the ordinance is ambiguous, interpret ambiguities in a light favorable to the use of property. If it is not ambiguous, give effect to the intent of the legislative body that enacted the law or ordinance. Harmonize conflicting provisions so that they can be reconciled. Do not impose an absurd or unreasonable result.
- 16. If, in the opinion of the appeal authority:
  - a. The appellant has provided substantial evidence in the record to support his or her point of view, and there is no substantial evidence to the contrary, approve the appeal.
  - b. The appellant has failed to provide substantial evidence in the record to support his or her point of view, deny the appeal.
- 17. Support the action of the appeal authority with evidence in the record, identifying the evidence that the appeal authority relied upon in its decision. The decision must be supported by substantial evidence in the record and not solely by public clamor. The appeal authority may be assisted by professional staff.
- 18. Preserve the record of the proceedings to document the law and evidence that was considered by the appeal authority before it made a decision related to the application.

#### Notes and Practice Tips

The action taken by an appeal authority is legal only if it is supported by substantial evidence in the record. “Substantial evidence” is evidence that is relevant and credible. To be relevant, it must relate to the standards in the ordinance and state law related to the review of applications for variances. To be credible, it must be objective and independent.

Public clamor is not substantial evidence. Evidence is independent—it stands on its own and is not based on public opinion. For the average person, either participating in a land use decision as a member of the appeal authority or as a citizen, his opinion is not evidence. Evidence is the justification—the facts—that are the basis for the opinion.

The opinion of expert witnesses qualified to testify in their field of expertise can be substantial evidence if proper information is provided supporting the qualifications of the persons expressing the opinions.

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## 4.8 Variances

A variance is a limited means by which a property owner can obtain relief from certain provisions of a land use ordinance. A variance is appropriate when, because of particular physical surroundings, shape, or topographical conditions of the property, compliance with the land use ordinance would result in a particular hardship upon the owner. (Hardship is distinguished from a mere inconvenience or a desire to make more money.) The petitioner must prove that:

1. Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;
2. There are special circumstances attached to the property that do not generally apply to other properties in the same zone;
3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;
4. The variance will not substantially affect the general plan and will not be contrary to the public interest; and
5. The spirit of the land use ordinance is observed and substantial justice done.

The appeal authority may not find an unreasonable hardship unless the alleged hardship:

1. Is located on or associated with the property for which the variance is sought; and
2. Comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.

In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.

In determining whether or not there are special circumstances attached to the property, the appeal authority may find that special circumstances exist only if the special circumstances:

1. Relate to the hardship complained of; and
2. Deprive the property of privileges granted to other properties in the same zone.

Generally, a variance process is designed to prevent a regulatory “taking” of private property. However, because a variance allows the applicant to circumvent the zoning laws of the jurisdiction, the applicant has the burden of proving that all of the conditions justifying a variance have been met.

Once granted, variances run with the land, meaning that the right to the variance is transferred from owner to owner over time.

Because variances are designed to alleviate the physical restraints of zoning in certain circumstances, they are not available to allow a use that is not contemplated in the zone. In granting a variance, the appeal authority may impose additional requirements on the applicant that will:

1. Mitigate any harmful effects of the variance; or
2. Serve the purpose of the standard or requirement that is waived or modified.

Only the appeal authority is vested with the authority to grant variances. The appeal authority could be different for each land use application if the municipality chooses. The appeal authority may not be the same person or board that took final action on the land use application. Any appeal of the decision must be made to the district courts. There is no legal way to grant a variance that would change the use of a piece of property. Use variances are not allowed.

## 4.8 Checklist | Variances

- 1. Determine that a variance from the strict application of the land use ordinance could be appropriate for the physical circumstances involved with a potential application. Use variances are not allowed.
- 2. Determine that the variance application is sufficiently complete for consideration.
- 3. Determine that the variance fee has been paid.
- 4. Place the item on an agenda for the appeal authority.
- 5. Provide the required notice of a meeting (or, if required by local ordinance, a hearing) to consider the application. If the appeal authority is composed of a board or commission that includes more than one person, then notify the members of the appeal authority of the meeting.
- 6. Review standards in the local land use ordinance and state law that apply to the consideration of a variance. They are stated in item 10 of this checklist.
- 7. Verify that the appeal authority is impartial and free of bias from conflicts of interest with regard to the matter before it.
- 8. Conduct the meeting, and, if a public hearing is required by local ordinance as part of the consideration of the variance application, a hearing. A public hearing is not required by state law.
- 9. Act in a quasi-judicial manner and gather evidence impartially. Afford the applicant due process, which includes the rights of notice, to be heard, to confront witnesses, and to respond to evidence submitted by others.
- 10. Deliberate. Since an appeal authority is a quasi-judicial body, its deliberations may be conducted in private. Consider evidence that is before the appeal authority that is both relevant and credible related to the proposed variance. After considering the standards and the evidence, determine if the applicant has met his or her burden to establish by substantial evidence each of the required findings:
  - a. Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances. An unreasonable hardship can only be found when the alleged hardship:
    - i. Is located on or associated with the property and not from conditions that are general to the neighborhood;
    - ii. Comes from circumstances peculiar to the property, and not from conditions that are general to the neighborhood;
    - iii. Is not self-imposed;
    - iv. Is not primarily economic, although there may be an economic loss tied to the special circumstances of the property; and
  - b. There are special circumstances attached to the property that do not generally apply to other properties in the same zone. The appeal authority may find that special circumstances exist only if the special circumstances:
    - i. Relate to the hardship complained of; and conditions that are general to the neighborhood;
    - ii. Deprive the property owner of privileges granted to other properties in the same zone; and conditions that are general to the neighborhood;
    - iii. Are not simply common differences between the property and others in the area.

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- c. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone; and
  - d. The variance will not substantially affect the general plan and will not be contrary to the public interest; and
  - e. The spirit of the land use ordinance is observed and substantial justice done.
- 11. If, in the opinion of the appeal authority:
    - a. The applicant has provided substantial evidence in the record to support all five of the required findings, and there is no substantial evidence to the contrary, approve the variance.
    - b. The applicant has failed to provide substantial evidence in the record to support any one of the five required findings, deny the variance.
  - 12. Support the action of the appeal authority with evidence in the record, identifying the evidence that the appeal authority relied upon in its decision. The decision must be supported by substantial evidence in the record and not solely by public clamor.
  - 13. Preserve the record of the proceedings to document the law and evidence that was considered by the appeal authority before it made a decision related to the application. Remember, any appeal of the decision heads to district court.

### **Notes and Practice Tips**

The action taken by an appeal authority is legal only if it is supported by substantial evidence in the record. “Substantial evidence” is evidence that is relevant and credible. To be relevant, it must relate to the standards in the ordinance and state law related to the review of applications for variances. To be credible, it must be objective and independent.

Public clamor is not substantial evidence. Evidence is independent—it stands on its own and is not based on public opinion. For the average person, either participating in a land use decision as a member of the appeal authority or as a citizen, his opinion is not evidence. Evidence is the justification—the facts—that are the basis for the opinion.

## **Appeal Authority Options – Fact and Fiction**

Craig M. Call, Director – The Utah Land Use Institute

- FACT:** Every municipality that has a land use ordinance must have an appeal authority. The appeal authority is created by ordinance, after the planning commission has recommended to the city council or town board how appeals should be conducted.
- FICTION:** It has to be a Board of Adjustment composed of residents of the municipality.
- FACT:** The appeal authority can be one person or several; can be residents or non-residents; can be a professional planner or attorney or not. An appeal authority needs to be trained, impartial, and credible to those appearing before it. A group of municipalities could all use the same appeal authority.
- FICTION:** State law requires that an appeal authority hold hearings.
- FACT:** An appeal authority can meet with those who are parties to the issue. If the appeal authority is an individual, he or she does not need to hold a public meeting. If the appeal authority is a board, a meeting notice must be posted, but it is a public meeting, not a public hearing. An appeal authority does not need to even hold a meeting if that does not assist in resolving the issues. The entire process could be completed via email.
- FICTION:** Neighbors must be notified and allowed to speak.
- FACT:** Those who are parties must be allowed to speak, but every neighbor may or may not be a party. Those who filed the appeal must be allowed to speak – they are parties. Those who made the decision that is appealed must also be allowed to speak. No one else need be notified of the issue. Public comment and public clamor are irrelevant. The issues are “Was the decision correct?” “Was the ordinance correctly interpreted and applied?” and “Was the action legal?” not “What do the neighbors want?” or “Do we like the person challenging the decision?” or “Do we like the result?”. Appeal authorities interpret the law – they don’t make policy.
- FICTION:** An appeal authority does not need any formalities.
- FACT:** An appeal authority should be careful to respect due process from all parties. Due process includes: An impartial decision-maker; a fair chance for the parties to be heard on the issues; the chance to respond to evidence presented by those with opposing points of view; notice of any proceedings or process where the issue is to be heard and evidence is to be gathered. So long as these requirements are met, excess formality can get in the way of fairness.
- FICTION:** An appeal authority is mainly to handle variances.
- FACT:** While the state statute assigns variance issues to appeal authorities, its most important function is to resolve disputes involving the administrative application of the land use

ordinances. If that is not being accomplished, then either no one ever disagrees with the zoning administrator or planning commission, or the rights of appeal that state statute guarantees to those participating in the land use process are being denied.

FICTION: The appeal authority is to assist the city in enforcing the ordinances.

FACT: The appeal authority is an independent entity, and its job is to assist all parties to the land use process achieve a correct and legal resolution of disputes. Its job is to help the city avoid errors as well as private parties.

FICTION: Using the appeal authority to resolve administrative disputes is optional.

FACT: Usually, no one can challenge an administrative decision in court unless the appeal authority first hears the matter and renders a final decision.

FICTION: Ten days is the ideal amount of time to allow for the appeal of a land use decision.

FACT: Ten days is the statutory default time period. Local governments should review their own circumstances and decide what the ideal time will be. The deadline applies to everyone, so local governments themselves are bound by the deadline too.

FICTION: An appeal authority must act immediately when an appeal is filed.

FACT: An appeal authority cannot act on a dispute until the record of the decision is available to it. The minutes have to be finalized of a meeting where a decision was made. The record of the decision must be complete and available for the appeal authority to review.

FICTION: An appeal authority must deliberate in public.

FACT: Once an appeal authority has gathered evidence in a process that is open to the parties, it can go into a closed meeting to deliberate. In that closed meeting, only evidence provided by the parties and reviewed by those opposing the party providing it can be considered. A closed deliberation should not include any parties, including those involved in local government who made the decision or even the city's legal counsel if the city is a party to the dispute.

FICTION: The appeal authority can meet in a work session before convening an open meeting.

FACT: All meetings of an appeal authority board dealing with an issue before all the facts are gathered on that issue must be public meetings with all parties notified of the time, place, and agenda for the meeting. There should be no meetings before the parties appear. Where a party is challenging the decision of a planning staff member, and that staff member is allowed to address the appeal authority out of the presence of the person making the challenge, due process is violated and the rights of the person making the challenge have been seriously violated.

## Differences Between Types of Proceedings

Factors	Legislative	Administrative/Quasi-Judicial	Ministerial
<i>Persons Affected</i>	Entire community	Individual applicant	Individual applicant
<i>Discretion Allowed</i>	High	Some	Very little
<i>Public Hearing</i>	May be required (zoning matters must have a hearing)	May be required	None required
<i>Ex Parte Contacts</i>	OK	Not OK; decision must be made based on evidence of record presented in a hearing	Probably OK, but decision must be made objectively based on evidence presented
<i>Decision Basis</i>	Must be reasonable and advance a public purpose (not arbitrary and capricious)	Apply facts to ordinance standards	Apply facts to ordinance standards
	Enough information must be on the record to show a decision is "reasonably debatable" that it <i>could advance</i> the public welfare	Findings required based on substantial evidence in the record	No findings required; basis of decision should be clear from evidence in the record
	Public can lobby legislators outside of meeting	Cannot be based on public clamor (a point of view with no apparent basis in fact)	Decision cannot be based on public clamor
		Public can participate but cannot "vote" or have "veto" power	No public participation
<i>Court Standard of Review</i>	Whether a decision is so far beyond "reasonably debatable" that it is "arbitrary or capricious"	Whether substantial evidence in record is so lacking that a decision is "arbitrary or capricious"	Whether substantial evidence in record is so lacking that a decision is "arbitrary or capricious"
	Strict scrutiny applies if the action involves a suspect classification or a fundamental right	Whether a decision is "illegal" (e.g., improper procedure, no authority or against a law)	Whether a decision is "illegal"
	Whether decision is "illegal" (e.g., outside scope of authority; improper procedure)	Whether ordinance has adequate standards to avoid arbitrary action ("standardless" decisions constitute an unlawful delegation of legislative power and thus are arbitrary and capricious or illegal)	Whether ordinance has adequate standards to avoid arbitrary action
	Court presumes decision is valid; cannot substitute its own judgment	Court presumes decision is valid; cannot substitute its own judgment	Court presumes decision is valid; cannot substitute its own judgment
<i>Examples</i>	General Plan Zoning map or text amendment Adoption of impact fees	Conditional use permit Site plan Subdivision	Building permit Sign permit Temporary use permit

# How Much Flexibility Does the Government Have?

## More Discretion

*“Reasonably Debatable that the action could promote the general welfare”*

- Amending Ordinances
- Adopting the General Plan
- Annexing Land
- Rezoning/Planned Unit Developments\*

Legislative Acts - City Council or County Commission

*Administrative Acts - Staff, Planning Commission, Design Review, Commission, Council, Etc.*

*“Substantial Evidence on the record”*

- Granting Conditional Uses/Special Exceptions
- Interpreting Ordinances
- Granting Variances
- Approving Subdivisions/Site Plans/Planned Unit Developments\*
- Issuing Building Permits

## Less Discretion

\*PUD actions may be legislative or administrative, depending on the exact provisions of the local ordinance.  
*NOTE: This is a gross oversimplification of a complex subject, for purposes of illustration and discussion only. Much of the discretion afforded a local government entity is defined by the ordinances of that entity, which can vary from municipality to municipality.*

Office of the Private Property Ombudsman - State of Utah

## SOUTH OGDEN CITY LAND USE AND APPEAL AUTHORITIES CHART

Landuse Action	Type of Action	Recommending Authority	Approval Authority	Appeal Authority
<b>Zoning Ordinance Changes &amp; Amendments (i.e. General Plan, Changes in permitted and conditional uses within zones, creating new zones, etc.) (10-01-04)</b>	Legislative	Planning Commission proposes amendments to zoning ordinances (10-01-04)	City Council approves changes & amendments to zoning ordinances (10-01-04)	Hearing Officer (Title 10, Chapter 04)
<b>Site plan approvals (10-01-08)</b>	Administrative/ Quasi-judicial	NA	Planning Commission approves preliminary site plans (10-01-08)	Hearing Officer (Title 10, Chapter 04)
<b>Temporary Exceptions (10-01-11)</b>	Legislative	NA	City Council may grant temporary exceptions to title 10 under certain circumstances (10-01-11(A))	Hearing Officer (Title 10, Chapter 04)
<b>Territory Annexed to City (10-01-10)</b>	Legislative	Planning Commission recommends annexations.	City Council classifies new territory annexed for zoning purposes.	Hearing Officer (Title 10, Chapter 04)
<b>Zoning Map Amendments (10-1-04)</b>	Legislative	Planning Commission recommends amendments to the zoning map (10-1-04)	City Council approves amendments to zoning map (10-1-04)	Hearing Officer (Title 10, Chapter 04)
<b>Preliminary site Plans for Subdivision and/or PRUD</b>	Administrative/ Quasi-judicial	Planning Commission recommends approval, denial or approval with conditions to City Council (10-11-7 PRUD).	If applicant meets requirements of city's subdivision ordinance, City Council must approve application (10-11-8 PRUD).	Hearing Officer (Title 10, Chapter 04)
<b>Final Site Plan Approval for Subdivision and/or PRUD</b>	Administrative/ Quasi-judicial	NA	Planning Commission approves final site plan and forwards to building official for issuance of building permits after preliminary plan is approved by CC (10-11-9 PRUD).	Hearing Officer (Title 10, Chapter 04)
<b>Conditional Use - Cluster Subdivisions (Title 10, Chapter 12)</b>	Administrative/ Quasi-judicial	NA	Shall be approved by the Planning Commission before allowed (10-12-6)	Hearing Officer (Title 10, Chapter 04)
Group Dwellings* (All group dwellings...are considered as a conditional use and must comply with Chapter 15, "Conditional Uses")	Administrative/ Quasi-judicial	NA	Planning Commission may deny or permit a conditional use in any zone where permitted (10-13-03 & 10-15-04)	Hearing Officer (Title 10, Chapter 04)
<b>Conditional Uses Approval (Title 10, Chapter 15)</b>	Administrative/ Quasi-judicial	NA	Planning Commission may deny or permit a conditional use in any zone where permitted (10-15-04)	Hearing Officer (Title 10, Chapter 04)
<b>Conditional Uses Revoked (Title 10, Chapter 15)</b>	Administrative/ Quasi-judicial	Planning Commission recommends revocation of a non-complying conditional use (10-15-02)	City Council approves revocation of a conditional use (10-15-02)	Hearing Officer (Title 10, Chapter 04)
<b>Subdivision Preliminary Plat (11-02-01)</b>	Administrative/ Quasi-judicial	NA	Planning Commission approves or disapproves preliminary plan (11-2-1 (D)).	Hearing Officer (Title 10, Chapter 04)
<b>Subdivision - Final Plat (11-02-02)</b>	Administrative/ Quasi-judicial	Planning Commission approves final subdivision plat after completion of Preliminary Plat requirements (11-02-02 (F)) then forwards to City Council for their approval.	City Council approves final subdivision plat after completion of Preliminary Plat and Planning Commission approval (11-02-02 (F)(1))	Hearing Officer (Title 10, Chapter 04)
<b>Circular Driveways and Second Driveway Approaches (10-14-18)</b>	Administrative/ Quasi-judicial	NA	Planning Commission approves or disapproves (10-14-18)	Hearing Officer (Title 10, Chapter 04)?
<b>Public Utility Substation In a Residential Zone (10-14-11)</b>	Administrative/ Quasi-judicial	NA	Planning Commission approves or disapproves (10-14-11)	Hearing Officer (Title 10, Chapter 04)
<b>Zero Side Yards (10-14-15)</b>	Administrative/ Quasi-judicial	Planning Commission recommends approval, denial or approval with conditions to City Council (10-14-15).	City Council approves or disapproves the application (10-14-15).	Hearing Officer (Title 10, Chapter 04)

\*South Ogden City Code defines group dwelling as, "Two (2) or more residential buildings placed upon a single lot."