

**MINUTES OF THE  
SOUTH OGDEN CITY COUNCIL MEETING  
Tuesday, January 5, 2016 – 6:00 p.m.  
Council Chambers, City Hall**

**COUNCIL MEMBERS PRESENT**

Mayor James Minster, Council Members Brent Strate, Sallee Orr, Bryan Benard, Adam Hensley, and Russell Porter

**STAFF MEMBERS PRESENT**

City Manager Matt Dixon, City Attorney Ken Bradshaw, Parks and Public Works Director Jon Andersen, Police Chief Darin Parke, Fire Chief Cameron West, City Treasurer Holly Kenison, Human Resource Specialist Doug Gailey, and Recorder Leesa Kapetanov

**CITIZENS PRESENT**

Jim Pearce, Syd Hensley, Peggy Friden, John Friden, Stephen Hensley, Brenton Strate, Walt Bausman, Wesley Stewart, Tai Ping Ho'o, Tai James Ho'o

**I. OPENING CEREMONY**

**A. Call to Order**

Mayor Minster called the meeting to order at 6:00 pm and entertained a motion to convene.

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

**B. Prayer/Moment of Silence**

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

**C. Pledge of Allegiance**

Council Member Porter led everyone present in the Pledge of Allegiance.

Mayor Minster indicated it was time for public comments and stated that no action would be taken on comments made that evening.

**II. PUBLIC COMMENTS**

**Wesley Stewart, 3625 Jefferson** – Mr. Stewart offered some suggestions for RAMP Grant funding. The suggestions included an ice skating park, botanical gardens, educational programs for children at the Nature Park, and enhancing current parks with man-made lakes and hills. He felt seeking money for restrooms was not what would benefit residents the most. He also felt using the money on a dog park was a waste of money; he would rather see it spent on a tot lot or playground for children.

There were no other comments from the public.

### III. RECOGNITION OF SCOUTS/STUDENTS PRESENT

Council Member Strate invited the scout present to come forward and introduce himself. Tai James Ho'o, Troop 98, and his father Tai Ping Ho'o were there working on the Citizenship in the Community Merit Badge.

### IV. CONSENT AGENDA

- A. Approval of December 15, 2015 Council Minutes
- B. Approval of December Warrants Register
- C. Advice and Consent of the Appointment of Holly Kenison as South Ogden City Treasurer and Leesa Kapetanov as South Ogden City Recorder
- D. Advice and Consent of the Appointment of Susan Stewart as a South Ogden City Planning Commissioner

Mayor Minster read through the first two items on the consent agenda and asked if there were any questions concerning them. Council Member Orr asked some questions concerning the warrants register. The mayor then called for a motion for items A and B.

**Council Member Porter moved to approve the Consent Agenda, Items A and B. The motion was seconded by Council Member Benard. The voice vote was unanimous in favor of the motion.**

Mayor Minster then read through item C and said he had spoken with both Ms. Kenison and Ms. Kapetanov and he felt they were doing a great job. He recommended they both be re-appointed and called for a motion to approve Item C.

**Council Member Benard moved to approve Item C on the Consent Agenda, followed by a second from Council Member Orr. All present voted aye.**

The mayor read through item D and explained that Ms. Stewart had been recommended to him by Planning Commissioner Pruess. The mayor had interviewed Ms. Stewart. She had a desire to serve the community and he felt she would do a good job. Council Member Benard said he was glad Ms. Stewart was from the north end of the city and felt it was a positive factor. The mayor called for a motion to approve Item D.

**Council Member Porter moved to approve the advice and consent of the appointment of Susan Stewart to the Planning Commission. Council Member Strate seconded the motion. In a voice vote Council Members Porter, Orr, Benard, Hensley and Strate all voted aye.**

All items on the consent agenda were approved.

Mayor Minster indicated it was time to recess into an Arts Council Meeting and entertained a motion to do so.

### V. RECESS INTO SOUTH OGDEN CITY ARTS COUNCIL MEETING

**Council Member Porter moved to leave Council Meeting and convene as the South Ogden Arts Council. The motion was seconded by Council Member Benard. All present voted aye.**

See separate minutes.

## VI. RECONVENE AS SOUTH OGDEN CITY COUNCIL

Motion from Arts Council Meeting:

**Council Member Strate moved to adjourn the Arts Council meeting and reconvene as the South Ogden City Council. The motion was seconded by Council Member Benard. All present voted aye.**

## VII. DISCUSSION / ACTION ITEMS

### A. Consideration of Ordinance 16-01 – Amending Title 10, Chapter 2 of the City Code, Adding Certain Definitions Concerning Food Trucks and Adding Chapter 24 Having to Do With the Regulation of Food Trucks in the City

Mayor Minster asked City Manager Dixon to comment concerning this item. Mr. Dixon reminded the Council they had discussed whether they wanted to allow and/or regulate food trucks in the City. They had determined they would like to allow them and regulate them, so the matter was given to the Planning Commission. This ordinance was a result of their discussion.

The Council discussed various points of the ordinance before them, including whether ice cream trucks were considered food trucks. Mayor Minster commented that he was against food trucks in the City.

Council Member Orr said she thought food trucks were a good idea, but did not want to hurt the brick and mortar restaurants. She also asked several questions about the ordinance and commented that limiting one food truck per linear block (10-24-3(K)(3)(c) seemed to restrictive; she would like to at least allow two or three. Council Member Benard agreed. They then discussed removing the restriction limiting the distance between a vending cart and a food truck. They also wondered why there was a restriction on proximity to churches.

Council Member Hensley said he felt allowing the trucks to be open 12 hours was excessive. He thought it should be reduced.

Council Member Benard then pointed out some redundancy on the proximity restrictions; they were listed both under 10-24-3(K) and 10-24-1(E) and they were actually different. Those sections needed to be looked at. He also pointed out that 10-24-1(G) and 10-24-3(H) concerning signs should not give food trucks any more advantage than what the brick and mortar businesses had; perhaps this section should reference the existing sign code rather than state something different.

The mayor called for a motion concerning the ordinance. Council Member Strate said the Council was not ready to move forward on the item.

**Council Member Strate moved to table Ordinance 16-01 until the next meeting.** Council Member Porter asked when they were going to discuss the matter; he did not want to put it off. He encouraged the Council to take action now; either approve it as is or approve it with amendments. Council Member Benard said he was not concerned about allowing the food trucks to be open for 12 hours, but he felt staff should go back and iron out some of the other issues.

**Mayor Minster reminded everyone a motion had been made and called for a second. There was no second given. The motion died.**

City Manager Dixon suggested staff review the ordinance and make the changes requested by the Council and have the changes ready for the Council to consider at their next meeting. He reviewed his notes to make sure he had all the changes the Council wanted to make. The Council agreed with the suggested changes.

**B. Consideration of Ordinance 16-02 – Amending the Consolidated Fee Schedule for Culinary Water Impact Fees**

City Manager Dixon explained this ordinance would put into effect the fee changes made in the recently adopted Culinary Water Capital Facilities Plan and Impact Fee Analysis. He pointed out the impact fee was actually going down. Mr. Dixon then explained to the Council he had received a request for some changes to the ambulance fees immediately before the meeting. He said the fees were set by the state, and Chief West had only received the new fees that day. He showed the Council what the old fees were and explained what the new fees would be. He asked that the motion include adopting the new ambulance fees.

The Council clarified some points concerning the fees. The mayor then entertained a motion concerning Ordinance 16-02.

**Council Member Porter moved to adopt Ordinance 16-02, amending the culinary water impact fees, as well as changing the ambulance transport fees to be consistent with the state fees by eliminating the BLS Transport Fee and changing Intermediate to Advanced. The motion was seconded by Council Member Strate. Mayor Minster asked if there were further discussion. Council Member Orr asked if they could discuss any of the other fees in the schedule. Mr. Dixon said they were only discussing the ones on the agenda and ambulance fees as presented. The mayor called the vote:**

Council Member Porter-	Yes
Council Member Strate-	Yes
Council Member Hensley-	Yes
Council Member Benard-	Yes
Council Member Orr-	Yes

**The motion was passed.**

**C. Consideration of Ordinance 16-03 – Amending 10-7B-2 of the City Code, Removing PRUD As A Permitted Use From the R-2 Zone**

Mayor Minster asked City Manager Dixon to comment on this item. Mr. Dixon explained this was a housekeeping item based on the Council's recent decision to remove PRUD's as permitted uses in the R-2 zone. There were no questions or comments from the Council. The mayor called for a motion.

**Council Member Strate moved to adopt Ordinance 16-03, amending Title 10, Chapter 7B, Section 2, removing PRUD from the R-2 zone. Council Member Porter seconded the motion. The mayor asked if there were further discussion, and seeing none, made a roll call vote:**

Council Member Strate-	Yes
Council Member Porter-	Yes
Council Member Orr-	Yes
Council Member Benard-	Yes
Council Member Hensley-	Yes

**Ordinance 16-03 was adopted.**

**D. Discussion on RAMP Grant Priorities**

City Manager Dixon explained staff was looking for direction on how to prioritize the three applications being submitted for RAMP grants on January 15.

Parks and Public Works Director Jon Andersen reviewed the three grants, what they were for and how much money was being requested. He said the RAMP committee assessing the applications would ask the City to prioritize their requests. Council Member Strate asked Mr. Andersen to explain why the restrooms were so important. Mr. Andersen said the distance to the school was prohibitive for small children and elderly people. The building would not only have a restroom but also an equipment storage area and a concession stand. All the features of the proposed building would help the City maximize the use of the fields at the junior high. Because the school district would benefit from the restroom and the concession stand as well, they were going to make the same in-kind contribution as the City was making. The RAMP Grant would cover the rest. Council Member Hensley asked if the maintenance and upkeep of the building would be shared with the School District as well. Mr. Andersen said the contract had not yet been worked out, but he thought they would share the maintenance 50/50. Council Member Benard said he felt the restroom should be first priority. The dog area should be second because it made South Ogden extremely unique. Mr. Andersen agreed and said the dog park would affect a lot of people in Weber County because of its uniqueness. Council Member Benard added that he placed the dog park second because he thought the City's chance of getting money for it was greater than for the fitness course. Council Member Orr pointed out she had previously said the dog park should not be second in priority because she felt the City should be asking for money for playground equipment for kids. Mr. Andersen explained that the playground equipment companies helped cities to get matching fund grants for playgrounds. If the Council could budget money for the playgrounds, he felt the City would receive more money through these grants than they would through RAMP Grants. Council Member Porter agreed with Mr. Benard on the priority order. Council Member Strate also agreed, but asked staff to take note of budgeting money for playgrounds in the future. The consensus of the Council was to place the restroom building as first priority, the dog park as second, and the fitness course as third. There was no more discussion.

Mayor Minster then asked Fire Chief West if he had anything to report. Mr. West said he had attended Emergency Management Training and had learned some things that would be implemented into the City's Emergency Management Plan. The mayor then called on Police Chief Darin Parke to report. Mr. Parke said the recent Young Subaru Pet Adoption event had been a huge success. He said the department had also recently attended active assailant training which had been very good. Council Member Hensley asked if the City had recognized Young Subaru enough for their contributions. Chief Parke said he would ensure that they had.

## **VIII. REPORTS**

- A. **Mayor** – welcomed Council Member Hensley and said he was looking forward to working with him. The mayor reported he had also attended the active assailant training and had been amazed at the level of training received, including first aid.

He concluded by thanking all those that helped with the Christmas Dinner at the Senior Center.

- B. **City Council Members**

**City Council Member Benard** – commented that the City's services were still very good despite the budget restraints the departments operated under. He then shared a story concerning a dispatcher who said "you can thank your city council for that" when officers were not able to respond quickly to a non-emergency police call.

**Council Member Strate** – reminded the Council they had discussed snow removal at parks and it was the consensus of the Council that they try it out. It hadn't been needed last year due to the lack of snow, but he had not seen that it had been attempted this year. He said the use of Nature Park was still very high during the winter. He would also like to see money budgeted for a chip seal on the City's trails to prolong their life.

**Council Member Hensley** – reported he had spent some time meeting with department heads and City Manager Dixon. He thanked everyone for their time and willingness to answer his questions. He also thanked Mr. Andersen for his response to removing snow.

**Council Member Porter** – said the Employee Christmas Breakfast had been very nice and he appreciated the happy and positive attitudes of those in attendance. He was proud to be a part of South Ogden and attend the events.

**Council Member Orr** – reminded everyone that if they wanted to have a competition among Weber State students for a metal type structure for 40<sup>th</sup> Street or Highway 89, the time was approaching to do so. She then asked about whose responsibility it was to remove snow around schools. Mr. Andersen said the City only maintained City properties.

The mayor then thanked the public works employees for their work the past weeks on broken water mains.

- C. **City Manager** – reported staff was meeting monthly on the 40<sup>th</sup> Street Project. They would need feedback from the Council in May or June concerning the aesthetics of the design. The council retreat would be February 5 and 6, with a special program on Friday night. He encouraged everyone to bring their spouses if they were able to come. He then asked the Council members to let him know if they wanted to attend the Utah League of Cities and Towns upcoming conference. He also gave a reminder of the Local Officials Day at the legislature on January 27. Mr. Dixon asked the Council to give him feedback on the logos he had sent out. He concluded by asking that Council Members schedule time with the department heads before the retreat.
- D. **City Attorney Ken Bradshaw** – nothing to report.

**IX. ADJOURN**

Mayor Minster noted there were no more items on the agenda and called for a motion to adjourn the meeting.

**Council Member Strate moved to adjourn, followed by a second from Council Member Benard. All present voted aye.**

The meeting adjourned at 8:01 pm.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Council Meeting held Tuesday, January 5, 2016.

  
Leesa Kapetanov, City Recorder

Date Approved by the City Council \_\_\_\_\_ January 19, 2016 \_\_\_\_\_