



MINUTES OF THE SOUTH OGDEN CITY COUNCIL MEETING

TUESDAY, September 20, 2016 – 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

COUNCIL MEMBERS PRESENT

Mayor Pro Tem Russell Porter, Council Members Brent Strate, Sallee Orr, Bryan Benard, and Adam Hensley

STAFF MEMBERS PRESENT

City Manager Matt Dixon, Parks and Public Works Director Jon Andersen, Police Chief Darin Parke, Fire Chief Cameron West, Assistant to the City Manager Doug Gailey, Finance Director Steve Liebersbach, and Recorder Leesa Kapetanov

CITIZENS PRESENT

Adrienne Brown, Terry Tillett, Austin Miller, Ilona Adams, Mike Adams, Jerry Cottrell, Walt Bausman, Wes Stewart, Dennis Greene, Joyce Hartman, Josh Quigley, Jackie Maxfield, Amber Payne

I. OPENING CEREMONY

A. Call To Order

Mayor Pro Tem Porter called the meeting to order at 6:00 pm and called for a motion to open.

Council Member Hensley moved to begin their meeting as the City Council, followed by a second from Council Member Strate. In a voice vote Council Members Orr, Hensley, Porter, Benard, and Strate all voted aye.

Mayor Pro Tem Porter excused Mayor Minster who was not feeling well and would not be at the meeting.

B. Prayer/Moment Of Silence

The mayor pro tem invited those present to participate in a moment of silence.

C. Pledge Of Allegiance

Council Member Strate led everyone in the Pledge of Allegiance.

Mayor Pro Tem Porter indicated it was time for public comments, asking that those speaking limit their comments to three minutes.

II. PUBLIC COMMENTS

Jackie Maxfield, 845 Holroyd – was speaking on behalf of pickle ball players. Pickle ball was the

fastest growing sport in the United States, but there was no place to play in South Ogden. She asked if some courts could be built. She also said there was no place for them to play in the winter time and wondered if they could utilize one of the schools. They had their own nets and could use tape to mark the courts.

Ms. Maxfield answered several questions from the Council and concluded her remarks.

Wes Stewart, 3625 Jefferson – gave a handout to the council (see Attachment A). He pointed out at the end of the biography of the person on the handout, it said he enjoyed raising chickens. He said many people enjoyed the hobby of raising chickens, naming several people by name. Mr. Stewart said chicken manure was good for gardens, and the chickens ate insects and table scraps. He also said there was no evidence that having chickens decreased the value of one's property. The City could regulate chickens and charge a one-time permit fee. If residents kept them clean and tidy, there would be no need for enforcement.

Alona Adams, 3751 Ogden – wanted permission to have 4-5 chickens and a small hive of bees. She did not want a rooster nor did she intend to produce any eggs, poultry, or honey to sell. She also said the chicken manure was good for composting. The chickens took care of pests around the home and many breeds were very sweet. Like any pet, chickens just needed to be taken care of.

Council Member Benard asked why there were always multiple chickens and not just one. Ms. Adams said they did better in a group.

Amber Payne, 3796 Porter – Ms. Payne said she was in favor of allowing chickens. She suggested having a trial period of allowing chickens to see how it went. There was a lot of misinformation about chickens and people needed to be educated. She pointed out that someone at a previous meeting said the silent majority was probably against chickens; however she felt they could not speak for the silent majority since they weren't there. Something should be placed in the newsletter to say if you don't show up, the City would assume they were against it.

Dennis Green, 3640 Jefferson - said he had had chickens in California and his family had loved them. If you had chickens and there was an emergency, you would always have eggs. He was in favor of only having 3-5 chickens. They were good for the neighborhood.

Jessica, representing the Intermountain Farmer's Association of Ogden – said her organization was in support of having chickens in South Ogden. Having chickens promoted self-reliance, health, and helped in emergency preparedness and food storage. Taking care of chickens taught children responsibility and accountability. Chicken manure was good for gardens. Chickens also ate a lot of bugs. IFA recommended having a minimum of 3 chickens because they were a flock animal. Egg production was higher when they were in a group. The space needed for a healthy chicken was 4 square feet.

Jessica Quigley, 4029 Porter – Ms. Quigley stated she had degrees in both Animal Food Sciences and Wildlife Biology. She agreed with all that had been said that evening. Chickens were good for weed control, insect control, and vermin control. They did not attract vermin; the vermin were attracted to food left out for pets. Chickens did better in flocks. They did need 4 square feet per bird if they were in a coop all the time. If they were allowed to roam most of the time, they just needed 1 square foot per chicken per coop. Chickens could be prevented from flying over fences to neighbor's yards if their

wings were clipped. Ms. Quigley said she had a daughter with food allergies, and being able to raise her own chickens allowed her to have more control over what her daughter ate.

Mike Adams, 3751 Ogden – was surprised to hear that chickens lowered property values. When they first moved to South Ogden they were told by their realtor that chickens were allowed. South Ogden was a good place to have a garden, but chickens were not allowed. Mr. Adams said he was very ill, but after getting chickens, he got better. He did not want a lot of chickens, just around 3-6.

Rosalind Hartman, 1075 E 4525 S – acknowledged the passing of Alma Richins. She appreciated the service and contribution he gave to South Ogden City. He was professional yet had a down-to-earth personality. She recognized some of the same qualities in the Council and said she appreciated all they did.

Mayor Pro Tem Porter informed Ms. Hartman that Police Chief Darin Parke would participate in the funeral service on behalf of the City.

There were no more public comments.

III. RECOGNITION OF SCOUTS/STUDENTS PRESENT

There were no scouts or students present.

IV. CONSENT AGENDA

A. Approval of September 6, 2016 Council Minutes

B. Set Date for Special Council Meeting (Town Hall Meeting), September 22, 2016 at 6 pm in the Community Room Located at 560 39th Street

The mayor pro tem read through the items on the consent agenda and asked if there was any discussion. There were no comments from the council. Mayor Pro Tem Porter entertained a motion to approve the consent agenda.

Council Member Orr moved to approve the consent agenda. Council Member Benard seconded the motion. In a voice vote, Council Members Benard, Strate, Orr, Hensley and Porter all voted aye.

V. DISCUSSION/ACTION ITEMS

A. Consideration of Ordinance 16-19 – Amending the Consolidated Fee Schedule

City Manager Dixon reported staff had been working on getting certification in order to offer passport services at City Hall. This ordinance would officially adopt the fees for the passport services. Some of the fees were set by the federal government, but others were at the discretion of the City. Staff felt the fees being adopted were in line with what other entities charged.

The Council asked staff several questions, including if there was a down side to offering the service. Mr. Dixon said they did not see any. The passport services were by appointment only, so staff could schedule them during non-busy times. There was no more discussion. Mayor Pro Tem Porter called for a motion concerning Ordinance 16-19.

Council Member Benard moved to adopt Ordinance 16-19. The motion was seconded by Council Member Hensley. The mayor pro tem asked if there was further discussion, and seeing none, he called the vote:

Council Member Hensley-	Yes
Council Member Orr-	Yes
Council Member Strate-	Yes
Council Member Benard-	Yes
Mayor Pro Tem Porter-	Yes

The passport fees were approved.

B. Consideration of Resolution 16-31 – Approving an MOU With Weber State University for Police Information Sharing

City Manager Dixon explained that Weber State University was required under federal law to establish memoranda of understanding with neighboring jurisdictions; that was what was before the Council that evening. The MOU talked about working collaboratively with neighboring jurisdictions with the sharing of information. Mr. Dixon said it simply formalized what was already happening. Mayor Pro Tem Porter called for a motion concerning the resolution.

Council Member Strate moved to adopt Resolution 16-31, followed by a second from Council Member Benard. The mayor pro tem asked if there was further discussion.

Council Member Hensley said universities were reporting that 1 out of 4 of their female attendees were raped or sexually abused, however in his opinion, they seemed to foster the behavior that led to the rapes and abuse, whether it was offering certain classes or allowing certain parties that were embraced by university culture. Mr. Hensley said he was troubled that they acknowledged there was a potential problem, but would foster the behavior, and then seek to join South Ogden in information sharing. Chief Parke said any information sharing with the university was rare and only took place if an incident in South Ogden, perhaps like a stalking case, carried over to the university campus and could potentially cause problems there. Likewise, the university would share information with South Ogden if something that occurred there might affect South Ogden residents. He reiterated that the City already had a good working relationship with the university, but the federal government, recognizing that was not the case in all areas of the country, required the university to enter into a MOU with the surrounding jurisdictions. City Attorney Bradshaw added that Weber State officers often aided our officers on calls, and our officers did the same for them. The information sharing would not cause any undue burden on the City's officers. He added that any liability to the City due to the MOU was much less than any of the automatic or mutual aid agreements the City had with other fire jurisdictions.

Council Member Hensley asked if they could require the university to make a declaration or statement that they are not in support of certain campus activities. Mr. Bradshaw said it would be a good thing for the Council to approach the governors of the university and ask them to make that statement, but he cautioned Mr. Hensley to not link that with this MOU. There was no further discussion.

Mayor Pro Tem Porter called the vote.

Council Member Orr-	Yes
Council Member Strate-	Yes
Council Member Benard-	Yes
Council Member Hensley-	Yes
Mayor Port Tem Porter -	Yes

The MOU with Weber State was approved.

C. Consideration of Resolution 16-32 – Approving the Award of Bid and Agreement With CKC for Crack Sealing Project

City Manager Dixon informed the Council this would be the last road project for calendar year 2016. The map in the packet showed the roads that would be crack sealed. The City had received 7 bids, with CKC being the lowest qualified bidder. Staff had checked references for CKC and felt confident they were qualified to do the work. Parks and Public Works Director Jon Andersen said the project would begin in the next couple of weeks. Mayor Pro Tem Porter asked if there was further discussion, and seeing none, he called for a motion.

Council Member Benard moved to approve Resolution 16-32. The motion was seconded by Council Member Hensley. The mayor pro tem made a roll call vote:

Council Member Strate-	Yes
Council Member Benard-	Yes
Council Member Hensley-	Yes
Council Member Orr-	Yes
Mayor Pro Tem Porter-	Yes

Resolution 16-32 was adopted.

D. Discussion on Police Department Compensation

City Manager Dixon explained the challenges facing the City in hiring and retaining officers. Larger agencies, such as Salt Lake County, had decided to increase their pay and recruit experienced officers to work for them. Staff and Council had discussed the matter quite a bit at their last meeting. The Council had asked for some more information which staff had provided. Police Chief Darin Parke read through his staff report as contained in the packet. His recommendation was to combine the \$25,000 they had set aside for employee bonuses and incentive pay with additional funds to equal \$87,000; this would increase wages for some of his officers for the remaining fiscal year. The chief informed the Council of his attempts to use the allotted \$25,000 to retain some of the officers planning on leaving; none who were approached took him up on his offer. Chief Parke continued to review the information in his report, concluding with the fact that the budget impact for the remaining fiscal year due to his request was \$63,000.

City Manager Dixon said staff had looked at other areas of the budget where they might recover some of the needed money. They had found \$26,859 from a fleet lease payment that had been carried by the general fund instead of the ambulance fund during the first year of the lease. It had been decided not to have the ambulance fund repay the general fund until year 5 of the lease, but they could do it now. Having the ambulance fund pay the general fund would bring the current budget need to \$52,000. Mr. Dixon also said another fleet lease was being anticipated at the first of the calendar year, but given this need by the police department and some other challenges faced by the budget, including the 40th Street Project, the lease may need to be delayed.

Mayor Pro Tem Porter thanked staff for the information provided as well as looking for other areas in the budget from which to pull money. He felt that based on the chief's report, an increased hourly wage worked, and they needed to do something to retain the people they now had. He felt they needed to approve what the chief had proposed.

Council Member Orr asked how they could get money from the ambulance fund when it always seemed to be in the red. Financial Director Steve Liebersbach said the ambulance fund was looking much better since they had changed some of the rates; however, the ambulance fund would still pay for its portion of the lease, whether the police compensation was approved or not. The Council asked several questions which Chief Parke answered. Council Member Hensley said staff could cut more from the budget if only core services were provided. Council Member Strate said he was worried about the city's economy of scale and the ability to meet both the needs of the officers and of the residents. The Council was going to have to go to the residents and ask for tax increases, because the budget was razor thin as it was. They needed to look at all options, including making more cuts. Mr. Strate said the measure being proposed that evening was only a band aid. Mayor Pro Tem Porter commented that may be true, but if something was not done soon, residents would be at risk.

City Attorney Ken Bradshaw pointed out that if your finger was bleeding, you put the band aid on now. You didn't wait until you had to have further surgery. The Council needed to do something now and then take their time in finding a long term solution.

Council Member Benard agreed this was just a band aid. He felt the problem was going to continue to evolve, and more band aids may be needed, but that they needed to respond now. He wondered if the proposal was going to be enough. Council Member Hensley said they had given the police department a band aid last meeting and they had taken it off and said no thank you. It was frustrating. Was this proposal going to be enough? He said staff had not found one dollar in the budget to cut. They needed to look at cutting things like the 40th Street Project, South Ogden Days, etc.

Mayor Pro Tem Porter said they needed to trust the chief and go with his proposal. Council Member Strate stated they had made cuts last year; there had been no capital outlays. He had said for years the City was in a budget crisis. However, was \$31 per hour going to be enough? Shouldn't it be \$33 or \$34? They should go all the way and then back it up with some budget cuts and changes.

City Manager Dixon said Chief Parke had outlined what he felt was an appropriate approach that he felt would work.

The Council discussed the matter further. The consensus was that they should go with the chief's proposal. City Manager Dixon suggested the Council make a motion so their decision was on record. Council Member Strate asked Chief Parke if he had asked for what he needed or what he thought the Council would approve.

Chief Parke said he had taken both into consideration. He had not intended to be at the front of the pack as far as wages were concerned, but he wanted to be competitive. He felt his proposal was sufficient for now. There was no further discussion. Mayor Pro Tem Porter called for a motion.

Council Member Orr moved to approve the chief's proposal. The motion was seconded by Council Member Benard. The mayor pro tem asked if there was further discussion. Council Member Hensley wanted the point made that this meant they would need to raise taxes or make cuts to the budget. Council Member Benard said they made that decision every year during budget time. Mr. Hensley said they had not found as many cuts as he thought they should. Mr. Benard replied that Mr. Hensley had not been present for the previous 6 years of cuts. The Council could also consider other things like water rates. There was no further discussion. **Mayor Pro Tem Porter called the vote. The voice vote was unanimous in favor of the motion.**

VI. DISCUSSION ITEMS

A. Report/Discussion on South Ogden Days

City Manager Dixon said he realized the Council had been waiting for this discussion, but staff wanted to make sure they had all the correct numbers to report. They had needed to wait for all the invoices to come in.

Mayor Pro Tem Porter said that in the interest of time, he would give each council member the opportunity to speak after Ms. Rosas gave her report.

Special Events Coordinator Evelyn Rosas reported on the event, giving some statistics and citing some challenges that had been faced. She noted that the previous publisher of the South Ogden Days book had changed management and would no longer be printing it for free. The Council would need to decide if they wanted to continue to provide the book. She also said the golf tournament had very low attendance; the cost for the tournament may not justify holding it any more. Ms. Rosas had also had a lot of feedback about moving the 5k to a different time and venue; the course had a lot of hills and running it in the afternoon was very exhausting. People had also requested having more entertainment on Friday and Saturday.

Ms. Rosas thanked all the employees who had assisted with the event; they had worked together to make it a great event. She then asked the Council where they saw South Ogden Days in the future. Would they like to see it grow or keep it where it is at?

Mayor Pro Tem Porter said he thought it was a great event and had become a tradition in South Ogden. He did not think it needed to grow, but they may want to look at some different events or further streamlining the ones they had. He liked the concert but felt they needed a better

known band; one that would bring in a larger crowd. They should also make sure the performance ended at 10 pm so the fireworks could start on time.

Council Member Orr asked how the numbers compared to the previous year. Ms. Rosas said it was larger, but it was hard to get an accurate count. Ms. Orr also wondered if the revenue the City brought in went up when a more well-known band played, and if the increased revenue would justify paying more for a popular entertainer. She also thought the golf tournament was exclusive and should not be subsidized by the City; if it did not pay for itself, it should be discontinued.

Mayor Pro Tem Porter said he thought the City should continue having the book.

Council Member Hensley said he felt the Council should have a booth, with each member of the Council taking a turn manning it. He also thought they should tap into local bands for the main entertainment.

Council Member Strate said he had also had a request that the fireworks start earlier. He also wondered at the low cost of the fireworks this year. Finance Director Steve Liebersbach explained the reason behind the low cost.

Council Member Benard felt the carnival was necessary as a part of South Ogden Days, as was the book. He also commented they had tried to vary the times and events over the years, but consistency was best, especially with the 5k and movie night. He agreed that there needed to be more local entertainment throughout Saturday and felt it would bring more people into the park. He suggested inviting South Ogden's Got Talent participants to perform on Saturday.

Council Member Strate then took the opportunity to recognize Adrienne Brown who was present at the meeting. Ms. Brown was a volunteer for many of South Ogden's events and had donated a lot of her time.

Mayor Pro Tem Porter suggested Ms. Rosas bring any ideas about changes to them as soon as possible so they could discuss them.

Ms. Rosas said she would like to hold South Ogden Days June 23-24 in 2017 as per the City's ordinance. The carnival company had already approved the dates. She also asked if the Council wanted to stick with country bands. The Council said it did not matter; they just wanted to get the best known entertainment they could with the money they had.

B. Discussion on SoFi Awards Policy

City Manager Dixon said this item was not a high priority and staff would be fine if, due to the time, it was put on a later agenda for discussion. The Council agreed.

C. Discussion on 401K Match Benefit

Mr. Dixon reminded the Council this was a follow-up to a previous discussion held by the Council. The Council had requested some additional information be provided; staff had included the information in the packet. Mr. Dixon recommended that the Council hold off discussion on the 410k match benefit until their discussion on the FY2018 budget; however, if the Council disagreed, they could have the discussion that evening.

Council Member Benard agreed they should hold off discussion. There was no reason to change the benefit mid-year. The rest of the Council agreed.

D. Report/Discussion on Youth Court Status

Chief Parke came forward for this discussion. He said staff's recommendation was that South Ogden's Youth Court program be combined with Roy's. There had been some issues with a

recent Youth Court training conference, which had caused staff to review the program. The program report was in the packet. Chief Parke reviewed the report, pointing out that the few cases referred to the Youth Court during the past year probably should have been normal police cases. Staff had spoken with Roy, who was willing to take the students involved as well as the cases referred to them.

Council Member Benard asked several questions about the costs involved. Council Member Strate's opinion was not to move it to Roy, but just end it; either that or keep it and make it viable again. Council Member Benard agreed; if students wanted to participate, they could call Roy, but the City should not refer cases to them. Mayor Pro Tem Porter said if the students who wanted to stay involved could still do so, he agreed as well. The consensus of the Council was to end the Youth Court program.

VII. DEPARTMENT DIRECTOR REPORTS

A. Doug Gailey – Employee Recognition Report

Assistant to the City Manager Doug Gailey came forward for this report. He informed the Council he had purchased gift cards and distributed them to the department heads to hand out to their employees. The program had been used 3 times in the past few months.

Council Member Benard asked what the response was by the employees receiving the cards. Mr. Gailey said they had been very pleased. They had a choice of gift cards so it would be something they could use.

VIII. REPORTS

A. **Mayor Pro Tem** – reported the Fiesta!Fiesta! event was great and the food was excellent.

B. City Council Members

Council Member Benard – asked if there was any time available for the pickle ball players to use the gym facility, or if they could go to Uintah Elementary. Parks and Public Works Director Jon Andersen said there might be some time available at the gym facility. He would need to know how much time they required and then see if it fit into the schedule. He also suggested they contact the Browning Armory who might have an area available.

Council Member Strate – nothing to report.

Council Member Orr – also reported Fiesta!Fiesta! was a great event. She suggested the City get a volunteer pool for the events to take some of the burden off of the event coordinator. Ms. Orr said she had attended a class at the League conference concerning roads. The class facilitator had said it is almost impossible for cities to maintain roads indefinitely.

She then reported there was a health fair the next day at the Northern Utah Rehabilitation Hospital at lunch time.

She concluded by handing out a flier about a meeting about form based codes.

Council Member Hensley – nothing to report.

C. **City Manager** – referred the Council to his report in the packet.

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

IX. COUNCIL COMMUNICATION/DIRECTION TO CITY MANAGER

Council Member Hensley – asked when the artificial grass issue would be on the agenda. City Manager Dixon said the process required the Planning Commission to review it and send a recommendation to the Council. Staff was working on it.

Mr. Hensley then commended the fact that everyone stood for the Pledge.

X. ADJOURN COUNCIL MEETING AND CONVENE INTO WORK SESSION

Mayor Pro Tem Porter indicated it was time to adjourn the meeting and move into a work session. He entertained a motion to do so.

Council Member Benard moved to adjourn City Council meeting and convene into a work session, followed by a second from Council Member Hensley. The voice vote was unanimous in favor of the motion.

A. Discussion on Allowing Bees, Pigs, and Chickens in the City

City Manager Dixon stated the question before the Council that evening was if they wanted to move forward in allowing and regulating chickens, pigs, and bees. If the decision was “yes” on bees and pigs, it would be referred to the Planning Commission for them to review, hold a public hearing, and make a recommendation to the Council. Chickens, however, had already gone through that process. The Council had discussed it and tabled it. If they wanted to move forward with allowing chickens, it would be added to a future agenda for them to consider.

Mayor Pro Tem Porter said he would like to handle each issue one at a time. If a member of the Council was not in favor, they did not need to speak. If they were in favor, they should speak and explain why. In doing so, they may be able to persuade someone else. He then asked those in favor of allowing pigs to speak.

Council Member Strate said he did not see them as 3 separate things. He felt any animal could be a pet as long as health or safety was not involved. The most important thing was what state law allowed or didn't allow, and if the City wanted to create stricter regulations. He thought they should send all of it to the Planning Commission and get a recommendation back.

Mayor Pro Tem Porter said he felt they were 3 separate issues. He also felt it would be wasting the Planning Commission's time if they sent the issue of pigs to the Planning Commission, knowing that they (the Council) were against allowing them in the City and would vote it down even if the Commission recommended allowing pigs. He said it sounded like Council Member Strate was in favor of allowing pigs and asked if anyone else wanted to speak in favor of them.

Council Member Benard said he had heard some compelling information on the pot-bellied pig when he was told they were used as service animals. He felt there was some potential leniency in allowing some types of pigs as pets.

Council Member Strate agreed.

Mayor Pro Tem Porter said he agreed as well, as long as the pigs were indoor and not outdoor pets. The Planning Commission needed to come up with some regulations restricting them to indoors only.

Council Member Hensley said he was opposed to pigs in all forms in South Ogden City.

Council Member Orr said she agreed that indoor pigs should be allowed, and felt rabbits should be considered as well.

Mayor Pro Tem Porter asked City Manager Dixon to inform the Planning Commission that the Council was in favor of allowing indoor pet pigs in the City.

The mayor pro tem then moved on to bees, asking the council members to speak if they were in favor of allowing bees in the City.

Council Member Hensley stated that bees were a necessity in society. They did not sting except on very rare occasions and were necessary to the food supply.

Council Member Strate agreed. He asked that the Planning Commission make a timely recommendation since it had been quite a while since they had first considered it. He said maybe they should not regulate bees at all and just continue to allow them in the City. He recommended they do nothing. Staff informed Mr. Strate that bees were currently prohibited in the City. Mr. Strate then stated he was in favor of allowing them and the issue should go to the Planning Commission.

Council Member Benard said bees were harmful. He had spent \$5,000 on repairs to his home and his family had experienced dozens of stings due to a beehive. Swarming bees were very dangerous. He had not had any problem until there were beehives in his neighborhood. He agreed beehives were necessary, but South Ogden was not a place for bees. They should be kept on farmland. He also asked who was going to police the beehives and make sure they were following the regulations and registering their beehives.

Council Member Orr said she was in favor of allowing bees, but they needed to be regulated.

The recommendation from the Council was to send bees to the Planning Commission to create regulations for them.

Mayor Pro Tem Porter then opened discussion on chickens.

Council Member Strate said he was against having chickens for food production or any type of cottage industry; however as a pet he felt they could be allowed. He wanted the Planning Commission to determine what size flock should be allowed as well as other issues. He said there were already chickens in the City and they should just allow them but register them.

Council Member Orr said her daughter had had chickens as pets, but she did not know if they were appropriate to have in South Ogden. Would it be fair to the neighbors?

Council Member Strate said whether they allowed chickens or not, people would still have chickens in the City. Was the City even enforcing it?

Council Member Benard said he still had not heard a compelling reason to allow chickens in the City. He was also confused on how someone could have a chicken as a pet and turn around and eat it. He had spoken with many realtors, and every one had said that having chickens does affect property value, yet the people commenting that evening had said it didn't. If they were going to view them as pets, people should not be able to have any more chickens than any other animal the City allowed. If they were viewed as a food source, they fell into the category of a farm animal and should not be allowed.

Council Member Hensley cited a court case in Wellsville Utah. He said South Ogden had been established as a City first, and should not be turned into a farming community. Chickens could be a nuisance and should not be allowed in South Ogden City.

Mayor Pro Tem Porter said he had never been around chickens and did not know if they were a nuisance or not. He was trying to decide what would be best for the City as a whole. The people who wanted chickens were very passionate about it. He also did not hear a lot of complaints from the people living next door to the chickens.

Chief Parke said they did receive quite a few complaints, but gave people time to get rid of them before they cited them.

Mayor Pro Tem Porter stated he was not totally against allowing chickens and thought they could be regulated.

Council Member Strate said he was conflicted and didn't know if they should be allowed or not. He heard compelling arguments on both sides. However, fundamentally he believed chickens were a farm animal.

City Manager Dixon explained that if there was not a consensus either way on whether chickens should be allowed, the issue would die until there was either a petition from the community or of a member of the Council raised the issue again. No decision was a decision to keep the ordinance as is and not allow chickens.

Council Member Orr suggested Council Members ask their friends and neighbors how they felt about chickens and maybe try to go see where people had chickens in the City. Council Member Strate invited members of the community to call him to speak about the issue.

There was no further discussion.

XI. ADJOURN WORK SESSION

Mayor Pro Tem Porter indicated it was time to adjourn the meeting and called for a motion.

Council Member Strate moved to adjourn. The motion was seconded by Council Member Benard. All present voted aye.

The work session concluded at 9:43 pm.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Council Meeting held Tuesday, September 20, 2016.


Leesa Kapetanov, City Recorder

Date Approved by the City Council _____ October 4, 2016 _____

Attachment A

Handout from Mr. Stewart

<http://www.ulct.org/about/ulct-board-of-directors/>

Executive Board

- **Council Member Lynn Pace, President, City of Holladay**



Lynn Pace has been a member of the Holladay City Council since 2004. He is also the Deputy City Attorney for Salt Lake City, and supervises Salt Lake City's lobbying efforts with the State Legislature. He has been an active participant in the League's land use task force and the Legislative Policy Committee. He is the past president of the Utah Municipal Attorneys' Association and is an adjunct professor at the University of Utah. He and his wife Lisa are the parents of 7 children. When he is not working on City stuff, he enjoys hiking, gardening and raising backyard chickens.