

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

**COUNCIL MEMBERS PRESENT**

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

Note: Council Member Porter arrived at the meeting at 7:06 pm

**STAFF MEMBERS PRESENT**

City Manager Matthew Dixon, Parks and Public Works Director Jon Andersen, Chief of Police Darin Parke, Fire Chief Cameron West, Recorder Leesa Kapetanov

**CITIZENS PRESENT**

Jim Pearce, Logan Voigt, John Shupe, Sophie Overbeck, Kodi Parkhurst, Leann Povey

**I. OPENING CEREMONY**

**A. Call to Order**

Mayor James F. Minster called the meeting to order at 6:01 p.m. and asked for a motion to convene.

**Council Member Smith moved to convene as the South Ogden City Council, seconded by Council Member Orr. Council Members Orr, Strate, Benard, Smith and Porter all voted aye.**

**B. Prayer/Moment of Silence**

The mayor led those present in a moment of silence.

**C. Pledge of Allegiance**

Council Member Benard directed everyone in the Pledge of Allegiance.

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

**II. PUBLIC COMMENTS**

No one came forward for public comments.

**III. RECOGNITION OF SCOUTS/STUDENTS**

There were no scouts present, however students from Bonneville High School who were there to help with the presentation later on the agenda, came forward. Council Member Orr gave South Ogden City pins to Kodi Parkhurst and Logan Voigt.

#### IV. PRESENTATION

A. **Leanne Povey Jackson – Bonneville Communities That Care**

Ms. Jackson referred the council to the handout in their packets concerning the CTC and thanked them for their support. She also thanked Brian Minster, the city's Information Systems Administrator, for his help in setting up the CTC's website. She then turned the time to Kodi Parkhurst, co-chair of the Bonneville Communities That Care, and Logan Voigt, the incoming co-chair. They had recently done an environmental scan on alcohol and tobacco advertising and sales in the cities surrounding Bonneville High School. They gave a visual presentation of the results of the scan. They concluded that alcohol and tobacco advertising was very prevalent in the community, sometimes taking place subtly, but still very impactful to youth. They then presented some ideas for counter advertisements to combat the prevalent alcohol and tobacco advertisements targeted at the youth.

Ms. Parkhurst then gave a handout (see Attachment A) to the council inviting them to an upcoming CTC Town Hall Meeting about underage drinking on May 1, 2014.

The council members asked several questions. City Manager Dixon asked what South Ogden could do to help the CTC. The students replied that the city should enforce the existing alcohol and tobacco sales and advertising codes as best they could. Mr. Dixon suggested that students collect data on what the surrounding cities enforcement efforts were; it might help each city to see where they could improve.

The presentation was then concluded.

#### V. CONSENT AGENDA

A. **Approval of April 1, 2014 Council Minutes**

B. **Set Date For Public Hearing (May 6, 2014 At 6 Pm Or As Soon As The Agenda Permits) To Receive and Consider Comments On The Proposed Vacation of Utility Easements on Lots 10, 11, and 12 Located in the Hidden Creek Subdivision**

C. **Approval of Proclamation Declaring May 8, 2014 as Arbor Day In South Ogden City**

D. **Approval of Proclamation Declaring May 18-24, 2014 as National Public Works Week in South Ogden City**

Mayor Minster read the items listed on the consent agenda, pointing out that copies of the proclamations were available for those interested. He asked if there were any questions or concerns on any of the items listed in the consent agenda. Council Member Orr said line 63 of the minutes said the *Have a Heart Homes* had "found a family", but should say they were "looking for a family". Mayor Minster then called for a motion.

**Council Member Orr moved to approve the consent agenda, with the noted change to the minutes. The motion was seconded by Council Member Smith. The mayor called a voice vote. Council Members Benard, Porter, Orr, Smith and Strate all voted aye.**

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

Mayor Minster indicated it was time to recess into a Community Development and Renewal Agency Board meeting, and called for a motion to do so.

**Council Member Benard moved to recess into a Community Development and Renewal Agency Board meeting. Council Member Smith seconded the motion. All present voted aye.**

See separate minutes.

**VII. RECONVENE AS SOUTH OGDEN CITY COUNCIL**

**Motion from CDRA Board meeting:** At 6:52 pm, Board Member Strate moved to adjourn the CDRA Board Meeting and reconvene as the South Ogden City Council. The motion was seconded by Board Member Orr. Board Members Orr, Smith, Strate and Benard all voted aye.

**VIII. DISCUSSION/ACTION ITEMS**

**A. Consideration of Ordinance 14-03 – Amending the Consolidated Fee Schedule to Add Newsletter Advertising Fees**

City Manager Dixon reminded the council this was a follow-up item to a previous discussion on revamping the city newsletter. The fees would allow businesses to advertise in the newsletter to help pay for the costs. There was no discussion from the council. Mayor Minster called for a motion.

**Council Member Smith moved to approve Ordinance 14-03, amending the consolidated fee schedule to add newsletter advertising fees. The motion was seconded by Council Member Strate. The mayor asked if there were further discussion.** Council Member Orr asked if the newsletter would go back to black and white if there was no interest in advertising. Mr. Dixon said it would, unless the council decided it wanted to appropriate money from elsewhere in the budget to pay for it. The cost would be an additional \$4,500 per year. There was no further discussion. **Mayor Minster called the vote:**

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

**Ordinance 14-03 was approved.**

**IX. DEPARTMENT DIRECTOR REPORTS**

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

Mr. Andersen reported on several projects:

**Kiwana Water Project** – this project from last year had not been completed due to weather. There were still 300 to 500 feet of pipe from Kiwana to Burch Creek Drive that still needed to be put in. The project should be completed in 30 to 45 days.

**Road Crack Seal** – This project was currently out for bid. Bids would be due April 25<sup>th</sup>. He hoped work would be completed between mid-May to mid-June. There were eight roads on the list to be crack sealed. Additionally, city crews would do some sealing with the city’s machine.

**Friendship Park Tennis Court Resurfacing** – The bid would be published tomorrow, with work being completed sometime in mid-June.

**Splash Pad UV Filter** - The bid would go out the first part of May, with installation complete by the time the splash pad opened after Memorial Day.

**Road Projects** – The city engineer was working on the engineering for the road projects, as well as working on some storm sewer projects that were time sensitive. The city needed to use some storm sewer impact fee money before a certain deadline so the funds would not have to be refunded. Some of the money would be used to install a detention basin in preparation for the 40<sup>th</sup> Street widening project.

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

Chief Parke began his report with some overall last quarter statistics for the police department. The department had handled just over 4,500 calls, made 142 arrests, resolved 114 traffic accidents, and had seven officers assaulted.

For ordinance enforcement, the quarter had seen 96 cases, 66 of which were officer initiated, the remainder being called in by the public. The majority of cases (61) were parking issues, three were weed complaints, 18 were junk complaints, and 14 were solicitor complaints.

Note: Council Member Porter arrived at this point in the meeting (7:06 pm).

**C. Recorder Leesa Kapetanov – Good Landlord Program Quarterly Report**

Ms. Kapetanov reminded the council that since the Good Landlord Program was initiated, they had sent out five separate mailings, beginning with the large apartment complexes and working down to the single family homes. They had also gotten a new mailing list from the county for single family homes, with an additional 500 names. They had been busy processing the new applications, and anticipated sending a second contact letter the beginning of May to those from the initial mailings who had not responded. The second contact letter would have stronger language to encourage people to respond to the city.

Ms. Kapetanov concluded her report by saying City Building Official Jeff Barfuss had verified 152 properties for zoning compliance during the quarter, three of which needed follow-up and two of which did not meet zoning and had been sent letters.

**D. Fire Chief Cameron West**

Informed the council the city's fire department would be participating in the "Great Shake Out" event next Thursday. The event was to help train and prepare the community in case of an earthquake. It would take place at the vacant Grandview Elementary School. He invited those council members who wished, to come and observe and/or participate.

**X. REPORTS**

**A. Mayor** – reported he and City Manager Dixon had attended a special awards ceremony earlier that day at the South Ogden Macey's. Weber State University had recognized Macey's for their outstanding support of the community and the university. The mayor also reported he had enjoyed the League of Cities and Towns Conference in Saint George.

**B. City Council Members**

**Council Member Orr** – had also enjoyed the conference in Saint George and received a lot of good information. She then informed those present that "Safe Kids Day" would be held on April 26<sup>th</sup> at Dinosaur Park. She invited anyone who wished to attend. She also reminded them of the May 1, 2014 Town Hall Meeting sponsored by the Communities That Cares Program. She concluded her report by informing the council that the Weber Mosquito Abatement District had a presentation they had given to Washington Terrace, and would be happy to present it to South Ogden City if they council was interested. She also said she would not be present at the May 6, 2014 council meeting.

**Council Member Benard** – reported he had received quite a few positive comments on the newsletter. He thanked other members of the council for taking over the writing of a letter to residents that he had been assigned to write, but due to an extra work load, had been unable to do.

**Council Member Strate** – had attended his first South Ogden Business Alliance Meeting and had enjoyed it. He had also enjoyed the conference in Saint George and had learned a lot. He hoped to put the new knowledge to work for the city.

**Council Member Smith** – thanked the public works department for quickly taking care of a sink hole in the road near his home.

**Council Member Porter** – enjoyed spending quality time with the Mayor and council members at the conference and felt the time spent and things learned was valuable.

- C. **City Manager** – reminded everyone of the Easter Egg Hunt on Saturday. He then informed the council that staff wanted to mail the letter Council Member Benard had referred to, later that week; if anyone had changes or comments concerning it, they should get them to him.

Mr. Dixon then reported he and Mayor Minster had held a meeting with Wasatch Front Regional Council, as well as with representatives from UTA, Riverdale City, Washington Terrace and Ogden City. The purpose of the meeting was the widening of 40<sup>th</sup> Street and the possible regional impacts and transportation needs. UTA was interested in making 40<sup>th</sup> either a streetcar or a bus rapid transit route, with the possibility of widening the street to 106 feet instead of the currently proposed 84 feet. If the street were to be made wider for the transportation routes, the city would expect to receive additional funds from the benefiting entities.

- D. **City Attorney Ken Bradshaw** – not present.

Mayor Minster then indicated it was time to adjourn city council meeting and convene into a work session. He entertained a motion to do so.

**Council Member Porter moved to adjourn city council meeting and move into a work session, followed by a second from Council Member Orr. Council Members Benard, Smith, Porter, Orr and Strate all voted aye.**

## **XI. ADJOURN CITY COUNCIL MEETING AND CONVENE INTO WORK SESSION**

### **A. Discussion on Possible Amendment to the Annexation Policy Plan**

Mayor Minster turned the time to City Manager Dixon to facilitate this discussion. Mr. Dixon said the intent of the discussion was to re-visit the city's annexation policy. He reviewed the position of the planning commission, who had determined that they could not make any recommendation to the council without knowing the financial impacts an annexation might have on the city. The most the planning commission felt they could recommend was that based on common accepted knowledge, revenues gained through annexation of residential properties only covered 25% of the costs needed to provide

services to those properties. Mr. Dixon then invited the council to discuss the matter. Council Member Porter asked if it would hurt to just add areas to the annexation plan; it was his understanding that someone had to petition the city for annexation, and if so the city should include all possible areas in its plan. Mr. Dixon replied that if an area was in the city's annexation plan, the city was basically saying that if petitioned, the city would allow that area to be annexed and incur the costs of providing services.

Council Member Smith said he felt that potential areas, including the area near South Junior High, should be included in the city's annexation plan. Council Member Strate agreed; he said that even though it was the property owner's decision as to which city to annex into, all possible areas should be included in the city's annexation plan.

Mayor Minster reminded the council of the history of the annexation of the property the new junior high was built on, saying there had been some unwritten agreements between Washington Terrace and South Ogden concerning the area to the south of the junior high. He felt it would cause some unrepairable damage between the two cities if South Ogden were to include that area in its annexation plan, as it was already included in Washington Terrace's.

Council Member Porter commented it may not be good for South Ogden's long term fiscal strategy to spend a lot of money for water and sewer services to be available to a few houses that wanted to "identify" with South Ogden.

Council Member Benard said he would be interested to know when the Golf Course was added to Washington Terrace's annexation plan. He also wondered if there were some middle ground for the city to take; to "softly" include an area in an annexation plan, not including it in the current plan, but stating that the city would be interested in perhaps adding it at a later date.

Council Member Strate reminded the council of the population component of sales tax, and how adding population to the city would benefit the city financially. He felt the city needed to make it clear to Washington Terrace and the current owner of the property across from the junior high that South Ogden did not have any malicious intent, but merely wanted the property owner to have the option of annexing into our city.

The council then discussed the history of the annexation of the junior high property into South Ogden. They also discussed the friction that adding that area into the city's annexation plan would cause with Washington Terrace.

City Manager Dixon asked Parks and Public Works Director Jon Andersen to explain in more detail the different public services available in the areas indicated on the map included in the packet. Mr. Andersen explained where the existing water and sewer lines were and what would be involved in bringing water and sewer services to different areas.

Mayor Minster asked City Manager Dixon for his comments. Mr. Dixon said he viewed adding this area to the annexation plan as an easy way to damage a relationship with a neighboring city for a low likelihood that it would every benefit South Ogden. He questioned the expense of the political capital for what may or may not be advantageous to the city. He felt that if the issue should ever go before the county boundary commission, they would rule in favor of Washington Terrace, because of the infrastructure available and the long peninsula that would be created with the road and seminary property that were already in Washington Terrace.

Council Member Strate made the point that if South Ogden did not put the areas it wanted into its annexation plan, the city could not contest when and if an area petitioned to be annexed to another city. He felt the city should put their mark on the areas it might want to annex so we would have the ability to contest if need be. Council Member Smith agreed that we should put the area south of the junior high in the city's

annexation plan.

The council discussed what they wanted to direct staff to do, and there seemed to be some disagreement. They then talked about whether they could take a vote to direct staff what to prepare for the next meeting, since this was a work session. The consensus was that they could take a vote to direct staff what to do. Mayor Minster indicated he would vote on the matter since it was only deciding what to direct staff to do. City Manager Dixon pointed out the council had several options; they could table the matter and staff would do nothing, direct staff to find more information, or direct staff to prepare the amendment to the annexation plan and go through the process of adopting it. Mayor Minster called for a motion.

**Council Member Benard moved to table further discussion of the matter until staff gathered further information on two matters: 1) when Washington Terrace added the west side of the Country Club Golf Course to their annexation plan, and 2) is there legally a middle ground to record that the city had interest in adding the area south of the junior high to its annexation plan. Council Member Smith requested another component be added to the motion. He also wanted some research done on what percentage of the infrastructure in the area by the junior high belonged to Washington Terrace and how much of it belonged to Central Weber Sewer Improvement District. Council Member Strate seconded the motion including the addition by Council Member Smith. The mayor then called a voice vote. Council Members Benard, Strate, Orr, Porter and Smith, as well as Mayor Minster, all voted aye. There were no nays.**

The mayor then called for a motion to adjourn the work session.

**Council Member Benard moved to adjourn, followed by a second from Council Member Orr. All present voted aye. The meeting adjourned at 8:26 pm.**

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

  
Leesa Kapetanov, City Recorder

Date Approved by the City Council May 6, 2014

# **Attachment A**

CTC Handout

Bonneville  
High  
School

May 1st

7:00—8:00 PM

Adults And Youth 12  
And Up Welcome!

BONNEVILLE  
**COMMUNITIES**  
THAT *Care*

**Presents**  
**A Town Hall Meeting about Underage Drinking**

*Special Guest Speakers*

**Bobbi Anderson, Russ Porter & Lt. James Ebert**

Bobbi Anderson

One night of drinking—first and last. Bobbi has told her son's story to hundreds of groups across the state. Come hear about Braxten, how his story has changed her life.

Russ Porter

Does drinking really affect my brain? Russ Porter, a South Ogden City Council member and highly popular teacher at Bonneville High School has the answers.

Lt. James Ebert

Looking for fun this summer? Lt. Ebert wants to be sure you have fun but know what the laws are for both youth and adults.

**Become a member of Bonneville CTC - visit [www.bonnevillectc.org](http://www.bonnevillectc.org) for more information!**