

**MINUTES OF THE
SOUTH OGDEN CITY COUNCIL MEETING
Tuesday, March 4, 2014 – 6:00 p.m.
Council Chambers, City Hall**

COUNCIL MEMBERS PRESENT

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

STAFF MEMBERS PRESENT

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

CITIZENS PRESENT

Brevan Benard, Breonca Benard, Monique Benard, Isabelle Palmer, Tristen Palmer, Matt Hansen, Chloe Hansen, Cole Combe, Cheryl Combe, Victor Dea, Jim Pearce

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 Orr moved to convene as the South Ogden City Council, seconded by Council Member Benard. 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 Smith directed everyone in the Pledge of Allegiance.

Mayor Minster invited anyone who wished to come forward for the public comments portion of the meeting.

II. PUBLIC COMMENTS

No one came forward for public comments.

A. Recognition of Scouts/Students

There were no scouts or students present. The mayor acknowledged members of the Youth City Council who were attending.

III. CONSENT AGENDA

- A. Approval of February 4, 2014 Council Minutes**
- B. Approval of February Warrants Register**

Mayor Minster read the items listed on the consent agenda and asked if anyone would like to comment concerning the items listed. There were no questions or comments. The mayor called for a motion.

Council Member Benard moved to approve the consent agenda, items A, B as listed. The motion was seconded by Council Member Orr. The mayor called a voice vote. Council Members Benard, Porter, Orr, Smith and Strate all voted aye.

IV. DISCUSSION/ACTION ITEMS

- A. Consideration of Resolution 14-05 – Approving a Memorandum of Lease with SBA for Cell Tower Located at Water Tanks**

Mayor Minster asked City Manager to address this item. Mr. Dixon explained this agreement clarified ownership of the lease, since it had changed ownership a few years ago. It also clarified the details of the lease. He explained the address in the lease was not that of the towers, and asked that the motion specify the lease agreement was for the facilities located at the water tanks. City Attorney Bradshaw also pointed out an error in the resolution: after the third “whereas” the words “Friendship Park” needed to be changed to “water tank”.

Council Member Strate asked what access the cell tower company had to the water tanks; he wanted to verify the tanks were secure. Parks and Public Works Director Jon Andersen explained the cell tower employees only had access to their equipment outside the water tank area. To access the area around the water tanks, which was behind a locked gate, they would have to contact the city. There were no further questions, so the mayor called for a motion.

Council Member Strate moved to approve Resolution 14-05 with the specified changes. The motion was seconded by Council Member Smith. The mayor asked if there were further discussion, and seeing none, he made a roll call vote.

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

Resolution 14-05 was approved.

- B. Consideration of Resolution 14-06 – Approving an Interlocal Agreement With Second District Juvenile Court for Graffiti Removal**

City Manager Dixon spoke to this item, explaining this was an agreement the city made annually with the Second District Juvenile Court. The fee of \$1,500 was well worth the timely service to get graffiti removed in the city. Staff recommended approval. There was no discussion on the matter. The mayor called for a motion.

Council Member Smith moved to approve Resolution 14-06, approving an agreement with the district court for graffiti removal. Council Member Porter seconded the

motion. The mayor called for further discussion, if any. There was no discussion, so the mayor made a roll call vote:

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

The agreement with the Second District Juvenile Court was adopted.

C. Consideration of Resolution 14-07 - Approving an Agreement With Better City for Business License Services

Mr. Dixon said the company Better City had approached staff to offer the service of identifying businesses within the city that were operating without a license. The cost to the city would be 50% of the first year’s license fee of those businesses contacted which actually came in and licensed. He pointed out the intent was not to penalize businesses which were not licensed, but simply to get them licensed. Council Member Porter asked how the businesses would be approached; by Better City or by South Ogden. He feared there may be public relations issues. Mr. Dixon said Better City would approach the businesses, but the city could determine how it was done. Council Member Strate asked Mr. Dixon if he had personally visited with other cities that had used the service. Mr. Dixon indicated he had not. Council Member Smith asked if Better City would be identifying unlicensed landlords as well. Mr. Dixon said they would only be identifying commercial businesses. Council Member Benard said he was also concerned with anyone other than the city approaching the businesses. Council Member Strate said he would like more information before making a decision. There was no further discussion. Mayor Minster called for a motion to approve Resolution 14-07.

There was some discussion as to whether they wanted to approve the resolution at this time. Council Member Benard offered a motion:

Council Member Benard moved to table Resolution 14-07 until further information was received. The motion was seconded by Council Member Strate. The mayor asked if there were further discussion. No further discussion was had. The mayor called the vote:

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

Resolution 14-07 was tabled.

City Attorney Bradshaw noted that the incorrect effective date had been put on the resolutions, and he would make the correction.

D. Review/Discuss 2014 Strategic Goals

The mayor asked City Manager Dixon to address this item. Mr. Dixon said his intent was not to have a long drawn out discussion on this item. He simply wanted to make

sure that the goals and action items were in accordance with what the council had determined. He asked that if there were questions or changes, that council members let him know.

E. Discussion on 2014 Road Projects

Mr. Dixon invited Parks and Public Works Director Jon Andersen to come forward. As Mr. Andersen came to the podium, Mr. Dixon explained there was approximately 1.2 million dollars remaining to be used from the road bond. Staff was hopeful the council could come to agreement on the roads that should be worked on; it was important the projects be ready for the upcoming construction season.

Mr. Andersen explained staff had put together a prioritized list consisting of eighteen roads; they hoped to get to four of the roads this year. He presented some photos of the roads that were on the list, showing how damaged they were (see Attachment A). Council Member Porter stated he agreed with the list, but would like to see something done on the north side of the city, even if it meant skipping some others. Council Member Strate asked for an estimate of the cost for all eighteen roads on the list. Mr. Andersen guessed it would be around 6 million dollars for a complete rebuild on the listed roads. Council Member Smith said staff should look at the infrastructure of the roads and coordinate repairing and replacing the infrastructure while the road is dug up. There was also some discussion on other entities that may cut into the roads and if the road cut fees were high enough to cover the costs to the city. The council then asked questions and discussed the priority list submitted by staff. Council Member Orr said she would like to move some of the roads up on the list. Mayor Minster asked each council member to prioritize the list submitted by staff and submit it to City Manager Dixon. Parks and Public Works Director Andersen asked if staff could move forward with getting engineering done for Chambers Street, since it was top on the list. He feared waiting another two weeks would put them too far behind. Council Member Strate said if each council member were to choose the roads to be done, they may choose the ones that would have the most impact for the area they live in. He felt the decision should be taken out of the council's hands and be made by staff, which had done the analysis in the first place. Mr. Strate felt the council should busy itself in finding more money so more roads could be done. The council further discussed the priority list provided by staff but did not seem to come to a consensus. It was suggested that a motion be made and a vote taken. Mayor Minster called for a motion.

Council Member Strate moved to complete work on the top four roads on the list provided by staff and continue to look for more funds for roads in the budget process. The motion was seconded by Council Member Smith. The mayor asked if there were further discussion. Council Member Orr said she would like staff to re-evaluate the roads, as she felt the two year old list may be outdated. Council Member Benard clarified the motion; he said his understanding of the motion, based on that evening's discussion, was that the top four roads on the list would be the ones worked on, even if staff decided, by further evaluation, to change the top four roads on the list. Mr. Benard clarified that the council was still authorizing staff to determine what the top four roads were, even if they changed from the present list. Council Member Strate acknowledged he agreed with Council Member Benard's interpretation. **The mayor then called a voice vote. Council Members Porter, Smith, Strate and Benard all voted in favor of the motion. Council Member Orr voted against.**

V. **DEPARTMENT DIRECTOR REPORTS**

The mayor did not call for department director reports.

VI. **REPORTS**

A. **Mayor** – nothing to report.

B. **City Council Members**

Council Member Benard – nothing to report.

Council Member Orr – said the students involved in the Communities That Care Program would be giving a presentation to the cities in the near future. She also asked that the city educate the public on door to door salesmen and what was allowed by the city.

Council Member Porter – congratulated staff on the success of the “Taste of South Ogden” event.

Council Member Smith – asked when 785 East would be repaired. Much of the road was still dirt due to some main breaks in the winter. Parks and Public Works Director Jon Andersen said it would be repaired the first week in April, weather permitting.

Council Member Strate – also commented on the success of “Taste of South Ogden”.

C. **City Manager** – asked the council members to inform him who would be attending the Utah League of Cities and Towns Conference so he could register them.

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

Mayor Minster then indicated it was time to adjourn city council meeting and convene into a Community Development and Renewal Agency Board Meeting and called for a motion.

Chief Darin Parke asked if he could speak, as the mayor had not called for Department Director Reports, Item V on the agenda.

Mr. Parke reported the city had an unusually successful month for animal adoptions in February; over 100 animals were adopted and over \$9,000 in revenues were collected. They had also received over \$8,000 in donations. Chief Parke wanted to recognize and thank all the volunteers and pet foster families who had helped.

He also reported staff was reviewing the Washington Terrace Animal Services contract to see if any adjustments needed to be made. They did not anticipate any large adjustments.

He then concluded his report by informing the council the police department was making an effort to let people know how to contact them, both in the newsletter and by giving out magnets with contact information on them.

Mayor Minster then made another call for a motion.

Council Member Porter moved to recess into a Community Development and Renewal Agency Board Meeting, followed by a second from Council Member Benard. Council Members Benard, Smith, Porter, Orr and Strate all voted aye.

VII. RECESS INTO COMMUNITY DEVELOPMENT AND RENEWAL AGENCY BOARD MEETING

See separate minutes.

VIII. RECONVENE CITY COUNCIL MEETING AND RECESS INTO EXECUTIVE SESSION

Motion from CDRA Board Meeting:

Board Member Porter moved adjourn the executive session, reconvene the CDRA Board Meeting, adjourn and reconvene City Council meeting. The motion was seconded by Board Member Benard. All present voted aye.

IX. RECONVENE CITY COUNCIL MEETING AND RECESS INTO EXECUTIVE SESSION

A. Pursuant to UCA §52-4-205 1(c) to discuss pending or reasonably imminent litigation.

Mayor Minster indicated it was time to recess into an executive session, and called for a motion to do so.

At 7:08 pm, Council Member Benard moved to adjourn city council meeting and convene into an executive session. Council Member Porter seconded the motion. All present voted aye.

Note: The council moved to the EOC for the executive session.

X. ADJOURN EXECUTIVE SESSION, RECONVENE AS SOUTH OGDEN CITY COUNCIL AND ADJOURN

The executive session concluded at 8:02 pm. Mayor minster called for a motion to adjourn the executive session, as well as city council meeting.

Council Member Benard moved to adjourn the executive session, reconvene City Council Meeting and adjourn. The motion was seconded by Council Member Orr. All present voted aye.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Council Meeting held Tuesday, March 4, 2014.


Leesa Kapetanov, City Recorder

Date Approved by the City Council April 1, 2014

Attachment A

Road Pictures

Chambers



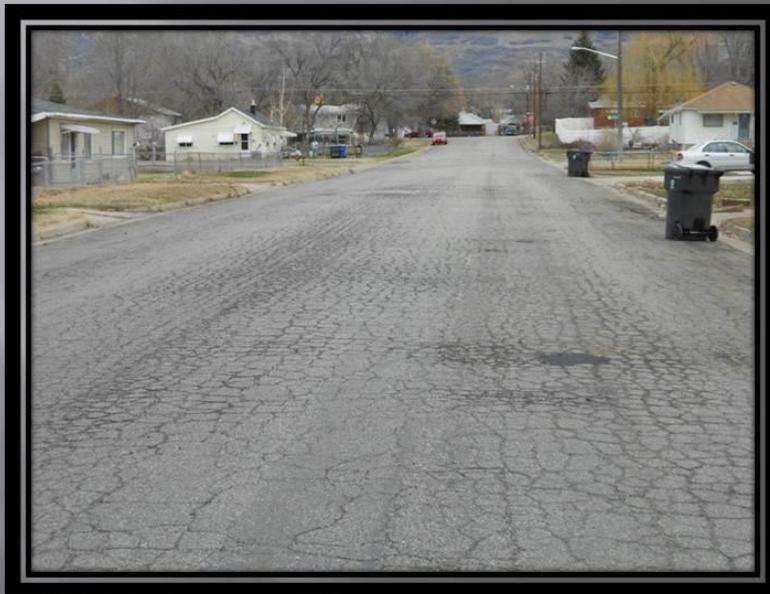
1075 E.



Willow Wood Lane



37th



Porter Ave.



Eastwood Blvd



Adams Ave.



38th



Jefferson



Grant & 38th Grant



Palmer Drive



43rd



850 E.



Glasmann Way



Skyline Drive

