

Minutes of the Regular Meeting of the Ogden City Council held on Tuesday, May 22, 2007, at 6:00 p.m., in the Council Chambers located on the third floor of the Municipal Building, 2549 Washington Boulevard, Ogden City, Weber County, Utah.

Present:           Chair               Jesse M. Garcia  
                  Vice Chair       Amy L. Wicks  
                  Councilmembers Dorrene Jeske  
                                  Rick Safsten  
                                  Doug Stephens  
                                  Brandon S. Stephenson  
                                  Susan Van Hooser

Council Executive Director Bill Cook  
Council Policy Analyst Alan Franke

Also Present:   Mayor Matthew Godfrey  
                  Chief Administrative Officer John Patterson  
                  City Attorney Gary Williams  
                  Assistant City Attorney Joe Linford  
                  Community & Economic Development Director David Harmer  
                  Planning Division Manager Greg Montgomery  
                  Special Events Coordinator Carolyn Bachman  
                  City Recorder Cindi Mansell

The Council Chair welcomed everyone present.

At the request of the Vice Chair, all present stood and recited the Pledge of Allegiance led by Boy Scout Scott McDonald in attendance.

A moment of silence was observed.

Introduction of Boy Scouts

Scott McDonald, 1254 East Main Circle, South Ogden, informed the Council he is from Troop #457 and is working towards his Citizenship in the Community merit badge. Recognition was provided to Gordon McDonald for accompanying the Scout to the meeting.

Approval of Minutes

Councilmember Safsten stated he has reviewed the minutes of the March 29, 2007 Work session meeting and found them to be accurate to the best of his recollection.

Councilmember Van Hooser stated she has reviewed the minutes of the Closed Executive Session of April 24, 2007, and found them to be accurate.

**COUNCILMEMBER VAN HOOSER MOVED TO APPROVE THE MINUTES AS PRESENTED. MOTION WAS SECONDED BY COUNCILMEMBER SAFSTEN, ALL VOTING "AYE".**

Resolution #2007-17 honoring Ben Lomond JROTC

Chair Garcia read Resolution #2007-17 honoring the Ben Lomond High School Junior Reserve Officer Training Corps 2006-2007 State Champions into the official record. This accomplishment marks the second championship for the Ben Lomond JROTC in the last few years.

**COUNCILMEMBER VAN HOOSER MOVED THAT RESOLUTION #2007-17 BE ADOPTED AND THE CHAIR BE AUTHORIZED TO SIGN THE SAME ON BEHALF OF THE COUNCIL. MOTION WAS SECONDED BY COUNCILMEMBER STEPHENS, ALL VOTING "AYE".**

The Council then honored the Ben Lomond JROTC team, Coach Bautista, and parents for taking time out of their busy schedules to attend this Council Meeting and help celebrate and support the students for their outstanding accomplishment. The Resolution and award certificates were presented to those individuals present.

Coach Bautista addressed the Council. He stated he is extremely proud of this year's team, and students are the reason he keeps on teaching after retirement.

Hillcrest-Bonneville Community Plan Amendment and rezone of 451-495 North Street

Chair Garcia explained this item has two parts for consideration: 1) a proposed amendment to the Hillcrest Bonneville Community Plan to allow the Cook Manor Subdivision to be considered for C-2/CO zoning; and 2) consideration of rezoning the Cook Manor Subdivision from R-2 to C-2/CO with a new development agreement for the entire southeast corner property. He stated the common consent request this evening is for the Council to schedule a public input meeting for June 5, 2007.

**COUNCILMEMBER JESKE MOVED THAT A PUBLIC INPUT MEETING ON THE PLAN AMENDMENT AND REZONING BE HELD IN THE CITY COUNCIL CHAMBERS ON JUNE 5, 2007, DURING THE REGULARLY SCHEDULED CITY COUNCIL MEETING TO BE HELD AT 6:00 P.M. MOTION WAS SECONDED BY COUNCILMEMBER STEPHENSON, ALL VOTING "AYE".**

#### Ordinance #2007-21 relative to Special Events

A memo from Council Staff offered explanation of the various changes to existing ordinances related to special events and City parks and other recreational facilities, as well as a new chapter providing for comprehensive regulation of special events.

Special Events Coordinator Bachman explained staff has been working on this issue for some time, knowing that rules and regulations are needed in order to be able to enforce issues that arise when events take place within the city. She stated the proposal defines events and places them into categories that make sense; as well as establishing application requirements, timeframes for review, standards for approval or denial, appeals procedures, abilities to waive requirements that could result in first amendment violations, criminal conduct, etc. She stated the proposal includes standards to better assist the city in balancing the needs of the public and the ability to deliver those services. Ms. Bachman stated the number of events is growing, and Ogden has become a popular destination. She stated the events are requesting more and more services, and there is the need to define if the city can or will provide these for individual events. She further discussed the need to be able to adequately address any first amendment issues that may arise.

Chair Garcia introduced proposed Ordinance #2007-21, entitled:

"An Ordinance of Ogden City, Utah, amending the Ogden Municipal Code by amending Subsection 4-6-1B.13 to revise existing fee provisions applicable to Special Events; amending Subsection 4-6-1B.16 to clarify the fee exemption for city events; amending Section 6-1-1 to revise rules and regulations applicable to the use of City facilities; repealing Section 6-1-7 requiring permits for gatherings in City parks; adopting a new Chapter 5, Title 6 adopting rules and regulations for Special Events; amending Section 11-3-2 to clarify time restrictions applicable to parks and city golf courses; and by providing that this ordinance shall become effective immediately upon publication after final passage".

Opportunity for public input was allowed at this time.

**VICE CHAIR WICKS MOVED TO ADOPT ORDINANCE #2007-21 AS PROPOSED; AND THE CHAIR BE AUTHORIZED TO SIGN THE SAME. MOTION WAS SECONDED BY COUNCILMEMBER SAFSTEN WITH THE FOLLOWING ROLL CALL VOTE: VOTING "AYE" – COUNCILMEMBERS JESKE, SAFSTEN, STEPHENS, STEPHENSON, VAN HOOSER, VICE CHAIR WICKS AND CHAIR GARCIA. THE MOTION PASSED UNANIMOUSLY.**

#### Resolution #2007-18 outlining expectations for review of Special Events rules and regulations

Council Executive Director Cook reminded the Council as they conducted their work session and discussion regarding the Special Events Ordinance, the direction had been provided for a resolution to be drafted that would outline expectations. He stated specifically, the resolution requests that Administration have experience with this ordinance over the next few months and provide a report to the Council by March 30, 2008 relative to the effectiveness of changes made. This will include any proposals to amend fees to cover city services or any other changes to be considered at that time. He further defined the resolution content.

**COUNCILMEMBER SAFSTEN MOVED THAT RESOLUTION #2007-18 OUTLINING EXPECTATIONS FOR REVIEW OF ORDINANCE #2007-21 REVISING EXISTING CITY ORDINANCES RELATING TO PARKS, CITY FACILITIES AND SPECIAL EVENTS BE ADOPTED AND THE CHAIR BE AUTHORIZED TO SIGN THE SAME ON BEHALF OF THE COUNCIL. MOTION WAS SECONDED BY COUNCILMEMBER JESKE, WITH THE FOLLOWING ROLL CALL VOTE: VOTING "AYE" – COUNCILMEMBERS SAFSTEN, STEPHENS, STEPHENSON, VAN HOOSER, JESKE, VICE CHAIR WICKS AND CHAIR GARCIA. THE MOTION PASSED UNANIMOUSLY.**

#### Public Comments

**Mitch Moyes** - addressed funding in the amount of \$200,000 to be matched by the UTA for a transportation study. He stated Weber State University would like to see this done; as referenced in a Master Plan completed in 2006 that took over eight months to complete and involved a committee of 24 individuals representing all facets. He stated the Master Plan suggests the need to have an all-terms analysis done in order to move forward with the University's goal to see a more effective mode of transit. He stated an action item also suggests the need to support an all-terms analysis. Mr. Moyes stated in a meeting conducted on March 1, 2007, Nick Crandall from UTA stated the City Council supported moving forward; and if the City could come up with funding, the UTA would match it. He stated on May 2, 2007 it was determined that UTA

wants the Council to move forward and appropriate funds to conduct the all-terms analysis. He stated UTA had stated if the City would move forward, they could have someone working on the process within three months. He stated this type of study would require more than just engineering; such as route, type of car, appearance, what type of conveyance is used as far as electricity, mode, apparatus, grade of route, corners, on or off-road, etc. He stated he would ask the Council appropriate funds to allow this viable project to move forward.

#### Councilmember Comments

*Councilmember Van Hooser* – stated she would like to offer recognition to the GOAL Foundation that put together the recent marathon event. She stated this was an exceptional event and she would like to see the City Council do something for them. The Council requested a brief report on the marathon.

Special Events Coordinator Bachman stated although she is unsure as to exact numbers, the race entries had to be limited because of transportation to 1500 in the full marathon; 1250 in the half; and the relay teams were limited to 150. She stated people were turned down several weeks before the marathon, in spite of fees being raised to promote early registration. She stated advertising did not take place in the beginning because of the desire to enlist the locals, but the fee did not matter because the event was full.

Ms. Bachman stated there were between 7,000-8,000 people in downtown Ogden and the hotels were full. She stated this event resulted in great economic impact for the area. She discussed the coordination efforts involved with this event; including about 500 volunteers. She stated this has become a great community event and the GOAL Foundation has done a great job of enlisting volunteer services. She stated as the community is growing, so is the event as well as the support. Ms. Bachman stated she looks forward to future years and in trying to figure out transportation issues. She stated the Ogden marathon surpasses the Salt Lake City marathon; it is the runners who are making the Ogden marathon a success story. She stated the event is intended to remain on the third weekend in May.

*Councilmember Jeske* - addressed the comments made by Mitch Moyes. She added the Wasatch Front Regional Council also advised the City Council of the need to conduct that study and are considering this during pending budget discussions.

There being no further business to come before the Council, **VICE CHAIR WICKS MOVED THE MEETING ADJOURN AT 6:28 P.M. MOTION WAS SECONDED BY COUNCILMEMBER SAFSTEN, ALL VOTING AYE.**

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CINDI MANSELL, MMC  
CITY RECORDER

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JESSE M. GARCIA, CHAIR

APPROVED: July 17, 2007