

Ogden City, Utah
June 23, 1988

A regular meeting of the City Council of Ogden City, Weber County, Utah, was held on Thursday, June 23, 1988, at the hour of 6:00 p.m. at its regular meeting place in Ogden City, Utah, at which meeting there were present the following members who constituted a quorum:

Robert H. DeBoer	Councilmember
Barbara Dirks	Councilmember
Robert E. Higginson	Councilmember
Bonnie McDonald	Councilmember
Michael Miller	Councilmember
Darrell J. Saunders	Councilmember

Also present:

L. Clifford Goff	Mayor
Lana J. Buck	City Recorder

Absent:

None

After the meeting had been duly called to order and the minutes of the preceding meeting read and approved, the following proceedings, among others, were duly had and taken:

The City Recorder notified the City Council that the Notice of Intention to establish Ogden City, Utah Special Improvement District No. 189 (the "District"), authorized by

50-1542-41465

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the resolution adopted by the City Council on the 19th day of May, 1988, had been published in the Ogden Standard Examiner, a newspaper of general circulation in Ogden, Utah, said notice having been published four times, once during each week for four consecutive weeks, the last publication being not less than five (5) nor more than twenty (20) days prior to June 22, 1988, and that the affidavit of publishing said Notice of Intention with a copy of the Notice as published was duly filed in her office; also that a copy of such Notice of Intention to create the District has been mailed by United States Mail, postage prepaid, to each owner of land affected by or specially benefited by such improvements as said property is described in said Notice insofar as the names and addresses of said owners could be ascertained from the most recent available county assessment books and that it also has been mailed by the United States Mail, postage prepaid, to "Owner" at the street number of each piece of improved property to be affected by said assessment, said Notices having been mailed not later than ten (10) days after the first publication of the Notice of Intention; that the Notice of Intention has been on file in her office during all regular office hours from the 19th day of May, 1988, to the 23rd day of June, 1988, for the examination of any interested parties; that said Notice directed that all persons desiring to protest and oppose the

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creation of the District might appear and file in writing said protests and objections.

The City Recorder then presented a statement stating that written protests against the creation of the District and the making of the proposed improvements therein were received by her in her office by 5:00 p.m. on the 22nd day of June, 1988.

The names of the protestants and descriptions of their property are as follows:

<u>Owner or Representative</u>	<u>Property Tax I.D. No.</u>
Buyers Syndicate	01-021-0050
Inkley's, Incorporated	01-021-0055
Protests received following the June 22, 1988, 5:00 p.m. deadline, but prior to or during the public hearing held June 23, 1988, at 6:00 p.m.	
Sidney Gordon	01-021-0008, 0009
American Savings and Loan	01-021-0056

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<u>Property Owner</u>	<u>Address</u>	<u>Number of Front Feet</u>
Buyers Syndicate	351 24th Street	167.90
Inkley's, Incorporated	369 24th Street	43.00
American Savings and Loan	2403 Washington Blvd.	223.00
Sidney Gordon	350 25th Street	120.00

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Total number of front feet protesting
creation of district or proposed
improvements thereof:

553.90

Total number of front feet affected or
to be benefited:

1,443.99

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The City Council then considered each and every protest so filed, whether written or oral, and heard each and every person who wished to be heard in protest against the creation of the District and the construction of said improvements therein.

After consideration of such protests and the statements of those persons heard as aforesaid, it was determined to delete from the District all improvements which were proposed to be constructed along 24th Street between Washington Blvd. and Kiesel Avenue, south side only. The City Council then determined that the total front feet and total parcels of property represented by protests within the remaining portions of the District to be improved is less than fifty percent (50%) of the total front feet and total parcels of property to be assessed within the remaining proposed District and is a percentage insufficient to legally protest creation of the District.

Councilmember Robert H. De Boer introduced the following resolution in writing, which was fully discussed, and moved its adoption:

RESOLUTION NO. 48-88

A RESOLUTION TO CREATE OGDEN CITY, UTAH SPECIAL IMPROVEMENT DISTRICT NO. 189 DESCRIBED IN THE NOTICE OF INTENTION CONCERNING THE DISTRICT AS HEREINABOVE REVISED AND AUTHORIZING THE CITY OFFICIALS TO PROCEED TO MAKE IMPROVEMENTS AS SET FORTH IN THE NOTICE OF INTENTION TO CREATE THE DISTRICT AS REVISED.

BE IT RESOLVED by the City Council of Ogden City, Weber County, Utah:

Section 1. The City Council of Ogden City, Weber County, Utah, hereby determines that it will be in the best interest of the Municipality to construct certain improvements within the Municipality. The specific

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description of the nature of the improvements is more particularly set out in the Notice of Intention which has been published and mailed as required by law, and which has been revised on the date hereof by the City Council to delete all improvements originally proposed to be constructed on 24th Street between Washington Blvd. and Kiesel Avenue, south side only.

Section 2. The City Council has heretofore considered each and every protest filed and has heard each and every person who wished to be heard in protest against the creation of the District or making of any of the improvements therein or on any other matter pertinent to the District.

Section 3. The improvements proposed and described in the Notice of Intention to create the District, excepting those improvements originally proposed to be constructed on 24th Street between Washington Blvd. and Kiesel Avenue, south side only, are hereby authorized, and the District is hereby created.

Section 4. As required by law, the City Recorder is hereby authorized and directed to file a copy of the Notice of Intention, as revised, and resolution creating the District as finally approved, together with a list of properties proposed to be assessed described by tax identification number or legal description, in the Weber County Recorder's office within five days from the date hereof.

Councilmember Michael Miller seconded the motion to adopt the foregoing Resolution. The Resolution was thereupon put to a vote and unanimously adopted on the following recorded vote:

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Those voting AYE:

Councilman Robert H. De Boer
Councilman Robert E. Higginson
Councilwoman Bonnie McDonald
Councilman Michael Miller
Councilman Darrell J. Saunders
Assistant Mayor Barbara Dirks
Mayor L. Clifford Goff

Those voting NAY:

None

Thereupon the motion was approved by the Mayor and made
a matter of record by the City Recorder.

ADOPTED AND APPROVED this 23rd day of June, 1988.



Mayor

ATTEST:



City Recorder

(S E A L)

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(Here follows other business not pertinent to the above.)

Pursuant to motion duly made and seconded, the meeting adjourned.



Mayor

ATTEST:

City Recorder

(S E A L)



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STATE OF UTAH)
) ss.
COUNTY OF WEBER)

I, Lana J. Buck, the duly appointed, qualified City Recorder of Ogden City, Weber County, Utah, do hereby certify as follows:

That the foregoing pages constitute a full, true and correct copy of the record of proceedings of the City Council of Ogden City, Weber County, Utah, held on June 23, 1988, insofar as said proceedings relate to the hearing of protests against the establishment of the Ogden City, Utah Special Improvement District No. 189 and a resolution establishing said special improvement district as the same appears of record in my office. I personally attended said meeting, and the proceedings were in fact as specified in said minutes.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Municipality this 23rd day of June, 1988.

Lana J. Buck
City Recorder

(S E A L)

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STATE OF UTAH)
COUNTY OF WEBER)

ss.

CERTIFICATE OF FILING

I, Lana J. Buck, the duly qualified and acting City Recorder of Ogden City, Weber County, Utah, do hereby certify that on the 28th day of June, 1988, pursuant to Section 10-16-7, Utah Code Annotated, 1953, as amended, a copy of the Notice of Intention and resolution creating Ogden City, Utah Special Improvement District No. 189, as finally approved, together with a list of properties proposed to be assessed described by tax identification number or legal description, was filed in the Weber County Recorder's office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Municipality this 28th day of June, 1988.


City Recorder

(S E A L)

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CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Lana J. Buck, the undersigned City Recorder of Ogden City, Weber County, Utah (the "City"), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the June 23, 1988, public meeting held by the City as follows:

(a) By causing a Notice, in the form attached hereto as Exhibit "A", to be posted at the City's principal offices on June 21, 1988, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained to posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Exhibit "A", to be delivered to the Ogden Standard Examiner on June 21, 1988, at least twenty-four (24) hours prior to the convening of the meeting.

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IN WITNESS WHEREOF, I have hereunto subscribed my
official signature this 23rd day of June, 1988.

(S E A L)

Lane J. Buck
City Recorder

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EXHIBIT "A"
NOTICE OF MEETING

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AGENDA
OGDEN CITY COUNCIL
JUNE 23, 1988 - 6:00 P.M.
OGDEN CITY COUNCIL CHAMBERS - 6TH FLOOR

1. Roll call.
2. Pledge of Allegiance. (please remain standing during the prayer)
3. Invocation - Councilman Higginson.
4. Approval of minutes of the Work Session of May 4, 1988 and the Regular Meeting of June 16, 1988 - Councilman Saunders.
5. Common Consent Items:
 - a. Report of Planning Commission action re: Conditional Use Permit #9-88 for Griffin Temple, 788 West 26th Street. (To be accepted for file)
 - b. Report of Planning Commission action re: CP-2 Site Plan for Arby's Restaurant at 300 East 12th Street. (Planning Commission recommends approval)
 - c. Report of Planning Commission action re: CP-2 Site Plan for Webber Real Estate Addition at 3376 Harrison Boulevard. (Planning Commission recommends approval)
 - d. Report of Planning Commission re: CP-3 Site Plan for Malen Storage Shop at 2364 B Avenue. (Planning Commission recommends approval)
 - e. Report of Planning Commission action re: Revised CDB Site Plan for Continental Baking Company, 2557 Grant Avenue. (Planning Commission recommends approval)
6. Report of Planning Commission action re: recommended denial of Petition #19-88 to rezone from R-2 to C-2 property at 890 and 906 12th Street.
7. Report of Planning Commission action re: Proposed Ordinance Revision for Day Care Center requirements in 19-3-21 of the Zoning Ordinance.
8. CBD Special Improvement District Design Changes.
9. Public hearing on Notice of Intention to create Ogden City, Utah Special Improvement District No. 189 and consideration of proposed resolution creating Special Improvement District No. 189, Ogden City, Utah.
10. Public hearing on Community Development Block Grant Final Statement and Application and proposed resolution approving the same.
11. Public hearing on the designation of the Madison Lodge, 2436 and 2438 Madison Avenue, to the Ogden City Historic Register.
12. Public hearing on the designation of the Fontanelle Apartments, 2465 Monroe Boulevard, to the Ogden City Historic Register.

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13. Reports of City Manager:

- a. Control of dangerous dogs in Ogden City and proposed ordinance, first reading.
re: same.

14. Oral petitions.

15. New business.

16. Adjournment.

REMINDER: WORK SESSION AT 5:00 P.M. AT THE OLD POST OFFICE FOR PURPOSE OF MEETING WITH FRANK JOHNSON CONCERNING FUTURE CITY SPACE.

WORK SESSION IMMEDIATELY FOLLOWING COUNCIL MEETING RE: TAX INITIATIVES.

CLOSED EXECUTIVE SESSION IMMEDIATELY FOLLOWING WORK SESSION RE: COMMITTEE APPOINTMENTS.

PLATED BY VERIFIED
ENTERED BY MICROFILMED

no fee
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DOUG CRAFTS
WEHER
DEPU: *Shirley Blum*
JUN 28 3 00 PM '88
FILED AND RECORDED FOR:
Ogden City

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