

**NORTH OGDEN CITY COUNCIL  
MEETING MINUTES**

May 8, 2018

The North Ogden City Council convened in an open meeting on May 8, 2018 at 6:00 p.m. at the North Ogden City Office at 505 East 2600 North. Notice of time, place, and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on May 3, 2018. Notice of the annual meeting schedule was published in the Standard-Examiner on December 31, 2017.

PRESENT:	M. Brent Chugg	Mayor
	Ryan Barker	Council Member
	Blake Cevering	Council Member
	Cheryl Stoker	Council Member
	Phillip Swanson	Council Member
	Carl Turner	Council Member

STAFF PRESENT:	Jon Call	City Administrator/Attorney
	Annette Spendlove	City Recorder/HR Director
	Lance Call	Chief of Police

VISITORS:	Chelsie Johnson	Brylee Johnson	Hadlee Johnson
	Stefanie Casey	Sean Casey	Stephany Dixon
	Nancy Shiner	Jessica Aguirre	Julie Anderson
	Jesse Ury		

Mayor Chugg called the meeting to order. Council Member Barker offered the invocation and led the audience in the Pledge of Allegiance.

**ACTIVE AGENDA**

**1. PUBLIC COMMENTS**

Brylee Johnson, 2955 N. 900 E., discussed the issues surrounding the difficulty in disposing plastic drinking straws and the impact that practice has on the environment. She noted 500 million straws are used and discarded each day in the United States alone; this means 575 billion straws deposited in landfills or littering waterways and oceans. Straws are harmful to wildlife in that they are often eaten by animals, which can lead to harm or death. Studies have shown that a quarter of wild fish caught and sold at fish markets have plastic in their stomachs, which means toxins for the consumer. Disposable straws are made of plastic that never breaks down; it will separate into smaller pieces, but never completely biodegrade. Straws are used for brief periods of time, but remain on the

planet forever. She encouraged people to decline the use of straws at restaurants and dispose of plastic properly.

Stephany Dixon, 3205 N. 800 E., stated she also wanted to talk about pollution; it is a growing concern for the environment and it impacts humans and animals. Pollution levels are increasing by dangerously high levels, making it difficult and eventually impossible to breathe fresh air. She discussed options for reducing pollution, including using public transit, driving electric cars, and disposing of trash properly. She stated that the environment can be improved upon if everyone takes steps to make it better.

Hadlee Johnson, 2955 N. 900 E., discussed climate change and how it can be improved. She stated climate change threatens agriculture, health, and water supply and if nothing is done, there will be massive fallout including massive refuse crises, submerged cities, scorching heat waves, and droughts. Some things that can be done to address climate change include implementing emergency efficiency and choosing renewable energy sources. Utility companies offer clean renewable power and she encouraged users to take advantage of that. Additionally, people can grow their own food and avoid processed foods as well as trimming their own waste. Everyone should get informed about climate change and consider making small adjustments for the benefit of the community.

Mayor Chugg thanked the youth in attendance this evening for making the Council aware of their concerns. Council Member Swanson stated it would be great to have some youth participate on the clean air committee that the Mayor and Council are working to organize.

## **2. DISCUSSION OF NUISANCE ORDINANCES**

A staff memo from City Attorney/City Administrator Call explained City Administration is preparing to work through the City's nuisance ordinances to consider adjustments that will better assist the Police Department with enforcement issues. Additionally, this process will help to establish firm standards for the City's noise ordinance relative to decibel levels for the amphitheater and the City at large. Staff is seeking discussion and input from the Council regarding appropriate standards that would be of some value to the City moving forward. The City currently regulates the following issues via Title Five of the City Code dealing with health and sanitation:

- Refuse and accumulation
- Public Nuisances
- Noise
- Fireworks
- Construction
- Watercourse Disruption
- Protective Ground Cover
- Vacant Buildings

The memo noted there are many subsets to each of these sections, but staff would like to start the conversation relating to the main categories and then begin amending a section at a time or the entire code depending on direction from the Council.

Mr. Call reviewed his staff memo and he and Police Chief Call facilitated discussion among the Council regarding the value of solid nuisance ordinances for the City. There was a focus on the process for noticing property owners of a nuisance at their property, specifically rental properties; the City's ability to enforce a noise ordinance that includes decibel measurements; and the process for proceeding with amendments. Mr. Call stated he feels the most important issues relate to public nuisances at rental properties, fireworks, and noise associated with the amphitheater. He stated he and Chief Call would like to proceed with drafting ordinances that would amend those sections before addressing the other nuisance subjects. The Council indicated they are comfortable with moving in that direction.

3. **DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH J.D. MERCER FOR SALE OF 6.6 ACRES OF NORTH OGDEN CITY PROPERTY LOCATED AT APPROXIMATELY 190 EAST 2550 NORTH**

City Attorney/City Administrator Call reminded the Council of their discussion of this agreement during their May 1 meeting and noted that the requested changes have been made and presented to the purchaser for their review. He reviewed the changes to the agreement, which were highlighted in blue, and noted he is comfortable recommending approval and execution of the agreement.

Council Member Turner asked if the contract still contemplates the City paying to fill in the basin. Mr. Call answered yes; the engineer's estimate for that work is approximately \$100,000 to \$115,000, which is largely due to the cost of materials that will be used to fill the basin. Commercial Development Area (CDA) funds can be used for that portion of the project as this project was contemplated in the CDA Plan.

Council Member Barker asked if the new detention basin will be built before the existing basin is eliminated. Mr. Call answered yes; the City has applied for a federal grant for the basin project and, if that grant application is successful the City will be informed in November of 2018. If the grant is not awarded, the City will need to identify another funding mechanism for the project, likely the use of storm water funds. Additionally, the sale of the property will cover the expense of building the new basin, which will be built on the Shooting Star Ranch property.

**Council Member Swanson motioned to approve Agreement A8-2018 as discussed with J.D. Mercer for sale of 6.6 acres of North Ogden City property located at approximately 190 East 2550 North. Council Member Barker seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Turner</b>	<b>nay</b>

**The motion passed 4-1.**

**4. PUBLIC COMMENTS**

Julie Anderson, 940 E. 2600 N., addressed the discussion regarding the City's nuisance ordinances; she feels the topics that the staff and Council will start working on first are great, but she would also like some attention paid to growth and construction in the City. She would like limits placed on developers so that they don't start working too early in the morning or work too late in the evening. She stated that there is also a section of the ordinance that will be removed relating to dipping sheep in waterways and, while she understands that is no longer common practice, it is important to know that there are still some people, particularly youth, that still raise sheep and she does not want the City to adopt a regulation that will hinder them. She then stated she has some concerns about the contract to sell the detention basin and for the City to fill in the basin; she does not feel it's the City's responsibility to pay for that portion of the project especially given that the buyer will make a lot of money on the project. She stated she would like to know where the CDA money comes from that will be used to facilitate filling the basin; if it is just tax payer dollars that are being called something else, that is troubling, and she feels it is a real disadvantage to the citizens. It is not the City's responsibility to help developers get rich.

Jesse Ury, 870 E. 3300 N., stated that the City of North Ogden is known for being safe and tranquil, largely in part to the City's Police Department and its officers, but there is one thing that affects everyone, and it is being unregulated, and that thing is water. Seventy percent of the earth is made up of water and only 2.5 percent of that water is fresh drinking water. Only one percent of that 2.5 percent is easily accessible. Utah is in a desert climate and this year there was a below-average snow pack; the City is in danger of forest fires and other negative consequences of lack of water. She stated that residents should be made to be responsible for broken sprinkler heads that allow a large amount of water to flow into the streets. Also, watering should be restricted and only allowed from dusk to dawn. She suggested the City write fix-it tickets for broken sprinklers and warnings for people watering outside of allowed hours. Water is a necessity, not a luxury,



and the residents of North Ogden should be using it responsibly and set a higher standard for surrounding communities.

5. **COUNCIL/MAYOR/STAFF COMMENTS**

Council Member Turner reported the Youth City Council is working with Kiwanis Club tonight to clean Washington Boulevard. He stated both groups do so much for North Ogden, yet they are often overlooked.

City Attorney/City Administrator Call stated there have been several short meetings recently and staff asked that the Council consider whether it would be appropriate to reinstate the previous meeting schedule, which called for two Council meetings per month. He then provided a report on the status of the public survey regarding recycling; there have been approximately 600 responses to date and City Administration will advertise the survey again to try to increase the number of responses.

City Recorder Spendlove asked that the May 22 meeting be cancelled as she and her deputy will both be out of town attending the International Institute of Municipal Clerks (IIMC) Conference.

6. **ADJOURNMENT**

**Council Member Swanson motioned to adjourn and reconvene in a RDA meeting. There was no second.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Covering</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Turner</b>	<b>aye</b>

**The motion passed unanimously.**

**The meeting adjourned at 6:43 p.m.**

  
M. Brent Chugg, Mayor

*S. Annette Spendlove*  
S. Annette Spendlove, MMC  
City Recorder

19 June 2018  
Date Approved

**RDA AGENDA**

**1. DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH J.D. MERCER FOR PROPERTY IMPROVEMENTS ON NORTH OGDEN CITY PROPERTY LOCATED AT APPROXIMATELY 190 EAST 2550 NORTH**

City Attorney/City Administrator Call reported this agreement is related to the purchase agreement executed by the Council in their previous meeting; this agreement will facilitate the portion of the project to fill in the basin using CDA tax increment funding. He provided a brief overview of the process by which tax increment funding is generated, emphasizing that all taxing entities in the community must agree to the creation of the CDA and the amount of tax increment they will divert to be used in the CDA project area. He clarified that tax increment is not generated by taxes paid by residents; rather, it is generated by the properties located in the CDA project area.

**Board Member Cevering motioned to approve Agreement RDA8-2018 with J.D. Mercer property improvements on North Ogden City property located at approximately 190 East 2550 North. Board Member Swanson seconded the motion.**

**Voting on the motion:**

<b>Board Member Barker</b>	<b>aye</b>
<b>Board Member Cevering</b>	<b>aye</b>
<b>Board Member Stoker</b>	<b>aye</b>
<b>Board Member Swanson</b>	<b>aye</b>
<b>Board Member Turner</b>	<b>nay</b>

**The motion passed 4-1.**

**2. PUBLIC COMMENTS**

There were no public comments.

3. ADJOURNMENT

Board Member Swanson motioned to adjourn the meeting. Board Member Stoker seconded the motion.

Voting on the motion:

Board Member Barker	aye
Board Member Cevering	aye
Board Member Stoker	aye
Board Member Swanson	aye
Board Member Turner	aye

The motion passed unanimously.

The meeting adjourned at 6:53 p.m.

  
M. Brent Chugg, Mayor

  
S. Annette Spendlove, MMC  
City Recorder

19 June 2018  
Date Approved