

**NORTH OGDEN CITY COUNCIL & PLANNING COMMISSION JOINT
MEETING MINUTES**

February 6, 2018

The North Ogden City Council convened in an open meeting on February 6, 2018 at 6:03 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 February 1, 2018. Notice of the annual meeting schedule was published in the Standard-Examiner on December 31, 2017.

PRESENT:	M. Brent Chugg	Mayor	
	Blake Cevering	Council Member	
	Sara Fawson	Council Member	
	Cheryl Stoker	Council Member	arrived at 8:00 p.m.
	Phillip Swanson	Council Member	
	Carl Turner	Council Member	

Eric Thomas	Chairman	
Brandon Mason	Vice-Chairman	
Scott Barker	Commissioner	
Don Waite	Commissioner	
Nicole Nancarrow	Commissioner	
Steven Prisbrey	Commissioner	excused
Lisa Arner	Commissioner	

STAFF PRESENT:	Jon Call	City Administrator/Attorney
	Annette Spendlove	City Recorder/HR Director
	Dave Espinoza	Public Works Director
	Rob Scott	Planning Director
	Brandon Bell	Associate Planner
	Lorin Gardner	City Engineer
	Tiffany Staheli	Parks & Recreation Director

VISITORS: (see signup list)

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

CONSENT AGENDA

1. **DISCUSSION AND/OR ACTION TO CONSIDER DECEMBER 19, 2017 CITY COUNCIL MINUTES**

2. **DISCUSSION AND/OR ACTION TO CONSIDER JANUARY 2, 2018 CITY COUNCIL MINUTES**

Council Member Turner motioned to approve the December 19, 2017 City Council Meeting minutes and the January 2, 2018 City Council Meeting minutes. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Fawson	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

ACTIVE AGENDA

1. **PUBLIC COMMENTS**

Steve Rasmussen, 1092 E. 3250 N., stated he has lived in North Ogden since 1970 and as of late he has a real concern about traffic. The Mayor and Council have done things to try to make things better, but there is currently an opportunity to receive federal funding for transportation projects and that opportunity may not come along again; the City has a window of approximately one year to 18 months to get more money than would be available again in the next 15 years, but the agencies that will receive the money are those that are ready to spend the money. This means that plans need to be in place with all preliminary work done and perhaps contractors ready to act when money is available. There may also be an opportunity to secure money to complete the future phases of Barker Park. He would love to see a great big beautiful park in the City; something without sports and other components, but just a place for families to gather. He stated he hopes the City will be proactive in planning projects to be ready to jump on funding sources when they become available.

Susan Clements, 668 E. 3125 N., stated that she saw a recent post on the City's Facebook page soliciting people to help with the urban deer count, but there was no sufficient notice given to allow more people to participate. She asked if there will be future

opportunities to be part of that process, to which City Administrator/City Attorney Call answered yes and indicated more notice will be provided next time.

Randy Wynn, 2412 Barker Parkway, stated that as Vice Chair of the North View Senior Committee, he is excited to see that a Council representative will be appointed to be a liaison to that group. He stated the Committee's bylaws have been adjusted slightly and he reviewed the content of those changes relative to the Mayor's appointment to the Committee.

Monte Smith, 835 E. 3350 N., echoed the traffic concerns raised by Mr. Rasmussen; he has noticed over the years that the City's traffic problems continue to increase at numerous intersections. It is his suspicion that as the City has grown, stop signs have been placed at various intersections without valid traffic counts to support the placement of those signs. He indicated that he would suggest the City highly consider hiring a traffic engineer to perform traffic counts to investigate the proper manner of controlling traffic flow at those intersections.

2. PRESENTATION BY AMERICAN LEGION

This agenda item was postponed.

3. DISCUSSION AND/OR ACTION TO CONSIDER A PART TIME EMPLOYEE IN ADMINISTRATION

A staff memo from City Recorder/Human Resources Director Spendlove explained the Administration Department is seeking approval in adding an Administrative Assistant.

Currently, there are (4) assistants who are assigned part time to the building, planning, and administration departments. The City Recorder is the Department Head with (2) part time Deputy Recorders.

Implementing this proposal would increase the efficiency of the different departments that uses the Administrative Assistants. Our building permits have doubled in the last two years. In 2017 we had 441 and in 2015 we had 256. Currently in 2018 we have 35. We have a part time person doing what a full-time employee was doing. We also have more work in the Planning Department as more development is occurring and the building at Village at Prominence Point is starting to move forward.

The Recorder originally asked that a current part time employee be changed to a full-time status. Mayor Taylor asked that she consider another part time employee instead. The additional cost to the Administration budget to hire a part time 20 hour per week person would be \$6,482 in the remainder of this fiscal year compared to \$15,320 for a current

part time person moving to full time with benefits. Mayor Taylor said he would support this part time position to be added now and let Mayor Chugg and City Administrator Call know his opinion. She is willing to try a part time position and is asking Council for their support.

City Administrator/City Attorney Call reviewed the staff memo and noted that the recommendation would be funded using money available as Mayor Taylor's salary is not being paid during his deployment. Staff would identify an ongoing funding source for the position upon Mayor Taylor's return in the next fiscal year.

Council Member Fawson asked if the person hired to fill the position will assume some administrative duties formerly assigned to Mayor Taylor. Mr. Call stated that the employee would be assigned to provide administrative support to the Department Head group, which would free up some of Ms. Spendlove's time that is spent doing things that do not require her expertise.

High level discussion centered briefly on potential funding sources for ongoing maintenance of the position.

Council Member Cevering motioned to approve the creation of an additional part time employment position in City Administration. Council Member Turner seconded the motion.

Council Member Swanson suggested that the motion include a requirement to review whether the position is needed after an 18-month period. Council Member Fawson stated she feels an 18-month period is appropriate.

Council Member Cevering amended his motion to include a stipulation that the need for the position be evaluated after an 18-month period. Council Member Fawson seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Fawson	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

Council Member Turner motioned to move agenda items #4, #5 and #6 after item #11. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Fawson	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

JOINT WORK SESSION AGENDA

7. ANNUAL REPORT

Planning Director Scott and Associate Planner Bell facilitated a review of the Planning Department Annual Report. The Planning Commission transitioned this year as Blake Cevering was elected to the City Council. Lisa Arner was appointed to fill his term. Steve Prsbrey was reappointed to the Planning Commission.

The Planning Department maintains the General Plan. The General Plan vision, goals, and strategies give direction for North Ogden's future. The General Plan guides land use decisions that interface with all aspects of the city including its history, land use, parks and trails, transportation, neighborhoods, and the environment.

The Department implements the General Plan by processing land use applications, e.g., subdivision reviews, site plan reviews, land use permits, business license and building permit zoning checks. Information is provided to interested citizens and parties regarding property zoning. The Department provides land use coordination with all other city departments.

This report provides a summary of the Planning Department activities and accomplishments. 2018 will emphasize the combination of a land development code and consideration of a form-based code for the Downtown and Southtown districts.

The Planning Commission meets twice a month in regular meetings and periodic work sessions. The Planning Commission also has joint work sessions with the City Council to discuss pertinent legislative matters, e.g., establishing the land use permit system and adopting new standards for accessory buildings.

General Plan Update: The North Ogden City General Plan Update, North Ogden Next: Your Vision Our Future was adopted September 22, 2015. The General Plan document is being utilized to give direction to North Ogden's future. Each application that comes before the Planning Commission references the relationship to the General Plan. Both the Planning Commission and City Council rely on the Plan to assist in decision making. The

General Plan Maps (Parks, Trails, and Bike Lanes) were updated in 2017 with an improved software to make the maps more readable. The Trails map was amended to include some missing trails. The amendment was adopted February 28, 2017. The report includes photographs of various trail improvements.

Form Based Code: The General Plan has a goal to improve the downtown. A form-based code is being crafted for the Downtown and Southtown districts. The Planning Commission began reviewing the draft ordinance. The hearing process will be held in 2018.

Complete Streets Policy: A draft complete streets policy has been written. This policy will consider the transportation needs for all types of transportation including roads, trails, public transit, etc. The Planning Commission will review this policy as part of the 2018 work program.

Weber Active Transportation Committee: Staff from the Planning and Parks Departments are members of the Weber Active Transportation Committee. The committee has representatives from Weber County, all cities in Weber County, the WFRC, Utah Department of Transportation, and Utah Transit Authority. This committee has a focus on all types of transportation activities and collaborates on spearheading efforts to expand all transportation activities including the trail and bike systems within Weber County.

Ordinance Work: The following ordinances were considered and adopted by the City Council. Ordinances are legislative items that are prepared by Staff and reviewed by the Planning Commission who sends a recommendation to the City Council. The Planning Commission and City Council hold a separate public hearing on each ordinance before taking action. Adopted Ordinances RCC Accessory Dwelling Unit Amendment – this amendment created standards for allowing accessory dwelling units in the RCC zone.

- North Legacy Corner Lot Exception
- Security Fence Height Regulations and Nonconforming Site Fence Regulations Amendment
- Sign amendment all signs permitted
- Land Use Permit System
- Athletic Court amendment
- Fence amendment

Ordinances in Progress:

There are a number of ordinances that are in progress of being considered by the Planning Commission.

- Dark Sky
- Form based code
- Grading and Drainage Standards
- Low Impact Water Design amendment

- Parking standards: hard surface vs. gravel
- Residential in Commercial Zones
- Air BnB Short Term Rentals

2017 Applications:

The report identified the subdivision applications received by the City in 2017, with their respective acreage and number of lots/units. There were 27 total subdivisions, for 140.935 acres, 307 lots, and 79 units:

Subdivision	Acres	Lots/Units
Canyon Vista, 2nd Amendment redesign	n/a	n/a
Cherry Springs Villas	18	84
Oakmont Estates	14	34
North Oaks Cove, Phase 8, 1st Amendment	0.795	2
Rice Creek Cove Amendment	8.23	16
Ward Farms, Phase 2	4.74	15
Panorama Heights Amendment	0.3	1
Paramount Estates	14.3	31
North Point Center, 5th Amendment	3.194	3
Campbell Subdivision	0.94	1
Angel's Corner	0.86	1
North Ogden Cove, 7th Amendment 0	0.977	1
IHC North Ogden Subdivision	14.5	3
Pack Minor Subdivision	0.35	1
Legacy North, Phase 4, 1st Amendment	1.022	1
Cactus Ridge, Phase 3	6.619	18
North Pointe Center, 6th Amendment	5.426	4
The Ranches	9.081	79
Stone Crest, Phase 2	2.1	5
North Ogden City Center	5.508	4
Northampton Estates, Phase 6	3.23	6
Quail Ponds, Phase 4	1.7	9
Woodfield Farms, Phase 2	6.83	25
Maverick Boundary Line Adjustments	n/a	n/a
Northview Estates, Phase 6 Extension	13.1	26
Wallace Anderson Boundary Line Adjustment	n/a	n/a
Shupe Farms	5.133	16

Conditional Use Permits: Five conditional use permits (CUP) were issued in 2017:

- North Ogden Public Works Facility Amended Site Plan / approval of Questar Gas Regulator Station and Temporary Animal Shelter
- Maverik Pole Sign

- Warnes Garage Addition
- Cross Roads at North Ogden Freestanding Sign
- Bona Vista Water Storage Tank

Site Plan Reviews: Twelve site plan reviews were conducted in 2017:

- Village at Prominence Point Amendment
 - The Village at Prominence Point project was expanded by adding an additional 16.75 acres and now totals 32.9 acres. There are four housing types, apartments, town homes, cottages, and independent living totaling 607 dwelling units. Commercial will be added along Washington Boulevard making this a mixed-use project.
- Weber County North Branch Library
- My Love Daycare
- Beans and Brews
- Crystal Leaf Photography Sign
- Barker Park Concept Plan / Amphitheater
- Maverik Store
- Pack Tax Office
- Montessori School Expansion
- Rands Duplex
- Ace Hardware Site Plan 12
- Cross Roads at North Ogden, amended landscape and trash container plan.

Rezone Map Amendments: Four rezone map amendments were approved in 2017:

- Shupe Farms R-1-10 to R-1-8AG
- Sod Farm RE-20 to MPC (LV) 13
- Maverik R-4 to C-2
- Pack R-3 to C-2

Annexations: Five annexations were approved in 2017:

- Frandsen, Parkinson, & Brewer Annexation 28.832 Acres
- Heninger Annexation .57 Acres
- Meritage Annexation 16.75 Acres
- Mosher Annexation .885 Acres
- Webb Annexation .2.458 Acres

Training: Training for the Planning Commissioners and Staff has many benefits that translate into enhanced creativity, knowledge of the latest best land use practices, and problem-solving options and ideas. These things benefit our customers, i.e., citizens, applicants, and policy makers. Planning Commission members attended sessions sponsored by the American Planning Association and the Land Use Academy of Utah.

8. FORM BASED CODE UPDATE

Associate Planner Bell reported a form-based code is being crafted for the Downtown and Southtown districts of the City. The Planning Commission has conducted extensive review of the draft document with just a few chapters left for them to consider. He stated that once they have concluded their review, a final document will be recommended to the Council for consider and a public hearing process.

Planning Commission Vice-Chairman Mason complimented Mr. Bell on the work he had done on the form-based code project; he has been very thorough in his consideration of the types of land use regulations appropriate for the City and he feels the code will facilitate quality development. Commissioner Waite agreed.

Council Member Turner asked that Mr. Bell provide the City Council with the chapters that have been reviewed and agreed upon by the Commission so that the Council can begin reviewing the document slowly.

9. DISCUSSION ON GRADING AND DRAINAGE AMENDMENT

A staff memo from Planning Director Scott explained when the City is considering a legislative matter, the Planning Commission is acting as a recommending body to the City Council. The City has wide discretion in taking legislative action. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically, the criteria for making a decision, related to a legislative matter, require compatibility with the general plan and existing codes.

Several years ago the Zoning Ordinance was amended to provide for a hillside protection zone. 11-9 Hillside Protections Zones contains two sections that deal with grading and drainage and development constraint standards. These standards only apply to the areas zoned for hillside protection. The subdivision review process regularly requires that geologic, hydrologic, grading studies and designs be done for all subdivisions. The application of these standards to the entire city is warranted. All subdivisions will benefit from applying consistent, clear, and objective grading, drainage, and hazards as part of their review.

A staff committee has been working to suggest amendments to these standards. The City Engineer, Public Works staff, Planning staff, and City Administrator made up the committee.

The following summary identifies the amendment provisions:

11-10-19 Excavation and Grading. This section is removed and references two new sections 11- 10-24 Grading and Drainage Standards and 11-10-25 Development Constraints.

11-9-5 Grading and Drainage Standards becomes 11-10-24 and 11-9-6 Development Constraints becomes 11-10-25.

11-10-24 Grading and Drainage Standards:

- A purpose and intent section is added.
- This ordinance applies to all city zones.
- Standards for parcel, subdivision, and building permits are clarified.
- Grading permits are required.
- Cut and fill standards are clarified.
- Drainage standards are set.
- Retaining wall standards are defined.
- Procedural regulations for grading types and permits are identified.

11-25 Development Constraints

- There are not modifications made to these standards. The Committee will be bringing a modified sensitive lands amendment to update this section.

CONFORMANCE WITH THE GENERAL PLAN

The North Ogden City General Plan contains an Environmental chapter.

Environmental Goals

Goal #1 – Protect sensitive lands within the existing and future City boundaries.

Strategies

- Continue to use the land use approach found in the Hillside Protection zones to incentivize developers to avoid sensitive lands.
- Reduce and avoid impacts on sensitive lands. Sensitive lands include: wetlands, riparian corridors, steep slopes, land slide runway areas, avalanche paths, and others.
- Create and reinforce use of rigorous disclosure statements for all property and home sales so buyers are aware of potential dangers. Add these to the Hillside Protection chapters of the Zoning Ordinance.

Goal #2 – Protect the water quality of existing wetlands, springs, streams, ponds, and aquifers.

- Foster, encourage, create and reward “green” behavior and initiatives.

The memo offered the following summary of Land Use Authority considerations:

- Should the grading and drainage standards be updated?
- Should these standards apply to the entire city?
- Is the amendment consistent with the General Plan?

The memo concluded staff recommends that the City Council and Planning Commission discuss the merits of this amendment and give direction on the proposed amendment. Staff will edit the amendment draft and set a public hearing.

Mr. Scott reviewed the staff memo and facilitated discussion among the Council and Planning Commission regarding the implications of the proposed amendment, which would basically impose the regulations of the Hillside Protection Zone on all other future developments in the City. City Engineer Gardner then provided an overview of the changes developers will see as a result of the proposed amendment; they will be required to provide a rough grading plan for their project and each builder to build on the individual lots on the project will be required to provide a final grading plan.

After high level philosophical discussion regarding the needed level of detail in a potential grading and drainage ordinance, the group ultimately concluded to direct staff to proceed with further work on the proposed amendment and move it through the proper process for formal consideration.

10. DISCUSSION ON A R-1-5 ZONE

A staff memo from Planning Director Scott explained when the City is considering a legislative matter, the Planning Commission is acting as a recommending body to the City Council. The City has wide discretion in taking legislative action. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically, the criteria for making a decision, related to a legislative matter, require compatibility with the general plan and existing codes.

Staff has communicated with potential applicants about utilizing a similar zone to the Legacy North PRUD zone. This zone has been used primarily for single story townhomes. The Planning Commission discussed this amendment at the January 24, 2018 meeting. This is an opportunity for the Planning Commission and City Council to further discuss this amendment.

General Plan Density. The General Plan residential designation for low density is 1-6 units per acre. The average net density for the Legacy North zone is 7 units per acre. This proposed amendment would allow for this zone to be applied throughout the city. The Planning Commission is considering whether to include a maximum density requirement.

Uses. The Planning Commission discussed whether to limit this zone to Planned Unit Developments or allow this zone to allow standard subdivisions. By requiring this zone to go through the PRUD process there is a higher comfort level with reviewing design features; however, there is a protracted review process in addition to the subdivision plat, a conditional use permit is required, and also City Council review.

Group Dwellings. Another policy issue is what minimum size development is appropriate, e.g., the current ordinance requires that if the PRUD option is used there is a minimum of 5 acres? If group dwellings are allowed then they can be anywhere from 1 to 5 acres. Staff does not recommend a project below 1 acre. This option would allow for an additional design option for infill projects.

Roadway Cross Section. Another policy issue is that these developments typically have a narrower road cross section than the standard 60 feet of right of way and 36 feet of pavement width, e.g., the North Legacy Project has a 38 foot right of way with a 28-foot pavement width. Staff is working with the Public Works and the Fire District to establish an acceptable minimum. Public Works supports a minimum 48 foot right of way with a 32-foot pavement width.

There are two options on the table for applying this standard. The first option would create a right of way width for this zone, e.g., 48 feet. The second option would tie this standard to the upcoming regulations for low impact development, e.g., the pavement width could be reduced to 32 feet if the storm water runoff is reduced by 85% from the standard right of way as determined by the city engineer.

In addition, Staff is recommending that several other standards be changed:

- Interior lot size change from 4,578 feet to 4,600 square feet.
- Minimum lot width change from 54.5 feet to 55 feet.
- Front yard setback: eliminate the garage setback of 26 feet.

CONFORMANCE WITH THE GENERAL PLAN

Housing Goals

Goal #1 – Increase Housing Quality and Variety

- Establish and adhere to high quality building and design standards for all housing types so that development enhances the community character.

Strategies

- Proactively evaluate current ordinances and policies to determine whether there are obstacles that can be removed or modified to achieve the community's housing goals.
- Create design standards to improve the overall quality of North Ogden's housing.
- Work with homeowners, landlords, and renters to maintain and improve existing properties.

The memo offered the following summary of potential Land Use Authority considerations:

- Should the Legacy North PRUD zone transition to the Residential R-1-5 zone?
- Should the PRUD requirements be part of this zone?
- Should group dwellings be added as a use in this zone?

- What street cross section standards should be applied?
- Are the other recommended standard changes acceptable
- Is the amendment consistent with the General Plan? Is the 7 units per acre density acceptable? Should a maximum density requirement be included?

The memo concluded staff recommends that the City Council and Planning Commission discuss the merits of this amendment and give direction on the R-1-5 zone standards. Staff will prepare the amendment and set a public hearing.

Mr. Scott reviewed his staff memo and facilitated high level discussion among the group regarding the various land uses that would be allowed in the potential R-1-5 zone, the properties throughout the City where the R-1-5 zone may be appropriate, and road cross-sections that would be required in developments allowed in the R-1-5 zone.

Philosophical discussion and debate among the group centered on the manner in which the R-1-5 zone would allow for the City to regulate according to zoning designation rather than individual projects; there was a focus on appropriate density for various neighborhoods throughout the City and the group ultimately concluded to direct staff to proceed with further consideration of an R-1-5 zone ordinance that would be presented to the Planning Commission for consideration and recommendation to the City Council. Mr. Scott indicated he will use the feedback of the group to inform his drafting of an ordinance document.

Mayor Chugg invited applicant Pat Burns to provide input regarding his reasons for seeking creation of the R-1-5 zone. Mr. Burns identified the location of his property and stated that he would like to develop that property using a zoning designation similar to what has been allowed in the Legacy PRUD project. He stated there is a high demand for the type of housing product that could be built in the R-1-5 zone and his project would be high quality in nature and would benefit the City in many ways. The density of his project would be on the lower end at less than six units per acre.

The Mayor then called for a 10-minute meeting recess.

ACTIVE AGENDA

11. NORTH OGDEN AMPHITHEATER AT BARKER PARK/PETITION AND REPORT

Council Member Swanson asked that those wishing to speak about the amphitheater project do so with respect to all parties and that they be concise and brief. He added that speakers should try to stick to facts and their opinions about those facts, while avoiding personal attacks on individuals. He added that some experts on the project are present

tonight and the City plans to convene a meeting again in two weeks to allow those experts to respond to the issues raised tonight.

Aaron Christensen, 2428 Barker Parkway, read from a letter submitted by several residents who live near the Barker Park; the letter summarized the discussions that have taken place over the past few months regarding their discontent relative to the amphitheater project. These residents are the beneficiaries of covenants contained in a warranty deed dated February 15, 2000, which states that Barker Park will be a traditional City park open to the public. This protective covenant is not being followed by the City and the residents are not inclined to stand by and watch the City change the park from a City park to a regional theater and concert venue. These residents are exhausting all options in an effort to avoid legal action; however, they are prepared to defend their position if necessary. Several people have indicated they feel direct legal action is the only recourse the residents have, but they are trying to avoid that. He then discussed the petition started by the residents and indicated that 250 to 300 signatures have been gathered and will be presented to the Council tonight. The two main concerns the residents have about the park are 1), smart, well-educated residents are questioning why they had not previously heard about the amphitheater project and 2), the residents who have heard about the project were surprised to learn it was something different than what had been envisioned. The City has a history of withholding information regarding projects dating back to the early 2000s when the existing amphitheater was built without notification being provided to subdivision residents. As a homeowner in the Barker Park Subdivision, he only heard about the original park through word of mouth and when he did he addressed the Council on August 27, 2002; at that time, he expressed his concerns about the changes to the park and that he had been told by a Council Member that citizens do not have much say in what is being done in the park. He read from the August 27, 2002 minutes and specifically cited a quote made by Council Member Elwell: "he recalls the park was intended to be passive and educational and it is now different than he thought it would be." Mr. Christensen then stated that additional information has not been actively available and for that reason the residents have found difficulty in documenting, recording, and reporting on discussions at the City level. He continued to review historical data regarding changes to Barker Park over the years and stated many statements made by former elected officials of the City are in direct conflict with actual documentation regarding the construction of the park and the subsequent development of the Barker Park Subdivision. He then noted that the Barker Park property was purchased from the Barker Family for \$37,500 per acre and in a draft version of the agreement negotiated for the acquisition of the property, there was a stipulation requiring full disclosure of what the land would be used for and if it were to be used for anything other than a park or open space, the Barkers, or their heirs, would receive 20 percent of any profits, plus the right to approve any development other than a park. He stated, however, that he could not find that stipulation was included in the final agreement. He stated it is obvious that Ray and Fern Barker wanted the land to remain open space and that was memorialized in a legal memo to the City in 1999. The Barkers' desire to preserve open space in the City was so great that they sold the land at a discounted price when

compared to the amount they could have received if it were sold to a developer. The commitments made by the City to the Barker family should be upheld. Both parties signed and agreed to the terms made in the agreement and if either party was not satisfied they had every opportunity to walk away from the deal; however, the City should now follow the written agreement. He stated the new amphitheater in scale, appearance, and function does not conform to the written deed covenant that he quoted earlier and the plans for the amphitheater must change. The group of residents has a strong preference to sit down with the Governing Body of the City to cooperatively explore alternatives and, if this process is to occur, it must happen soon given the current pace of construction that is already underway. He and his neighbors are willing to make themselves available to the Council and City staff this Thursday evening or anytime Friday and if the Council is unable to meet on either of those dates, the residents will feel it necessary to proceed with filing suit to enforce the deed covenants and seek injunctive relief. The residents simply want to resolve their concerns about the direction the City is taking with Barker Park informally and collaboratively; they have no desire to sue anyone, but it would be a mistake on the City's part to interpret the residents' preference for negotiations as a lack of determination. He thanked the Mayor and Council for their time tonight and for their service to the City.

The Council and staff engaged in discussion regarding options for convening a special meeting as requested by Mr. Christensen or starting the February 13 meeting earlier than usual to continue discussion about this matter. Mr. Christensen stated that the residents would be amenable to a later meeting, so long as construction is halted until that meeting can take place. City Administrator/City Attorney Call stated that it would be appropriate to ask the Wadman Corporation representative to provide information regarding the impact of halting construction.

Phil Clawson, Wadman Corporation, stated that in regards to stopping work, there would be a financial impact of such an order. There would be costs associated with demobilization and loss production and if the project were ultimately cancelled there would be penalties associated with lost profits. If work were stopped for a week, the potential financial impact would be \$10,000.

Council Member Fawson stated that she feels the demand that the City meet on Thursday or Friday to avoid a lawsuit on the part of the Barker Park Subdivision residents is unreasonable. She stated that she is happy to meet Thursday, but it appears it will be difficult for other members of the Council and staff. Council Member Swanson agreed and offered to continue the discussion next Tuesday night.

Mr. Call then suggested that the public comment portion of the agenda be held at this time so that those wishing to address the Council are not forced to wait until after the completion of the remaining agenda items.

COUNCIL MEMBER FAWSON MOVED TO AMEND THE AGENDA TO HEAR PUBLIC COMMENTS AHEAD OF ITEM FOUR. COUNCIL MEMBER SWANSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

12. PUBLIC COMMENTS

Ruston Monson, 2564 Barker Parkway, stated he has a list of questions that he would like to eventually receive the answers to. He inquired as to the current number of parking stalls at Barker Park as well as the number of stalls included in the plans for additional parking for the amphitheater. He also inquired as to the maximum occupancy of the amphitheater according to the fire code. He stated he has some background with municipal government and it is his understanding that in order for someone to obtain a building permit, most cities require site plan review and construction plan review; during the project, a four-way inspection and final inspection are required prior to occupancy being allowed. He inquired as to whether the complete plan for parking has passed the site plan approval step. He then referenced the discussion that occurred earlier during the meeting when the City Council was discussing zoning with the Planning Commission and noted a comment was made that zoning is at the discretion of the City Council; he asked how this project fits into the total density calculations for the City. He indicated the Ogden amphitheater is in downtown Ogden, yet North Ogden is constructing its amphitheater in the middle of a quiet neighborhood. He stated that he does not believe that the majority of residents would be comfortable having the project in their neighborhood.

Kim Christensen, 2428 Barker Parkway, read a statement made by former Council Member Urry during the September 5, 2017 City Council meeting. "Council Member Urry inquired as to the total budget amount in this year's fiscal year budget for the project, to which Mayor Taylor answered \$1.1 million. Council Member Urry stated that means 20 percent of that budget will be paid to someone to supervise the project. Mayor Taylor stated that the cost will cover the entire project. Council Member Urry asked if that means that City Administration will not seek additional funding to pay Wadman as the supervisor of the project in the budgets for the next few fiscal years. Mayor Taylor stated that City Administration will only seek additional funding if the project takes longer than 12 actual construction months, which he does not expect. He stated that the project may take three years to complete, but Wadman will only be active for approximately four to six months in each year; when no work is actually happening, Wadman will not be paid." She emphasized that the statement was made that when no work is actually happening, Wadman will not be paid.

Kenneth Hill, 2517 Fruitland Drive, stated that he is concerned about the quality of the hollow during construction; he is aware that the contractor is working hard to keep the road in the area passable during construction, but the area is so saturated, and he is worried that any damage made to the area will be long term. He stated he would like for

the contractor to do what they can to keep the hollow prestigious. He added that as a resident living on Fruitland Drive he is very concerned about on-street parking on that road and he would like for the Council to continue to consider that issue.

Aaron Butler, 485 E. 3600 N., stated he has lived in the City for about 20 years and while he has not been very active in City government in the past, he will become more involved because he is concerned about some of the actions that have been taken recently and he fears that the City's priorities are misaligned. He would like for the Council to dedicate resources to take care of existing parks rather than building more parks that will be even more costly to maintain and operate. He stated he would not want an amphitheater in his neighborhood and he can understand the concerns of the residents living in the Barker Park Subdivision. He then concluded that there is already an amphitheater nearby in Ogden City and it is not necessary to build a similar facility in North Ogden.

Bob Buswell, 962 E. 3025 N., stated that he would like to hear from the Barker family regarding this issue.

Allen Christensen, 1233 E. 2250 N., stated that he has lived in North Ogden for over 60 years and he does not believe anyone present can question his devotion to the City or the service he has given and it is his assessment that the City has gotten into a situation that will take some real leadership to get out of. He stated that good leaders cannot be reactionary; rather, they need to face issues with what is best for the City in mind. He stated that he hopes that the Council can find some common ground and turn what has been done into a real advantage that people can live with and accept. He stated that the project has progressed too much and too fast without the proper steps.

Steve Rasmussen, 1092 E. 3250 N., stated that he believes discussion with the people that live in the area of the park is needed; he does not live too close to the project to be affected personally, but he hopes that what is not lost in the whole discussion is the rest of the Barker Park project. Whether there is an amphitheater or not, the remainder of the park needs to be developed and done so in concert with everyone living in North Ogden that wants to be involved in those discussions. He stated he previously held government employment and has been involved in contentious situations that resulted in lawsuits and what he found is that it is not possible to change the past and, rather, it is more important to focus on the future. What is done in the future matters to everyone. He concluded by emphasizing his recommendation that the plans for developing the rest of Barker Park should be carried out and he is hopeful that efforts are underway to identify funding for the project. He stated it is also important to provide adequate parking space for the park, especially given that the City wants to develop it in a way that will attract many visitors, which will result in an increase in traffic.

Peggy Barker, 2553 N. Fruitland Drive, stated that she cannot speak for the entire Barker family, but she is aware that when the property was sold to the City, it was done to save open space and to make the land available to future generations of youth. She stated that

the family was hopeful the land would be used to bring people together and be inspiring, but instead the opposite has happened, and it is very sad. The development of the park has created a battle between residents. She was looking forward to the development of an amphitheater that could host many different events appealing to many different types of people. She participated on the Barker Park Committee, which spent over a year planning other improvements at the park and those dreams are now 'stuck in the mud'.

Monty Smith, 835 E. 3350 N., stated that he is not an attorney, but he spent half his lifetime in the courtroom dealing with homeowners associations (HOAs) and protective covenants, which are legally binding upon all those who signed agreements to purchase property. Regardless of any action taken since the area was initially developed, the protective covenants are still enforceable. He is delighted to be a part of this discussion and he has witnessed awesome leadership. He has lived in North Ogden nearly all his life and has seen the area evolve, but regardless of changes to the character of the community, certain agreements are still binding. He stated he thought about the makeup of this City and the controversial issues that have transpired and he believes that sometimes the cart is put before the horse; the City should first take care of the existing residents of the City before starting to think of more grandiose projects to draw more visitors to the area.

Brian Bartholomew, 3712 Nebo Avenue, stated that he does not live near the amphitheater and he is grateful for that, but his family is very involved in theater and the arts. He would like to hear from someone who has theater experience because it is his understanding that the costs associated with initial construction of the structure as well as the ongoing maintenance and operational costs are so high that the City may not be able to pay for it. He stated he can support the project under one stipulation: that the amphitheater draws the Beastie Boys, Motley Crue, or The Offspring to perform. However, he has been to concerts by those performers in the past and the impact that type of performance would have on the Barker Park neighborhood would be very negative. He agreed with the previous comments regarding the need for leadership on the part of the Council to make the decision to stop the project and contemplate some of the issues that have been raised. He recognized that Wadman has indicated it could cost upwards of \$10,000 if that kind of action was taken, but \$10,000 in a \$5 or \$6 million project is not significant. He stated he is willing to pledge \$1,000 towards the \$10,000 cost in order to put a stop to work right now. He would also be willing to pledge \$1,000 towards the legal fees that will be incurred by the citizens who have chosen to fight the project.

Chris Heiner, 972 E. 2650 N., stated that he is opposed to the amphitheater project for several reasons, but namely traffic. He referenced discussions about widening 2600 North to accommodate increased traffic and stated that North Ogden is not built for the kind of traffic that currently exists. He stated that the Monroe Boulevard project should happen sooner rather than later. The 2600 North project will evict 29 families from their homes just to save some residents a few minutes on their commute and to accommodate traffic associated with the amphitheater project, which is a road that may be used for one month

out of an entire year. He stated he wanted the neighbors who have banded together to oppose the project that he and his family stands with them.

Rebecca Michaels, 1082 E. 2850 N., stated that her son's Eagle Project was to plant trees at Barker Park; he planted five trees in total and only two of those trees are left. The trees were not relocated and, rather, they were plowed over with dirt once the amphitheater project began. She referenced an article in the Standard-Examiner yesterday discussing the number of boy scouts that actually earn their Eagle Scout; her son and her family take a lot of pride in the fact that he is an Eagle Scout and to see that just two trees are left of it is very disappointing. She added that she agrees with many of the comments that have been made this evening; her family relocated to the area from Southern California and they were drawn here because of the small town feel and she would like for it to stay that way.

Clay Christensen, 2834 N. 700 E., stated that he recently moved back to North Ogden after growing up here; he and his family have a deep love for North Ogden. He was explaining to his eight-year-old this evening that he was attending a meeting about the amphitheater and his son asked if he was referring to the sledding hills and the areas where he has access to open space to run and play on. He stated he has no doubts that the plans for the Barker Park project were well intended and he can sympathize with the viewpoints of those on both sides, but the thing that stands out most in his mind is the agreement made between the City and the Barker family when they first decided to sell the land. The Barker family has probably done as much as, if not more, than most families in North Ogden and to think that the agreement is being pushed aside is difficult for him to accept. He stated he hopes the Council will consider that issue and weigh it appropriately; the citizens need leaders that they can continue to have faith in. He stated he is a resident who tries to stay involved and know what is going on in his community, yet he had not heard about the expansion project. He hopes that the Council will understand that there is no malice and that it is possible to do something that will not further divide the community, but, instead will bring everyone together.

Spencer Alexander, 1740 N. 150 E., stated that as he has listened to the comments he has found himself wondering if the project is worth the cost; there are some things that cannot be quantified in dollars and cents and he hopes and prays that the Council does not lose sight of that. North Ogden is a city and not a corporation and the citizens should be treated as partners. He is worried that North Ogden is attempting to change so quickly and bring new things and that could be detrimental to the City in the long run; he would like to accept and embrace change while striking a balance. He is happy to see that people have gotten involved and have so much passion for the community.

Meg Sanders, 2915 N. 875 E., stated she did not have the pleasure of growing up in North Ogden, but her parents live on Pleasant View Drive near the sod farm and they received so many letters from the City when they were building the public works facility. Later, when the property near the sod farm was being considered for a zone change, her

parents received four mailers about those discussions. They had the opportunity to reach out to their elected officials and attend meetings during which both of those issues were discussed; they were told a number of times that something was going to happen. She stated she wonders if the same thing happened for the people that live near the amphitheater. She then stated she has seen a lot of discussion about this issue on Facebook and that this has been a very transparent project, but if that is the case she wondered why there is a room of people who do not believe that it was transparent. She asked that the Council now approach this issue with an open heart and strive to preserve the magic of North Ogden.

Calista Ekstrom, 955 E. Deer Meadows Drive, stated that when she sees the amphitheater she sees something that has the potential to bring the community together. She is a theater student at BYU Idaho and she has seen the power of arts in the lives of young individuals especially. She relayed a story about a child who had a difficult childhood, but later found the arts and was able to make a change and ultimately secure a scholarship and become the first person in his family to attend college. She believes the amphitheater project could unite North Ogden and its residents.

Dorothy Sjoblom, 1640 N. Mountain Road, stated her daughter is very involved in the arts and has a great love for Mark Daniels and the opportunity he has given his students to learn about the importance of arts. She then stated that today she reviewed the City's home occupation regulations that are in place to protect the City; she wondered if those same types of restrictions have been imposed on the amphitheater project. She stated she has the following questions for the City about this project: should a major expenditure like this one be an item on the ballot for the voters to decide? Should the City be running a business? What will be the ongoing cost to the taxpayers to keep the business running? Is the city constraining the same rules that a private citizen would have in getting a permit to do business in a residential neighborhood? What about the inadequate access that a large number of people trying to drive on a narrow country road. The night of the 4th of July firework show, the city around the Park was grid locked and I felt unsafe knowing that an emergency vehicle could not get through. What will be the real cost? Mayor Taylor's on-line video talked about the RAMP money that would be funding the project, but it wasn't clear that that money is only a small fraction of the cost. What controls will there be as to the type of concerts that might be coming to the theater and the type of problems that might bring with possible drug and alcohol use in a residential neighborhood? What about the noise level? Would any of us want this across the street from our home? She thanked the Council for their consideration of her questions and asked them to think how they would feel if the amphitheater were being constructed across the street from their home.

Rod Barker, 2524 Barker Parkway, stated his father is Ray Barker; he loved the land where his family lived and it is where he grew up. In the spring he can be seen walking through Barker Park with a shovel digging up weeds and taking care of it, because that is what his dad did – he loved the land as well. He is one of nine children and in the last

week he has talked to his brothers and sisters about this issue trying to find out what their desires would be. He stated the Barker children would not like to see the amphitheater built to the scale for which it is currently designed. The family is not opposed to an amphitheater, but they are opposed to the huge scale. They would like to see the rest of the park completed and their feeling is that creating a family friendly park on the land would serve the rest of the community. He stated the Barker Park Committee has designed a facility that would serve families and be a blessing to the community and the Barker family children support that design.

Scott McKay, 1298 E. 2625 N., stated that he met with members of the Council recently regarding this issue and he participated in that meeting mainly to support his friends. When he sat through that meeting he learned that some gross wrongs have occurred. He stated that those wrongs were done with malicious intent, but they happened just the same and he left the meeting vowing that he would stand up for what is right. He stated that he has knocked on several doors to discuss this issue with residents and most of them have not heard of this project and did not know it was occurring. He stated he is fighting to see what is wrong be made right and the cost to do what is right will be less than the cost associated with continuing down the same path and completing something that is wrong. The majority of people in the community will stand up and do the same as him because they also know what is right. He stated that he supports the City Council and believes they have the intent in their hearts to do what is right. He concluded he believes the Council has an opportunity to make something great and bring the community together based on values and principles and standing up for what is right.

Steve Barker, 3241 N. 1350 E., stated that he is Carl Barkers son; he hates to see this happening and the divisiveness it has created in the community is horrible. The degree to which some people have tried to create something that was not intended to be created is causing tremendous grief. He stated that his parents sold their property because it was getting to the point that farming was not as profitable in North Ogden as it had once been. His parents ultimately decided to sell their land to the City to provide space for a park where all people of North Ogden could come and enjoy it. At that time his parents, as well as his aunt and uncle, personally knew the elected officials and leaders in North Ogden and they made many verbal agreements that were not memorialized in the final documentation of the sale, but the land was always intended to be a park where all of North Ogden could come to and be proud; the City could then grow around the park and the residents could enjoy the beauty of the area. He discussed the history of the property and stated he would like for decisions to be made to ensure that it continues to be a wonderful place for North Ogden. It has been 20 years since the land was sold to the City and many plans have not come to fruition, but it is now time for the property to become a park. The Barker Park Committee put together a tremendous design and he asked that the City focus and move forward with that design at this time.

Mark Daniels, 263 E. Elberta Drive, stated that he had an opportunity to meet with the City Council recently; he is a proud member of the theater community in this area and he

has had the ability to work with the City to discuss and design improvements to the existing amphitheater at the park to make it more usable. He directed the Joseph and the Technicolor Dreamcoat production at the amphitheater a few years ago and he saw some magical things happen. Community members were brought together to act in the production and watch the production. He sees what the arts do for the community and the thought of having an amphitheater in the community excites him; it will be a place to come together in the community and support one another and he believes it should happen. He agreed with Peggy Barker's comments about the amphitheater facility providing a place for the community to come together. He stated that the current amphitheater is not set up in a manner that provides for high quality performances and it is necessary to improve it; he would not support building an amphitheater that would be too costly to maintain and operate and he is confident that the current design can be maintained. He participated on the Barker Park Committee and the Amphitheater Committee and he believes that sound decisions have been made. It is impossible to create arts under a cloud; there is a cloud currently hanging over the City and the arts community and that makes it difficult for arts to freely grow and thrive. He also feels slightly attacked tonight; he was told that the intent of the meeting tonight was to simply listen to the concerns of the petitioners and that in a couple of weeks everyone would be able to come together and address those concerns. He stated that is not what has happened; he did not get to listen to Shaun Casey's concerns. He stated that he has invited the multiple contractors that are working on the technical aspects of the project to listen to those concerns so that they could adequately address them, and they have been deprived of that opportunity. The discussion has shifted to only allow arguments about why there should not be an amphitheater as opposed to why there should be an amphitheater.

Janice Christensen, 1233 E. 2250 N., stated that she is trained as a theater manager; she loves theater and the thought of arts in the community to draw people together and grow together. Her only concern is that the amphitheater is being located in a quiet residential community rather, which is unlike the locations of other amphitheaters across the State. She stated she believes the amphitheater is a great idea, but there was not enough forethought and the idea for the project outgrew the setting for which it has been envisioned in. She stated that she would like a wonderful venue for performances, but she hopes it is not located in a residential neighborhood that was chosen by residents for its peace and loveliness.

Jason Beal, 586 E. 2850 N., stated that he grew up in North Ogden as well and he never went to Barker Park; he lived near the cemetery and his parents understood that in living near a City facility there was always the chance that changes could be made to that facility and those changes could impact them. He stated his parents accepted that change. He stated he thinks the concept for the amphitheater looks great and the rest of the park is incredible as well. Parks are intended to provide outlets for children and he believes that many of the community's youth would support the design that has been created. He stated that he understands the park land was previously owned by a prominent family and

it can be difficult for them to see the changes occur, but they sold their property to North Ogden. He addressed the people that live around the park and stated that it may be time for them to accept that change is occurring; no one wants to see a project occurring in their neighborhood, but they understood they lived near a park when they built their homes there. It is time now to think about how the park can benefit the community, specifically the youth of the community.

Mona Wald, 2457 N. 750 E., stated that she worked for North Ogden City up to a few months ago and she supports the amphitheater project. She stated that from her perspective, she does not know what more the City could have done to advertise the project and invite public comment and involvement. She stated that Mayor Taylor is someone she would trust with her life; he was very respectful and always willing to listen to anyone who had a concern. In her opinion this is coming along a little late given that discussions about the project have been underway for over a year. She stated it may be that people are too busy to get involved, but the City tried its hardest to get the word out to people. She stated that she lives very close to many people that are concerned about the project and this is a very uncomfortable situation for her; she can feel their anger and their sense of a loss of control. She lives very close to what will be the future Monroe Boulevard someday and she understands that project could be impactful to her. She noted she loves music and the arts and she feels that it would be appropriate for the City to consider hiring a professional events planner to ensure proper operation and maintenance of the amphitheater and production of high quality events. She concluded she loves North Ogden and encouraged everyone to look for beauty in the arts. In regards to parking, there are many other amphitheater facilities that have offsite parking and utilize shuttles to get people to the venue. She stated there are options for addressing the perceived lack of onsite parking.

Justin Southwick, 1819 N. 200 W., he is familiar with individuals on both sides of this issue and he is torn on the matter. He wondered if it may be an option for the City to consider another location for the amphitheater and he wondered what it would take to move the project to the Green Waste facility.

Melanie Barker, stated that Barker Park has no roads to get thousands of people in and out of the facility weekend after weekend. The Barker family wanted the land to be preserved for the residents of the City to use; Ray and Fern Barker were good honest people and they expected the City to be honest with them and uphold the agreements that were made. The children of the Barker family will no longer be able to sled on the hills at the park; when fences are put up and the amphitheater is opened, she will no longer have peace in her home because it will be possible to hear everything that is happening at the park. She hopes the Council will remember that the contract between the Barkers and the City, from day one, was to provide a park for families; it was not to be a business and if the City proceeds with making it a business, the Barker family will seek the 20 percent share of the profits cited in the agreements.

The meeting recessed briefly.

4. **DISCUSSION AND/OR ACTION TO CONSIDER A COUNCIL MEMBER TO SERVE ON THE AMPHITHEATER COMMITTEE**

Mayor Chugg facilitated discussion among the Council to solicit interest from members relative to being appointed to the Amphitheater Committee. He stated that Council Member Cevering has been serving and he has indicated he would like to continue to serve in that capacity.

Council Member Fawson motioned to approve Council Member Cevering to serve on the Amphitheater Committee. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Fawson	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

Council Member Swanson stated that he has spoken to Mr. Aaron Christensen about serving on the Amphitheater Committee and he asked that a future agenda include an item to allow the Council to make that appointment.

5. **DISCUSSION AND/OR ACTION TO CONSIDER A COUNCIL MEMBER TO SERVE ON THE NORTH VIEW SENIOR CENTER BOARD**

Mayor Chugg facilitated discussion among the Council to solicit interest from members relative to being appointed to the Senior Center Board.

Council Member Fawson motioned to approve Council Member Swanson to serve on the North View Senior Center Board. Council Member Turner seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Fawson	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

6. **DISCUSSION AND/OR ACTION TO CONSIDER LETTING POLITICAL GROUPS USE THE NORTH OGDEN MUNICIPAL BUILDING TO HOLD CAUCUS MEETINGS**

A staff memo from City Administrator/City Attorney Call explained the City has had a request to use the council chambers on caucus night by one of the local political parties. They have historically used the libraries facilities for these activities but can't while it is under construction.

Mayor Taylor recommended that the City allow this group to use our facility during the construction of the Library as a special exception to our historic policy against the use of the city buildings for organized political party activities.

Staff recommends that if the Council is going to allow for it we make it available for any similar groups during the duration of construction. It will require us to have an employee in the building to open and lock the building up as well as provide access to the restrooms.

Council may make any decision they see fit which could include only making an exception for this one group this one time. We have many groups request to use our facility and we have historically turned them down unless they are willing to rent the senior center and pay for the staffing required to keep that building going. It might be advisable to require a fee to keep an employee here to watch the activity since the various offices and other areas are open to the public when the door is opened for restroom access.

Mr. Call reviewed his staff memo. The Council indicated they have no opposition to providing a public facility for this type of event to encourage participation in the political process.

Council Member Swanson motioned to approve letting political groups use the North Ogden Municipal Building to hold Caucus meetings, with the caveat that the event will be moved back to the library when it is again open for business. Council Member Stoker seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Fawson	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

13. COUNCIL/MAYOR/STAFF COMMENTS

Finance Director Nelson reminded the Council that there will be an item on the February 13 Council meeting agenda to allow Administration to introduce the budget; the Council will be asked to provide general budget priorities to inform the upcoming budget process. Council Member Turner encouraged the Council to email their goals and priorities to staff prior to the meeting.

Council Member Swanson discussed the creation of an informal North Ogden Clean Air Committee and asked staff to begin the process of soliciting involvement from the community; he has heard from many residents who are interested in participating and he would like to move forward. He then stated that as new businesses are opening in the City it would be good for the Council to represent the City during their grand opening event.

Council Member Fawson stated that she loves the participation that occurred tonight and she would like to have discussions about the proper ways to notify residents of projects that may be in the works and providing open communication channels. She stated that she is also concerned about traffic safety on Fruitland Drive during events such as the Fourth of July celebration and she asked that staff be considering options for controlling traffic in the future. Mayor Chugg stated that Chief Call has discussed creating a traffic control plan and he feels that would significantly address the concerns that have been expressed. Council Member Stoker added that issue has been discussed by the Cherry Days Committee as they are working to plan the upcoming 2018 celebration.

14. **DISCUSSION AND/OR ACTION TO ENTER INTO A CLOSED MEETING TO DISCUSS UTAH CODE §52-4-205(1)(c) REGARDING PENDING OR REASONABLY IMMINENT LITIGATION**

Council Member Swanson motioned to recess the regular meeting and convene in a closed meeting §52-4-205(1)(c) regarding pending or reasonably imminent litigation and also amending to include §52-4-205(1)(a) regarding the character, professional competence, or physical or mental health of an individual. Council Member Fawson seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Fawson	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

Meeting recessed at 10:15 p.m.

Meeting reconvened at 11:15 p.m.

15. **ADJOURNMENT**

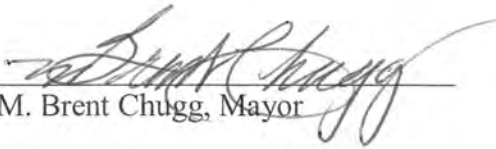
Council Member Swanson motioned to adjourn the meeting. Council Member Turner seconded the motion.

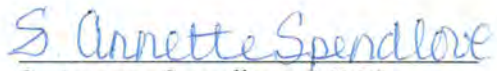
Voting on the motion:

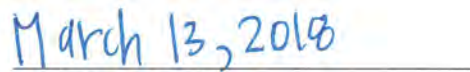
Council Member Cevering	aye
Council Member Fawson	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

The meeting adjourned at 11:16 p.m.


M. Brent Chugg, Mayor


S. Annette Spendlove, MMC
City Recorder


Date Approved

CITY COUNCIL & PLANNING COMMISSION JOINT MEETING
TUESDAY, FEBRUARY 6, 2018

PLEASE **PRINT** NAME

ADDRESS

Diana Little

Anne Larson

MONT SMITH

BRETT HAMBLIN

Julee Smith

Steve Rasmussen

LEONARD LOONG

RANDY WINN

Interim

BENNY Blackwell

Chris Heiner

RUSTON MONSON

SUSAN Clements

Stefanie Casey

Karan Collman

Kim Christensen

Cathy Johnson

Nobyn Johnson

Christie Malan

JANIS CHRISTENSEN

Rebecca Michel

Paul Michel

Marilyn Glavin

Steve Barker

Car & Sandy Heiner

CITY COUNCIL & PLANNING COMMISSION JOINT MEETING
TUESDAY, FEBRUARY 6, 2018

PLEASE **PRINT** NAME

ADDRESS

Keshie Murray
Pat Burns
Jerry Priest
Corrie Beverly
Jason Beal
Craig Hedley
Aaron Christensen
Brent Little
Sean McCasey
Todd Whiteley
Nikki Whiteley
Charlotte Ekstrom
Bill Hart
Shelley Hart
Elias Skinner
Ryan & Kim Barker
Neil Johnson
Katie Wilkinson
Kenneth Hill
GORDON ROBSON
Drew Johnson
Rod Barker
Melanie Barker
Peggy Sack

Dorothy Sjoblom

Kathy Wain

Emily Christensen

Allen Christensen

Brian Bartholomew

Clay Christensen

Meg Sanders

Colista Ekstrom

Rod Barker

Mark Daniels

Mona Wald

Justin Southwick

Spencer Alexander

Lisa Johnson

Bob Buswell

Dale Anderson

Julie Anderson

Scott May

Kyle Anderson

Machtel Anderson

Doug & Susan Oler

Veronica Jones