

**NORTH OGDEN CITY COUNCIL
MEETING MINUTES**

February 10, 2026

The North Ogden City Council convened on February 10, 2026, at 6:00 p.m. at the North Ogden City Public Safety Building at 515 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 Public Notice Website on February 5, 2026. Notice of the annual meeting schedule was posted on the bulletin board at the municipal office and posted to the Utah Public Notice Website on December 10, 2025.

Note: The timestamps indicated in blue correspond with the recording of this meeting, which can be located on YouTube: <https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos> or by requesting a copy of the audio file from the North Ogden City Recorder.

CITY COUNCIL MEMBERS PRESENT:

Ryan Barker	Mayor
Tera Carney	Council Member
Jay D Dalpiaz	Council Member
Chris Pulver	Council Member
Christina Watson	Council Member
Steven Nabor	Council Member

STAFF PRESENT:

Jon Call	City Manager/Attorney
Rian Santoro	City Recorder
Dave Espinoza	Public Works Director/Assistant City Manager
Brian Eynon	Chief of Police
Scott Hess	Community & Economic Development Director
Peter Brown	Finance Director
Timm Dixon	City Engineer

VISITORS:

Kent C. Williams	Chris Olsen
Michael T. Jones	Brody Crosson
Cindy Jeffrey	Feliscia Crosson
Brian Hazen	Matt Smith
Kyle Duncan	Jodi Smith

Krisit Dalebout	Colton Bryan
Mary Beus	Brent Andersen
Eleanor Jenson	Amy Dopp
Phillip Swanson	Brent Call
Kathy Bott	Ty Mudrow
Kevin Bott	Brenda Ashdown
Michelle Bagnet	Richard Taylor
Candie McDaniel	D Lawsom
Kyle White	Kate Przybycien
Austin Schimmler	Cass Settlemyre
Cyndi Hampton	John Telle
Rod Southwick	John Miles
Kathy Petersen	Joseph Carlin
Steve Kendell	Eric Stratford
Jenny Waters	Carson Cronk
Avery Waters	Reed Miller
Steve Stuart	Taft Meyer
Chris Remkes	Stef Casey
Brian Bartholomew	Tony Miller
Tiffani Myers	Shenna Miles
Colleen Burdess	Sandy Cochran
Stephanie Goodrich	Deann Burns
Gerrit Dablaing	Kevin Burns
Pam Smith	Melissa
John Arrington	Amber Hodges
Mindy Albee	Shannon
Tina Hufano	Sean Green
Holly Remkes	Gary Hawks
Paul Merril	Raquel DaCelle
Haley Elson	Mike Nimmons
Robin Ruzaka	Barry Gittleman
Brad Hanson	Craig Smith
Brad Waddoups	Derek Terry
Doug Anderson	

0:00:08 Mayor Barker called the meeting to order, and Council Member Dalpias offered an invocation, after which he led those present in the Pledge of Allegiance.

PRESENTATION

1. PRESENTATION OF APPRECIATION FROM FAMILY PROMISE TO NORTH OGDEN CITY

0:02:03 Raquel DaCelle, Executive Director of Family Promise, expressed gratitude to the Mayor and Council on behalf of the organization's board and client families. She shared that Family Promise began as a volunteer effort in 2015 and formally implemented its program in 2017, initially operating out of borrowed facilities due to limited funding. She described the challenges faced during the COVID-19 pandemic, including funding difficulties and the inability to secure a code-compliant permanent location despite years of searching. With support from community partners, including Essential Lutheran Church, the organization was ultimately able to acquire land for a permanent facility.

Raquel emphasized that Family Promise would not have survived without the support of North Ogden City. She highlighted the City's contribution in allowing the organization to use a building at no charge, enabling Family Promise to save funds toward purchasing its own facility. She also acknowledged assistance from City staff, including Public Works, in helping a client family transition into permanent housing. She concluded by noting that the organization's most recent family has successfully graduated from the program and moved into their own home, and that Family Promise now has a permanent home as well. Raquel expressed appreciation for the City's partnership and service to residents in need.

CONSENT AGENDA

2. DISCUSSION AND/OR ACTION TO APPROVE THE JANUARY 27, 2026, MEETING MINUTES

0:07:00 Council Member Dalpias motioned to approve the January 27, 2026, Meeting Minutes. Council Member Pulver seconded the motion.

Voting on the motion:

Council Member Dalpias	aye
Council Member Pulver	aye
Council Member Watson	aye
Council Member Carney	aye

Council Member Nabor aye

The motion passed unanimously.

3. **DISCUSSION AND ACTION TO APPOINT A COUNCIL MEMBER TO THE NORTH VIEW SENIOR CENTER BOARD**

0:07:50 Council Member Pulver motioned to re-appoint Council Member Dalpias To The North View Senior Center Board. Council Member Carney seconded the motion.

Voting on the motion:

Council Member Dalpias	aye
Council Member Pulver	aye
Council Member Watson	aye
Council Member Carney	aye
Council Member Nabor	aye

The motion passed unanimously.

ACTIVE AGENDA

4. **PUBLIC COMMENTS**

0:08:00 Mayor Barker opened the public comment portion of the meeting and acknowledged the significant public attendance. He stated that he and the Council had received and reviewed all submitted emails and had taken notes on the concerns presented. He summarized the primary issues raised as opposition to higher-density development in the area, concerns regarding traffic and neighborhood safety related to narrower streets, sidewalks, and parking, and questions regarding infrastructure capacity. He clarified that public comments were still welcome and would be documented. Speakers were invited to approach the podium, state their name and whether they are a North Ogden resident, and were allotted five minutes to speak.

0:09:08 Kevin Burns, a North Ogden resident, expressed appreciation to the Mayor and Council for supporting Family Promise and assisting vulnerable families, noting the positive impact of those efforts. He then stated his opposition to high-density housing in the proposed area, specifically townhomes. While acknowledging that single-family and entry-level homes may be appropriate, he expressed concern that additional townhomes are not the right solution for the community and urged the Council not to approve townhome development in the neighborhood.

0:10:51 Doug Anderson, a North Ogden resident, expressed appreciation for the City's support of Family Promise and commended the Council for the work reflected in the agenda materials, noting the reduction in the number of proposed townhomes from earlier concepts. He shared concerns about housing costs and the potential impact of introducing townhomes on his side of the boulevard, stating he would be disappointed to see that type of development in the area. While acknowledging the pressures the Council faces in balancing State requirements and community needs, he cautioned that approving a limited number of townhomes could set a precedent for additional similar developments in the future. He concluded by expressing appreciation for the Council's service and confidence in their ability to make thoughtful decisions.

0:13:57 Brian Bartholomew, a 40-year North Ogden resident, neighbor to the Jordyn Park property, and board member of Mountain View Irrigation, spoke regarding secondary water concerns related to the Jordyn Park subdivision. He stated he has been involved in discussions regarding the development for approximately two and a half years and is familiar with the issue through meetings with the City, developers, and irrigation companies. Brian explained that the developer had suggested potentially eliminating secondary water and traditional landscaping in favor of rock landscaping due to difficulties securing water. He stated he would oppose that approach, emphasizing that resolving secondary water issues is the developer's responsibility and should not shift to the City, neighbors, or irrigation company. He expressed concern about the impact of non-landscaped lots on the neighborhood. He further noted that a 2019 Will Serve Letter from Mountain View Irrigation included conditions that he stated have not yet been fulfilled, including the provision of required water shares. He expressed the opinion that the developer had not exercised adequate due diligence early in the process and that the subdivision should be held to the same standards as other developments, including fully resolving secondary water requirements prior to or as part of development.

0:17:46 Paul Merrill, a North Ogden resident, living near 2100 North and 600 East, spoke in opposition to the proposed townhome development. He stated he has extensive experience in construction and development, including residential and commercial

projects, and has participated in numerous planning and zoning meetings throughout his career. Paul expressed concern about the introduction of townhomes in a predominantly single-family residential area, stating he believes such development is inappropriate for the neighborhood. He raised concerns regarding narrower private streets, homeowner responsibility for snow removal and maintenance, and the likelihood that residents would ultimately request City assistance. He also expressed frustration that prior public opposition to townhomes and apartments had not resulted in changes to the proposal. Additionally, he raised concerns about flooding issues in the area, stating that multiple homes experience flooding during rain events and that drainage infrastructure concerns should be addressed before additional development is approved. He urged the Council to limit development in the area to single-family homes only and expressed concern that financial motivations should not outweigh neighborhood impacts.

0:23:54 Phillip Swanson, a North Ogden resident, spoke regarding the proposed use of culinary water for secondary irrigation purposes. He referenced a November 14, 2019, Will Serve letter issued to the developer, stating that it required the completion of a development agreement and the provision of sufficient water shares before development approval. He expressed the understanding that those conditions have not yet been fulfilled. Phil stated that if the requirements outlined in the Will Serve Letter were met, the discussion of using culinary water for secondary purposes would not be necessary. He characterized the situation as an issue the developer is responsible for resolving. He also emphasized that the City's culinary water supply is limited and finite, noting prior unsuccessful well attempts to secure additional water sources. He cautioned against setting a precedent that would allow developers to rely on culinary water for secondary irrigation purposes. He encouraged the Council to require the developer to meet prior commitments before seeking alternative solutions. He concluded by thanking the Council for their service.

See Attachment A: Will Serve Letter

0:26:12 Chris Remkes, a North Ogden resident and a builder by profession, expressed concern that the City's 2015 General Plan is not being followed in current development discussions. He stated that the General Plan was developed with public input and adopted to guide growth, and he does not see high-density housing identified in the area south of 2100 North as currently proposed. Chris emphasized that residents are passionate about maintaining the character of their neighborhood as envisioned in the adopted plan and asked the Council to consider that prior community input. He requested clarification on why the direction of development appears to be changing and asked that his neighborhood be given the same consideration as neighboring areas. He concluded by thanking the Council.

0:28:07 Brent Call, a North Ogden resident, expressed appreciation for the City's partnership with Family Promise and commended the developer for efforts to incorporate public feedback. Brent stated that while he is generally supportive of rezoning from RE-22 to R-1-5 and R-1-8, he remains opposed to the inclusion of R-4. He expressed concern that the development concept presented does not align with the standards of the requested zoning. He noted that elements such as private roads, narrower streets, and other deviations would require a Planned Unit Development (PUD) or variances, which were not included in the original application. Brent cautioned against what he described as "code creep," explaining that approving the zoning could lead to subsequent requests that alter the development beyond what was initially approved. Brent emphasized the importance of maintaining standard street widths and neighborhood design consistent with surrounding areas. He referenced the General Plan's intended transition of zoning densities moving uphill and stated that R-1-5 and R-1-8 with standard street layouts would be appropriate for the subject property, with higher density zoning occurring further uphill as planned. He concluded by urging the Council to carefully consider whether it is approving only a zoning change or effectively approving a higher-density PUD concept. Brent also expressed skepticism that the proposed development would provide housing meeting common definitions of affordability, though he acknowledged it may technically satisfy elements of the City's moderate-income housing requirements.

0:34:37 Kate Przybycien, a North Ogden resident, expressed appreciation for the level of community involvement and stated that she agreed with many of the concerns shared by prior speakers regarding the Matlock property. Kate addressed building height limitations, stating she does not fully understand the site limitations but emphasized that variances, including height variances, cannot legally be granted without a demonstrated property hardship. She referenced prior discussion at a Planning Commission meeting and urged the Council to remind the developer that variances would not be permissible in the requested zones without meeting legal standards. Kate asked the Council to confirm with staff whether any variances or deviations from City standards would be required for the project and to ensure surrounding neighborhoods are notified of any such requests. Kate also addressed affordable housing, stating that increasing density within established neighborhoods is not the only way to provide affordable housing. She referenced actions being considered by the Utah State Legislature, including removing regional infrastructure impediments and establishing direct state financial mechanisms to fund infrastructure such as water, sewer, and major roads. She stated these measures could allow already-zoned developments to proceed without impacting established neighborhoods. Kate encouraged City leaders and residents to support these State-level solutions and concluded by asking the Council to reject the proposal.

0:35:22 Rick Southwick, a North Ogden resident, expressed concern about the loss of green space and the impact new development may have on the City's character and beauty. He raised significant traffic safety concerns, noting two past fatalities at 2300 North and Washington Boulevard and referencing ongoing accidents in the area. He stated that adding an estimated 150–170 vehicles from the proposed development could worsen congestion and increase safety risks along 2200 North, 2250 North, and 2300 North as residents access Washington Boulevard. As a member of the Legacy HOA, he commented on housing spacing and landscaping, noting that although homes there are only 14 feet apart, thoughtful tree placement softens the visual impact. He encouraged similar consideration for architectural design and landscaping in the proposed project. He asked for clarification about how homes along 600 East would be oriented, specifically whether driveways would face the street or require internal access. He suggested fencing along the west side of those homes to shield backyards from public view along 600 East, citing pedestrian traffic and concerns about visual clutter. He also raised concerns about driveway depth and parking capacity, referencing issues near the car wash where longer vehicles block sidewalks. He emphasized that most households have more than one vehicle and warned that inadequate driveway space could lead to sidewalk obstructions and increased street parking, compounding traffic and safety concerns. Overall, his comments focused on preserving aesthetics, improving traffic safety, and ensuring adequate parking and buffering in the proposed development.

0:36:21 Reed Miller, a North Ogden resident and self-described constitutionalist, expressed concerns that high-density and low-income housing policies undermine individual property rights and personal freedom. Reed referenced broader national and global influences, including the World Economic Forum, and stated his belief that such influences are contributing to housing policies that reduce private property control. Reed opposed State-level efforts encouraging Cities to incorporate higher-density or moderate-income housing, stating he believes such measures are inconsistent with constitutional principles. He shared a personal experience living in a development with narrow private streets and an HOA, explaining that road design limited City services such as snowplowing despite paying property taxes. He stated that similar development patterns in North Ogden could negatively impact residents' property rights and City services. Reed concluded that the proposed approach would diminish basic property rights and would not benefit the City.

0:45:21 Deann Burns, a North Ogden resident, expressed concern regarding the accuracy and credibility of statements made by both City staff and the developer in the agenda materials. Deann stated she believes certain claims in the staff report are unsupported and present the project in an overly favorable light.

Deann referenced language in the agenda packet stating that the proposed zoning promotes maintaining open space, asserting that she believes this is not accurate. She further stated that while the draft ordinance references the General Plan, it does not adequately address perceived conflicts with it. Deann expressed concern that these issues were not clearly highlighted for the Council. Deann also disputed the developer's claims that significant efforts were made to address neighborhood concerns. She stated that, to her knowledge, the developer has not met with neighboring residents and has not made meaningful changes to the proposal. She questioned a comparison chart in the packet, stating that it compares the current proposal to a different developer's prior project rather than to an original version of the same plan. Deann urged the Council to consider the perspective of existing residents and to represent the interests of their constituents. She shared an anecdote about overhearing a developer discussing potential financial gain associated with rezoning, which she stated raised concerns for her about the motivations behind such projects. She concluded by asking the Council to vote based on their own judgment and in consideration of the residents they represent.

0:49:56 Eric Stratford, a North Ogden resident in the Cove area, thanked the Council for their service and spoke in support of earlier comments regarding the Jordyn Park subdivision. Eric referenced specific sections of the North Ogden City Code requiring secondary water, stating that secondary water is a condition of approval for applicants under the cited code sections. He explained that the only circumstance under which secondary water would not be required is if it is not available. Eric stated his comments were intended to support prior statements made regarding this requirement.

0:50:48 Chris Olson, a North Ogden resident in the Cove area, shared two perspectives regarding secondary water requirements. Speaking as a homeowner, Chris stated that he built homes in North Ogden approximately two years ago and ten years ago, and was required in both instances to pay for secondary water prior to construction. He indicated that the requirement was mandatory and that he paid the associated costs before proceeding. Speaking as a representative of Olson Homes, Chris stated that he currently has three homes under construction in the Cove area and that secondary water fees are required for each. He explained that payment for secondary water must be made before a building permit is issued and that, in his experience over the past fifteen years, he has never been allowed to proceed with construction without satisfying that requirement.

0:52:12 Ryan, a North Ogden resident, stated he was speaking primarily about procedure and not in support of either side of the issue.

He noted that the agenda indicated a presentation by staff and stated he believed a formal presentation would have been helpful to explain how the proposal progressed through the Planning Commission and reached the Council. Ryan suggested that a presentation could have clarified what considerations had already been reviewed. Ryan also commented on property rights, stating that the owner of the subject property has the right to pursue development. He acknowledged that development must comply with established guidelines and the decisions of the Planning Commission and City Council, but emphasized that the property owner's rights should also be considered.

0:53:56 Mindy Albee, a North Ogden resident, spoke in opposition to the proposed development and stated that her comments also apply to the Atkinson proposal. Mindy expressed concern that the developer is characterizing the project as affordable or workforce housing to justify higher density within an established low-density neighborhood. Mindy referenced the City's General Plan and its future Land Use Map, explaining that the subject property is designated for low-density residential development, identified as lots of 8,000 square feet or larger. She stated that higher-density areas are identified elsewhere on the map and argued that placing the proposed development within the low-density designated area is inconsistent with the General Plan. Mindy emphasized that the zoning and land use designations have been in place for many years and were intended to provide clarity and prevent disputes. Mindy further stated that R-4 is the most dense residential zoning classification in the City and argued that approving the project would set a precedent for similar proposals. She asserted that neither the property owner nor the developer should be surprised by the existing zoning and planning framework. Regarding affordability, Mindy stated that she does not believe the proposed homes would meet true affordable or workforce housing standards. She argued that the land cost and product type would result in home prices beyond the reach of first-time or early-career buyers. She contrasted the proposal with what she described as traditional starter housing and stated that the inclusion of certain amenities would further increase prices. Mindy concluded that the proposal is inconsistent with the General Plan, incompatible with surrounding neighborhoods, and does not deliver the affordable housing benefits claimed. She respectfully requested that the Council deny the application.

See Attachment B: Public Comment Presentation

1:00:21 Gary Hawks, a North Ogden resident of the Cove area, thanked the Mayor and Council for their service and expressed opposition to the Jordyn Park Homes proposal. Gary stated his understanding that the project would include approximately 137 homes without plans for trees, landscaping, or secondary water.

He expressed concern that proceeding without a clear secondary water plan is short-sighted and stated that securing secondary water should be the developer's responsibility, not the City's or residents'. He characterized the approach as asking for forgiveness rather than permission. Gary also expressed concern about setting a precedent, stating that approving the proposal could encourage other developers to seek similar exceptions. He emphasized the importance of protecting water resources and preserving the character and appearance of the community. Gary concluded by urging the Council not to approve the proposal.

1:02:32 Kevin Bott, a North Ogden resident for approximately four years, thanked the Mayor and Council for their service and expressed concern regarding the proposed development. Kevin questioned converting what he described as a beautiful property into high-density housing, stating that he believes the land warrants a lower-density project more consistent with the surrounding areas. He suggested that developers may be motivated in part by available tax credits associated with affordable housing construction. Kevin referenced median income levels in North Ogden and stated his belief that the proposed homes would not be affordable to households earning the median income, particularly when factoring in HOA fees and private mortgage insurance. He also noted rising land and construction costs in recent years as contributing factors to higher home prices. Kevin concluded by reminding the Council that residents elected them to represent community interests and urged them to make a decision they believe is best for the City.

1:04:53 Mary Beus, a North Ogden resident since 1976, addressed the Mayor and Council and expressed concern regarding the scale and density of the proposed development. Mary stated that she has observed growth in North Ogden over several decades and understands that growth is part of a healthy community. However, she expressed that she has not previously seen the density of this scale introduced into an established lower-density neighborhood. She described the proposal as a structural shift in zoning character rather than a minor adjustment, noting that surrounding zoning has historically reflected larger lot, lower-density residential patterns. Mary stated that even if a zoning change is legally permissible, that does not necessarily make it appropriate or responsible planning. She expressed concern that the project would require altering the character of the zoning to fit and stated that if a project only works through such changes, it may not be appropriate for the location. Mary also raised concerns regarding the design of private narrow roads and the concentration of approximately 90 units on a relatively small parcel. She cited potential impacts including traffic congestion, limited emergency access, parking overflow, and pedestrian safety. She expressed concern about long-term neighborhood stability, suggesting that higher-density development could lead to shorter-term occupancy and reduced community continuity.

Mary emphasized that zoning and infrastructure decisions set precedents and are long-lasting. She urged the Council to consider the long-term impacts on neighborhood character and compatibility and asked them to make a careful and thoughtful decision.

1:05:23 Mike Nimmons, a North Ogden resident, expressed concern regarding water conservation and the impact of additional development on water resources. Mike stated that he has long been concerned about conserving water and questioned how additional development aligns with those concerns. He mentioned a discussion with a neighbor about the possibility of completing infrastructure improvements before allowing further development. Mike concluded by thanking the Mayor and Council for their service.

1:10:19 A North Ogden resident who identified himself as a developer since 1998 stated he did not have a personal stake in the proposal but wanted to offer a perspective based on his professional experience. He commented that even when developers propose projects consistent with existing zoning, neighborhood opposition is common, noting that property owners have the right to develop their land. He stated that the density being discussed meets the City's future land use plan designation of low density, defined as one to six units per acre, and asserted that the proposal falls within that range. He also stated that the road widths and other design elements comply with City ordinances and do not violate code requirements. He complimented City staff and described the proposal as a well-planned development. He compared the project to Ward Farms, noting that Ward Farms is zoned R-1-8, has similar density, and contains no open space, whereas he stated this proposal includes open space. He clarified that the project includes two-story townhomes and single-family homes not exceeding 35 feet in height and stated that similar heights already exist in surrounding areas. Regarding housing, he distinguished between "affordable" and "attainable" housing, stating that attainable housing allows residents, including adult children of current residents, the opportunity to remain in the community. He expressed support for the proposal on that basis. He also addressed the Jordyn Park subdivision, stating that secondary water infrastructure had been planned and that temporary solutions such as xeriscaping could be implemented if necessary. He noted increasing demand for water-wise landscaping and stated that requiring traditional lawn landscaping may not be practical in a desert climate. He concluded by expressing support for both subdivisions and describing them as properly planned developments.

5. **DISCUSSION AND/OR ACTION TO APPROVE ORDINANCE 2026-03, ZONING MAP AMENDMENT, REZONING PROPERTY LOCATED AT 600 E. 2100 N. FROM RE-20 (RURAL RESIDENTIAL) TO SMALL LOT RESIDENTIAL (R-1-5) AND MULTI-FAMILY RESIDENTIAL (R-4)**

1:16:58 Community and Economic Development Director Scott Hess explained that this item is a legislative decision requiring a public hearing and Planning Commission recommendation, with City Council having final authority to approve general plan amendments, rezones, and related text changes.

Scott provided a timeline of noticing and review, including a mailed notice sent December 5, 2025, and a Planning Commission public hearing held December 17, 2025. Scott stated staff recommended the application as consistent with the General Plan low-density range of one to six units per acre, explaining that 15 acres at six units per acre equals 90 units, and that clustering is a common approach to organizing permitted density. Scott described the concept as approximately 90 units on 15 acres, including a mix of townhomes and single-family lots, and stated the Planning Commission recommended a zone mix by percentage, which the applicant revised their project to meet. Scott also clarified the City's moderate-income housing plan requirements and explained that noncompliance can risk loss of B and C road funds, which he described as approximately \$1 million annually used for road and sidewalk needs.

Scott addressed concerns raised during public comment, including private streets and street width authority, stating the City Engineer reviews and determines street standards through the subdivision process. Scott distinguished between a legal "variance" and the type of "variation" being discussed, stating the applicant's requests would be handled through a development agreement rather than a variance. Scott discussed potential development agreement items, including restricting townhome height to two stories and allowing single-family homes in the R-1-5 area to be up to 35 feet due to practical building constraints with the 27-foot standard. Scott also noted that development would likely require curb, gutter, and sidewalk improvements along 600 East and 2100 North, and stated such improvements are commonly achieved through development rather than City capital projects.

Derek Terry, representing the developer, described changes made in response to Planning Commission and public input. Derek clarified that a comparison chart referenced during public comment was tied to coordination with a neighboring property's earlier concept and was not intended to mislead. Derek stated the proposal was revised to reduce townhome acreage and add R-1-8 lots as buffers to the north and south, while maintaining overall density below six units per acre. Derek emphasized that the project is low-density by General Plan definition, includes townhomes rather than apartments, and is intended as "attainable" housing rather than subsidized low-income or income-restricted housing.

Derek discussed potential alternatives to deed restrictions, including buyer qualification language in purchase agreements or requirements within a development agreement. Council members asked questions related to easements and irrigation facilities, tree retention, curb/gutter/sidewalk improvements, trail connectivity, parking design, sidewalks within private streets, preferential buying programs, and the proximity of other townhome or multifamily uses.

Derek stated existing canal easements would be addressed through coordination with the canal company and likely piping/capping requirements, and that tree impacts would be evaluated on a case-by-case basis. Scott confirmed City Code requires open irrigation ditches to be capped and stated staff has requested trail connectivity consistent with the City trails plan, noting gaps in the trail network from older subdivisions. Scott also explained that 2200 North is intended to be a key east-west connection and would be pursued for connectivity across adjacent properties, including future applications. Council discussion shifted to possible paths forward. Council Member Dalpiaz expressed interest in considering alternatives to the current zone mix due to community concern about R-4, including the possibility of R-1-5 across most of the property with R-1-8 buffers, while recognizing that a straight R-1-5 approach could increase total rooftops compared to the current 90-unit concept and reduce proposed central open space. Council Member Chris Pulver stated he was not prepared to support the proposal as presented and indicated that if the City is considering concessions through a development agreement, the City should seek stronger community benefits, including trail requirements and additional improvements.

Derek stated the applicant wanted clear direction and indicated willingness to remove R-4 if there was no support, and to incorporate specific commitments through a development agreement, including items such as no apartments, no three-story townhomes, trail connectivity, and other provisions discussed. Scott stated it would be most effective to approve any zoning action in conjunction with a development agreement, and suggested tabling the item to allow staff and the applicant to return with a draft agreement reflecting Council direction.

Council Member Pulver motioned to table Ordinance 2026-03, Zoning Map Amendment, Rezoning Property Located At 600 E. 2100 N. From Re-20 (Rural Residential) To Small Lot Residential (R-1-5) and Multi-Family Residential (R-4) Council Member Carney seconded the motion.

Voting on the motion:

Council Member Dalpiaz	aye
Council Member Pulver	aye
Council Member Watson	aye
Council Member Carney	aye
Council Member Nabor	aye

The motion passed unanimously.

Council Member Pulver motioned to recess the meeting for five minutes. Council Member Watson Seconded the Motion.

6. DISCUSSION REGARDING SECONDARY WATER IN THE JORDYN PARK SUBDIVISION

2:40:06 Barry Gittleman, President of Hamlet Homes and a North Ogden property owner, presented on the Jordyn Park subdivision, consisting of 37 lots. Barry stated the project has been in process for more than two years, with the land under contract in 2023 and closing in January 2024. Barry explained that the seller had represented that secondary water had been resolved, but after closing, Hamlet Homes discovered that no finalized secondary water agreement existed. Barry stated they have since been working with multiple water entities, including Weber Box Elder (Pineview), Mountain View, and Weber Basin Water Conservancy District, to secure secondary water service. Barry explained that secondary water lines are already installed in the subdivision, but remain dry. Culinary water is installed to serve the homes. Two homes are currently under construction, with one nearing completion. Barry stated the subdivision was recorded in July 2025 and that paving was completed in the fall of 2025. Barry referenced City Code requiring secondary water as a condition of approval, but also allowing a deferral agreement if secondary water is unavailable. Barry stated they are not requesting permission to use City culinary water for irrigation and are proposing that no culinary water be used for landscaping. As a temporary solution, they proposed completing homes without irrigation landscaping until secondary water service is secured. Barry stated they are willing to create an HOA to enforce irrigation restrictions and to post bonding or other security to guarantee future secondary water connection.

Craig Smith, water attorney, explained that the Weber Basin Water Conservancy District has water available under conservation contracts limiting use to 0.38 acre-feet per lot.

Craig stated that Weber Box Elder voted that day to approve the reduced allocation and that a contract path forward exists whereby Weber Box Elder would purchase water from Weber Basin and provide service to the subdivision. Craig indicated that physical delivery details, including pumping to an existing pond, would be finalized, but expressed confidence that secondary water could be available by summer. Craig stated each lot would have secondary water metering with shutoff capability and enforcement by the water company.

Council discussion focused on whether to authorize staff to negotiate a deferral agreement and whether to allow issuance of a certificate of occupancy prior to finalizing secondary water service. Staff clarified that under City Code, a deferral agreement is the mechanism for allowing temporary occupancy when secondary water is unavailable, and that such an agreement would return to Council for approval. Staff emphasized that culinary water for irrigation is not being proposed and that secondary water enforcement would be handled by the water provider through metering and shutoff authority.

Council members expressed mixed reactions. Council Member Dalpiaz stated discomfort with moving forward and did not support pursuing a deferral agreement at this time.

Council Member Watson requested additional staff input and clarification before committing to approval. Staff explained that from their perspective, securing secondary water through Weber Basin and Weber Box Elder is preferable to any culinary irrigation solution, and that verification with Pineview/Weber Box Elder representatives would be necessary before bringing a deferral agreement forward.

Barry ultimately withdrew the request for an immediate certificate of occupancy and stated they were only requesting authorization for staff to negotiate a deferral agreement to return for Council consideration. Informal direction from a majority of Council supported allowing staff to explore and draft a potential deferral agreement for future review, with the Mayor and Council Member Watson indicating willingness to work with staff on the matter.

7. **DISCUSSION AND/OR ACTION TO APPROVE ORDINANCE 2026-04, ZONING TEXT AMENDMENT, NORTH OGDEN CODE 11-26-8: SECONDARY WATER SYSTEM TO CONSIDER UNAVAILABLE INFRASTRUCTURE AND DEFERRAL AGREEMENT REQUIREMENTS**

3:15:25 Community and Economic Development Director Scott Hess proposed an amendment to North Ogden Code Section 11-26-8 regarding secondary water systems and deferral agreements. Scott stated that the current code uses the word “shall,” which requires the Council to enter into a deferral agreement when secondary water is unavailable, but does not define the terms or conditions of such an agreement.

Scott explained that staff, along with the land use attorney and City Attorney, reviewed the language and determined that the code lacks clarity and flexibility. Scott stated that staff is proposing to replace the word “shall” with “may” and to add language outlining possible requirements for a deferral agreement. These provisions could include time limits for completing secondary water improvements, bonding or escrow for future improvements, restrictions on turf grass, xeriscaping requirements, deed restrictions, plat notes, water use limitations per property, and other measures necessary to protect the City’s culinary water resources. Scott emphasized that the list is not exhaustive but provides clearer guidance and flexibility for the Council. He noted that the Planning Commission held a public hearing on January 21 and made a positive recommendation to approve the amendment.

City Manager/Attorney Jon Call added clarification regarding the phrase “if secondary water is unavailable.” Jon explained that staff interprets “unavailable” to mean physically impossible to deliver, such as infrastructure or pressure constraints, rather than simply a lack of available water shares. He stated the amendment provides flexibility for future situations where physical constraints may exist.

Council discussion confirmed that under the revised language, deferral agreements would be considered at the beginning of the development process rather than at the end. John also explained that conditional will-serve letters are no longer being accepted and that State law limits the City’s ability to withhold building permits except for issues related to culinary water and roads. He clarified that the amended language ensures deferral agreements would come before the Council prior to plan approval.

Council Member Pulver motioned to approve Ordinance 2026-04, Zoning Text Amendment, North Ogden Code 11-26-8: Secondary Water System to consider unavailable infrastructure and Deferral Agreement Requirements. Council Member Carney seconded the motion.

Voting on the motion:

Council Member Dalpiaz	aye
Council Member Pulver	aye
Council Member Watson	aye
Council Member Carney	aye
Council Member Nabor	aye

The motion passed unanimously.

8. **DISCUSSION AND/OR ACTION TO APPROVE A PROTECTION STRIP AGREEMENT WITH WESTATES DEVELOPMENT FOR THE HARVEST COVE DEVELOPMENT**

3:20:53 City Manager/Attorney Jon Call presented a cost-sharing and protection strip agreement allowed under City Code. Jon explained that when a developer is required to construct a full-width perimeter road, even when the opposite side is undeveloped, the City allows the developer to create a one-foot-wide protection strip. This strip prevents the neighboring property owner from connecting until they participate in the cost of the road and related improvements.

Jon stated the agreement establishes the total cost of the road, utilities, land, and associated improvements at the outset, in this case, approximately \$203,000 plus interest. The developer may collect interest for up to ten years, after which the amount is frozen. When the adjacent property owner connects to the road, they must pay the established amount plus accrued interest at that time. Jon noted that in this case, the adjacent property owner is the Weber School District. He stated he has been in discussions with the District and that, although the District would prefer to pay immediately, board approval timing has delayed the process. The agreement allows the plat to proceed while locking in the reimbursement terms. Jon indicated that once payment is made, the protection strip is released and ownership of the strip transfers either to the City or the neighboring property owner, depending on final alignment. Jon clarified that enforcement of the agreement is not the City's responsibility; it is the landowner's responsibility tied to the protection strip. Council discussion included clarification that the developer would maintain the sidewalk and park strip area until the adjacent property owner pays and the strip is released. Staff recommended approval of the agreement.

Council Member Pulver motioned to approve the Protection Strip Agreement with Westates Development for the Harvest Cove Development. Council Member Carney seconded the motion.

Voting on the motion:

Council Member Dalpiaz	aye
Council Member Pulver	aye
Council Member Watson	aye
Council Member Carney	aye
Council Member Nabor	aye

The motion passed unanimously.

9. PUBLIC COMMENTS

3:22:54 Brian Bartholomew, A North Ogden resident, provided follow-up comments regarding the Jordyn Park secondary water discussion. He acknowledged that the developer appears to have secured water rights but emphasized the importance of understanding the State's tightening water conservation requirements. Brian explained that the proposed allocation of 0.38 acre-feet per lot equates to approximately 125,000 gallons annually. He noted that his own 0.4-acre lot is currently allotted approximately 325,000 gallons, meaning Jordyn Park lots of similar size would receive roughly one-third of that amount. He cautioned that residents may not fully understand how limited that allocation is when planning landscaping under City code requirements. He further explained that in dry years, allocations can be reduced even more, meaning homeowners could receive significantly less than expected. He encouraged staff and council to carefully consider how reduced water allotments will affect landscaping expectations and homeowner planning. Brian stressed the importance of ensuring the development secures sufficient water shares for the entire subdivision, not just for homes currently under construction. He stated that coordination with Pineview Water, particularly Jeff Humphrey, will be critical, especially as the Mountain View system transitions to Pineview management.

3:29:12 Mindy Albee, a North Ogden resident, expressed appreciation to the Council for their time, responsiveness, and engagement with residents throughout the process. She shared that many neighbors feel heard and respected when Council Members respond to emails and participate in dialogue, and she thanked them for that effort. Mindy stated that neighbors look forward to working collaboratively on a development agreement for the property. She emphasized that neighbors should be considered third-party beneficiaries to that agreement and requested that the Council direct staff to maintain regular communication with surrounding residents. She noted that last-minute revisions are difficult for neighbors to process and adjust to, and she encouraged more timely updates so residents can stay informed and meaningfully engaged. She concluded by expressing that neighbors want to be part of the conversation and hope to support and feel positive about the project.

3:30:22 Stephanie Goodrich, a North Ogden resident, of North Ogden Cove, thanked the Council Members who responded to her email and acknowledged that other neighbors also feel heard and appreciated.

She expressed cautious optimism about the direction toward a possible deferral agreement, noting that it allows for continued discussion and review so residents can feel comfortable with the outcome.

Stephanie raised concerns about potential homebuyers in Jordyn Park, particularly the first buyers if homes become available soon. She questioned how clearly the water situation and deferral terms would be disclosed to those buyers and whether protections could be put in place to prevent future legal disputes that could involve the City. She emphasized that the issue arose from the developer's failure to complete due diligence and stated that this should be clearly recognized. She asked the Council to ensure that any deferral agreement includes measures to protect buyers, even if only for the first few homes.

10. MAYOR/COUNCIL/STAFF COMMENTS

3:32:51 City Manager/Attorney Jon Call commented that the Polar Plunge event was successful this year and acknowledged that the Council may have seen it on social media. He apologized that formal invitations were not extended to ensure Council Members were aware of the event. He noted that staff is working on identifying someone to better coordinate communication about community events and informational items that do not require formal Council action. He added that next year the Council will be properly informed and encouraged to participate.

3:33:29 Council Member Carney stated that the Council received and carefully reviewed all of the emails submitted by residents. She noted that she personally reread the emails multiple times throughout the day. She explained that she may not have responded individually in every case, particularly when another Council Member had already replied with similar feedback, but emphasized that all comments were thoroughly read and considered. She thanked residents for taking the time to share their input.

3:34:06 Council Member Pulver stated that he has received the same volume of emails as other Council Members and has read them carefully. He then raised concern about the increasing number of signs placed throughout the city that appear to be out of compliance with the City ordinance. He expressed frustration with the proliferation of signs and questioned what options are available to address the issue.

Council Member Delpias clarified that the proper process for reporting non-compliant signs is to contact the non-emergency police line, rather than individuals removing signs themselves.

City Manager/Attorney Jon Call confirmed that this is the correct procedure to avoid accusations of theft or improper removal. He noted that during the political season, he personally handles the removal of political signs when complaints are received to ensure compliance and prevent issues. Mayor Ryan Barker added that the Police Chief has indicated that additional Community Service Officer support would help address sign enforcement.

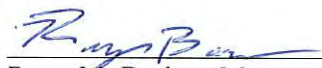
3:35:33 Council Member Watson responded to prior public comments by noting that, to her knowledge, the City does not currently have an automated system that allows residents to subscribe to specific agenda items for notifications. She explained that individuals who want to closely follow a particular project or issue typically need to regularly monitor posted agendas, which is what she personally did prior to serving on the Council. She acknowledged that it would be helpful if such a notification system existed.

Mayor Barker addressed two of the closing public comments. In response to Brian Bartholomew's remarks regarding water conservation, he stated that the City will need to review and update its water conservation code, as mentioned previously, and that staff will work on the deferral agreement first while keeping conservation considerations in mind. In response to Stephanie Goodrich's concerns about protecting prospective buyers, Mayor Barker indicated that the Council will ensure language is included in the deferral agreement to make buyers aware of the water situation and any related conditions.

11. ADJOURNMENT

Council Member Watson motioned to adjourn the meeting.

The meeting adjourned at 9:52 p.m.


Ryan M. Barker, Mayor


Rian Santoro
City Recorder



2/24/26
Date Approved

ATTACHEMENTS

The following documents were provided and/or discussed during the meeting:

- A. Mountain View Irrigation Will Serve Letter
- B. Public Comment

10/15/1960

1997

an

To Whom It May Concern

Dear Sirs,

The owners will be issued shares in Mt. View Irrigation sufficient to supply pressurized secondary water to the property.

Kan Mawell

Secretary

A handwritten signature in dark ink, appearing to read 'J. W. H.', is located in the lower right quadrant of the page. The signature is written in a cursive style with a large, looped 'J' and a distinct 'H' at the end.

The welcome mat is out for affordable housing in North Ogden.

FUTURE LAND USE MAP



Potential Conservation Areas



Streets



North Ogden Potential Boundary



Streams/Canals

Future Land Use



Residential Hillside



Residential Low Density



Residential Medium Density



Parks



Down Town Mixed Use - See Downtown Map



South Town Mixed Use - See Southtown Map



Mixed-Use/Multi-family/Commercial

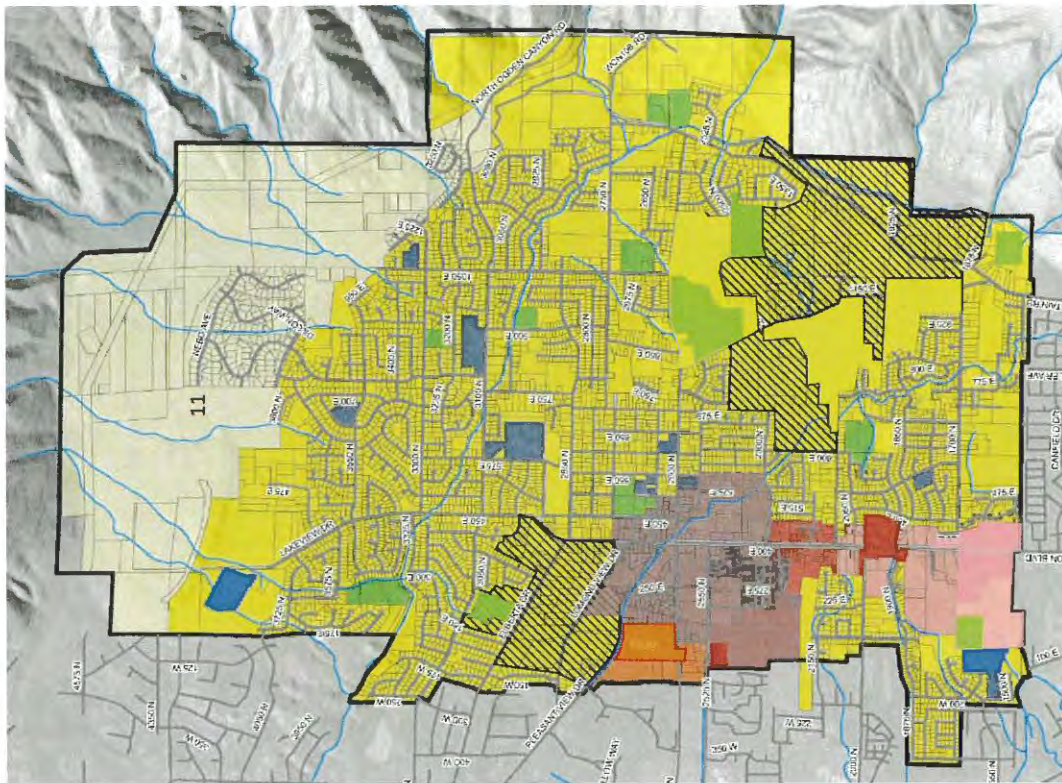


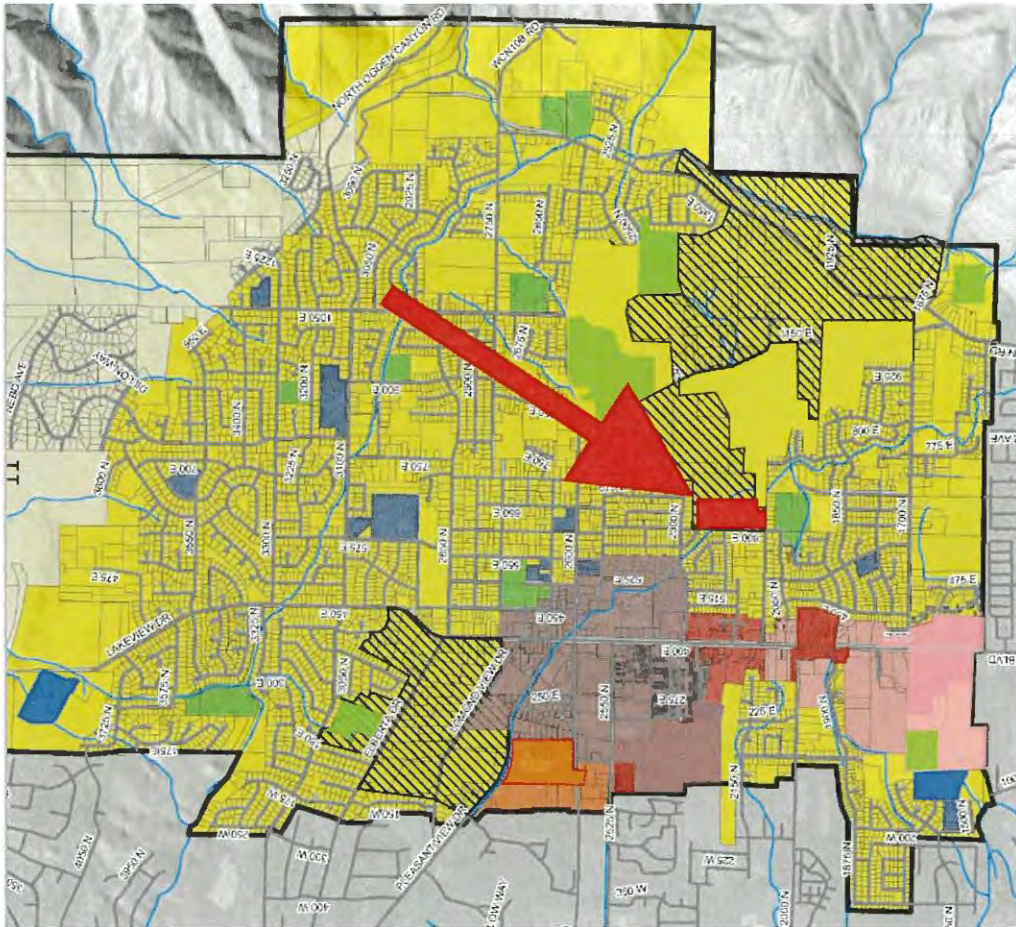
Civic/Institutional



Proposed Land Use Boundary Adjustments

N





Is there any argument that Matlock's project complies?

R-4 Zoning is the most dense zoning category that even exists in North Ogden.

Low Density Residential – typical single family development with homes built on lots with 8,000 square feet and larger. Densities will be in the range of 1 to 6 units per acre.

Medium Density Residential – encompasses smaller single family lots between 4,000 and 7,999 square feet as well as attached housing types and densities in the range of 6 to 18 units per acre.

High Density Residential – attached housing types in the range of 18 units per acre to 40 units per acre.

What about the developer's or property owners' expectations?

Worth it?

Matlock proposes to build zero starter homes.

No first-time buyer homes.

No workforce homes.

No attainable homes.

No affordable housing benefit.

He chose the most expensive piece of land in the whole city.

He chose a house product that cannot be built at an affordable price point.

1. Small overall floor area (800–1,400 sq ft / 74–130 sq m)
2. Single bathroom or 1.0–1.5 bathrooms
3. Two bedrooms, maybe 3
4. Single-car garage or carport
5. Uniform 8' ceiling heights

6. Low-pitch gable or hip roofs
7. One story or compact two-story layouts
8. Minimal exterior articulation, jogs, bays or projections
9. Compact kitchens with limited counter space
10. No separate dining area
11. Limited storage and closet space
12. Basic interior finishes (no tile, no quartz, no upgrades)
13. Shallow house depth (24–32 ft / 7–10 m) to reduce framing costs
14. Single central hallway layout
15. Limited electrical outlets per room

1. Scenic or panoramic view
2. Proximity to major natural features (mountains, natural features)
3. Neighborhood parks, playgrounds and schools within walking distance
4. Hilly terrain for topographical interest
5. Proximity to protected open space
6. Proximity to canals, streams or lakes
7. Low traffic volumes and quiet, well laid out standard streets

- 8. Architectural variation or custom home feel
- 9. Proximity to mature landscaping
- 10. Sidewalks on both sides of the street
- 11. Nearby shopping or commercial amenities
- 12. Good orientation for sunlight or passive solar benefits
- 13. Distance from highways or railroads
- 14. Distance from commercial businesses

15. Distance from other incompatible uses
16. Proximity to cultural amenities (libraries, museums, theaters)
17. Nearby schools with visible attractive campuses
18. Protected natural areas or hiking trails nearby
19. Views of distant city skylines or lights at night
20. Quiet cul-de-sac clusters rather than straight grid streets
21. Aesthetic landscaping or other greenery along main neighborhood arteries
22. Community branding or reputation

No affordable units.
No General Plan Compliance.
Out of step.
Bad planning.

CONCLUSION:

Turn this proposal down. Thank you.