NORTH OGDEN CITY
SETTLED 1851

NORTH OGDEN CITY COUNCIL MEETING MINUTES

February 24, 2026

The North Ogden City Council convened on February 24, 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 19, 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 Dalpias	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
Scott Hess	Community & Economic Development Director
Peter Brown	Finance Director
Timm Dixon	City Engineer

VISITORS:

Tia Hufano	Kate Przybycien
Make Hufano	Cass Settlemyre
Ashlee Carly	Phillip Swanson
Jim & Debbie Joy	Mindy Albee
Mark & Diane Joy	Kevin & Deann Burns
Jenny Waters	Brent Call
Shawn Maynard	Kevin & Kathy Bott

Cecil Satterthwaite	Diane Cooper
D & Julie Millis	Kate Ryan
Peter Wallschieger	Daniel Willis
Kyle Duncan	Sean Green
Candice McDaniel	John Arrington
Sandy Cochran	Derek Terry
John Kelly	Brenda Aashdown
Kate Rivas	Susan Kilborn
Mark Cooper	Merill Sunderlud

0:00:06 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.

CONSENT AGENDA

1. CONFLICT OF DISCLOSURE

0:01:32 No disclosure was made.

2. DISCUSSION AND/OR ACTION TO APPROVE THE FEBRUARY 3RD AND FEBRUARY 10TH 2026, CITY COUNCIL MEETING MINUTES

0:01:43 **Council Member Dalpias motioned to approve the February 3rd and February 10th, 2026, City Council Meeting Minutes. 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

3. PUBLIC COMMENTS

0:03:08 Jim and Debbie Joy, along with Mark Cooper and Diane Cooper, all North Ogden residents, were present regarding the denial of flood insurance claims related to basement flooding that occurred on August 27, 2025. Jim explained that the City's insurance carrier denied their claims on the basis that flooding occurred throughout the City. He stated that, in their case, the flooding was not caused by groundwater but by water entering exclusively through the municipal sewer system due to a sewer backup. He noted there was no groundwater intrusion through window wells, foundations, or other external sources, and that the cleanup company confirmed this determination. Jim expressed concern that the City did not clearly distinguish between sewer backup incidents and groundwater flooding when presenting information to its insurance carrier, which he believes resulted in the denial of their claims without proper consideration of the specific circumstances. He also reported a lack of responsiveness from the insurance company despite repeated follow-up efforts. He outlined the timeline of communications, stating that the claim was submitted on September 26, 2025, written confirmation was received on September 29, and additional follow-up was sent on October 12 after no contact from an adjuster, though neighboring homeowners had reportedly been contacted. Jim stated that they believe the matter was handled improperly and that the City bears responsibility for the sewer infrastructure failure that caused the loss. He requested that the Council review the documentation and photographs provided and asked that their basements be restored to their pre-flood condition. He clarified they were not seeking compensation for volunteer labor or emotional distress, only restoration of the damaged areas. Mark Cooper indicated that copies of the documentation were provided to the Council.

See attachment A: Flooding Comment Handout

4. DISCUSSION AND CONSIDERATION OF THE CONTRACT EXTENSION WITH REPUBLIC SERVICES FOR SOLID WASTE HAULING SERVICES

0:8:28 City Manager/Attorney Jon Call explained that the current solid waste hauling agreement with Republic Services had expired in June, and staff was recommending a one-year extension with an optional second year rather than issuing a new Request for Proposal. Jon stated that Republic Services has provided services to the City for many years and previously won the contract through a competitive RFP process.

After reviewing market conditions and rates in surrounding cities, staff determined that North Ogden's residential hauling rates are currently on the lower end.
Jon noted that pursuing a full RFP would likely result in market-rate pricing, with an anticipated increase of approximately 30 to 40 percent. The proposed extension includes a 10 percent increase for the first year, with the second year set at the greater of 4 percent or the Consumer Price Index specific to trash services. He explained that the contract is within the authority of the Council under the City's financial code and that the annual hauling contract is approximately $480,000, with an additional amount paid directly to the transfer station based on tonnage.
Ashley, representing Republic Services, expressed appreciation for the partnership with North Ogden and stated the company was willing to extend the agreement under the proposed terms. She noted that while market conditions and operational costs have increased, Republic values its longstanding relationship with the City.
Council discussion included questions regarding potential increases in CPI, transfer station costs, and the possibility of incorporating a recycling program. Council Member Watson asked whether there was a cap on CPI increases and was informed there was not; however, the City would retain the option to pursue an RFP if rates became unreasonable. Council Member Nabor asked about anticipated increases at the transfer station, and staff indicated they were optimistic rates would remain stable or potentially decrease slightly. Council Member Pulver raised questions about adding or expanding recycling services, noting resident interest. Ashley stated Republic Services is willing to provide a proposal for recycling services, whether mandatory or opt-in, but cautioned that adding recycling would likely change the current pricing structure due to operational impacts, including additional trucks and routing adjustments. Jon explained that the City is currently covered through July 1 and that recycling options could be explored later in the year, potentially in conjunction with next year's budget discussions.
Additional discussion occurred regarding the potential timing of recycling consideration, with staff clarifying that the agreement is structured as a one-year term with an optional second year, allowing flexibility for future review.

Council Member Dalpias motioned to approve the Contract Extension with Republic Services for Solid Waste Hauling Services. Council Member Watson 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.

5. DISCUSSION AND CONSIDERATION OF AN ENCROACHMENT AGREEMENT WITH THE CANNERY TO ALLOW FOR FAÇADE IMPROVEMENTS

0:26:20 City Manager/Attorney Jon Call presented an Encroachment Agreement related to proposed improvements at the Cannery Building. Jon explained that the agreement template was adapted from Park City and has been vetted through prior use. He noted that language was added to clarify that nothing in the agreement would eliminate the property owner's right to continued access on the south side of the building, including established ADA access. Jon displayed images of the site and explained that the request involves canopies and façade improvements that would be permanently affixed within a portion of the City right-of-way along 2000 North. He stated that while this is the first encroachment of this type in North Ogden, encroachment permits are common in other municipalities. Jon emphasized that the improvements would not inhibit public ADA access or create private seating within the right-of-way, but instead would enhance pedestrian access and façade appearance.

Jon further explained that there is some uncertainty regarding the exact property boundary. A prior owner conveyed approximately 40 feet to the City in the 1980s, and staff is awaiting a survey to confirm the precise line and determine the extent of the encroachment. He stated the proposal would maintain the required ADA clearance between the improvements and the back of the curb, while also improving ADA access into the building.

Shawn Maynard, property owner, addressed the Council and stated that the building has existed for approximately 126 years. He explained that the current step extends about 50 inches from the back of the curb and that the proposed improvements would remain within that limit, preserving public sidewalk space while adding architectural protection and enhancements adjacent to the building. He stated the intent is to improve the building's appearance and function.

Mayor Barker clarified that the Council's consideration was limited to the encroachment agreement and not design approval. Council Member Dalpias commented that, given the age of the building and the roadway configuration at the time it was constructed, the request appeared reasonable. Jon clarified that the improvements are limited to the 2000 North frontage and do not encroach into UDOT's Washington Boulevard right-of-way. Staff expressed support for the encroachment agreement, subject to confirmation of the final property boundary.

Council Member Pulver motioned to approve the Encroachment Agreement with the Cannery to allow for Façade Improvements. 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.

6. DISCUSSION AND CONSIDERATION OF A REVOCABLE GRADING PERMIT FOR NORTHVIEW ESTATES PHASE 10

0:34:21 City Manager/Attorney Jon Call presented a revocable grading permit request for on-site rock crushing and material processing within a development exceeding 50 acres. Jon explained that the City allows on-site grading, sorting, and processing for large developments to reduce the number of heavy truck trips on City roads. He stated that this developer was the original applicant and, despite some initial operational issues, has been responsive and compliant. Jon noted that the proposed agreement includes language allowing the Mayor and City Engineer to grant future extensions, provided the developer remains in compliance. He estimated that processing materials on site could prevent tens of thousands of truck trips on City roads over the course of developing the remaining acreage.

Council Member Dalpias commented that roads nearby have experienced significant wear due to truck traffic and stated that on-site processing is a positive solution to help prevent further road damage. Council Member Dalpias asked about the proximity of the crushing operation to nearby homes and whether it was closer than previous permitted locations. Jon explained that two prior agreements had been approved in the area and that the crushing location moves farther uphill as development progresses. He stated that staff had not received unresolved complaints regarding noise or dust.

Crystal Polson, who oversees SWPPP compliance and inspections, explained that the plant is currently operating in the first area of the subdivision and will move to the second area as development advances. She stated that state guidelines regulate decibel levels and air quality standards, and that the operator submitted required documentation demonstrating compliance.

She noted she conducts regular inspections and has not observed violations related to stormwater, noise, or environmental compliance. Crystal added that the crushing operation processes material for engineered retaining walls and other on-site improvements, and that materials remain on site rather than being transported through City streets.

Council Member Dalpias reported contacting nearby residents, who did not express concerns. Crystal confirmed that only one nearby home is currently occupied and that she has not received complaints. Council Member Pulver asked whether materials are being transported off-site. Crystal stated that materials are being used on site and moved uphill as phases progress, though unusable material may be removed as needed. Jon clarified that the agreement prohibits the developer from selling processed materials; all processed materials must be used within the development.

Mayor Barker asked if there were additional questions and indicated a motion would be to approve the revocable grading permit, including the provision allowing the Mayor and City Engineer to grant extensions in compliance with the agreement.

Council Member Pulver motioned to approve the Revocable Grading Permit for Northview Estates Phase 10. 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.

7. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE 2025-05 ANNEXING APPROXIMATELY 11.768 ACRES OF PROPERTY LOCATED AT 1978 NORTH 1150 EAST INTO NORTH OGDEN CITY WITH A PROPOSED ZONING DESIGNATION OF R-1-8**

0:46:36 City Recorder Rian Santoro presented Ordinance 2026-05, proposing the annexation of approximately 11.768 acres located at 1978 North 1150 East with a proposed zoning designation of R-1-8.
Rian stated that the annexation petition was submitted by Derek Terry on October 14, 2025. The annexation plat was reviewed and approved by the Weber County Recorder's Office on November 14, 2025. Required notices were mailed to affected entities by both the petitioner and the Weber County Clerk. The City Council accepted the petition for further consideration on October 28, 2025. The annexation was certified by the City Recorder on November 3, 2025, and forwarded to the Planning Commission for a zoning recommendation. The Notice of Annexation was posted on November 3, 2025, and the statutory protest period ran from November 4 through December 4, 2025.
During the protest period, two written protests were received. Rian explained that under Utah Code 10-2-801 and 10-2-806, Weber County is responsible for reviewing annexation protests to determine whether they meet statutory requirements. Weber County issued a written determination dated December 18, 2025, finding that neither protest satisfied the statutory requirements under Utah Code 10-2-801(14)(b), which limits valid protests to owners of rural real property consisting of no less than 1,000 total acres located within the proposed annexation area. Because neither protest met that requirement, Weber County rejected both protests and did not convene a Boundary Commission. The annexation was then referred back to North Ogden City for further action.
Rian stated that the Planning Commission reviewed the annexation request and the proposed R-1-8 zoning designation and recommended approval of both. She concluded that all statutory requirements for the annexation have been satisfied and invited Community and Economic Development Director Scott Hess to address the Council regarding the proposed zoning designation, planning considerations, and development details.

0:49:23 Community and Economic Development Director Scott Hess presented the proposed zoning and development agreement associated with the annexation request.

He reported that the Planning Commission reviewed the proposal in a work session on November 5, 2025, and on November 19, 2025, recommended approval of the R-1-8 zone.
Scott explained that the original concept plan included 67 lots, but the revised concept plan associated with the development agreement proposes 44 lots, each at least 8,000 square feet. The developer is requesting two modifications through the development agreement: allowing 8,000 square foot lots on all lots, including corner lots, and allowing a 20-foot front yard setback. Scott noted that the 20-foot setback is already permitted under City code for certain sloped lots and would not establish a new precedent.
Scott clarified that the Council is not approving the concept plan, but rather the zoning and development agreement that would guide the future subdivision layout. Interior streets are proposed as private streets with one six-foot sidewalk and single-sided parking maintained by an HOA, while 950 East would remain a public right-of-way maintained by the City.
Scott also addressed questions from the Mayor and Council regarding sidewalk placement, parking configuration, driveway length, and setback measurements. Council Members discussed concerns regarding driveway length, sidewalk placement, and ensuring the development agreement maintains consistency with the proposed 44-lot layout.

1:03:03 Derek Terry, representing the developer with Albion Partners, addressed the Council regarding the proposed subdivision and development agreement. Derek responded to concerns about the proposed 20-foot front setback and driveway length, stating the homes would be comparable to nearby neighborhoods and would primarily include three-car garages. He noted that 90-foot lot widths allow flexibility for larger driveways or RV parking and stated that any vehicles extending into sidewalks would be enforced by the homeowners' association.
Derek explained that the proposed design includes private interior streets with a six-foot sidewalk on one side to maintain pedestrian connectivity. He stated that the streets would serve only subdivision residents and that narrower private streets can encourage slower vehicle speeds and improve safety.
Derek stated that private streets significantly reduce development costs, estimating that full public streets would increase costs by approximately $56,000 per lot. He explained that private street maintenance would instead be managed through an HOA and would reduce long-term City maintenance responsibilities.
Derek confirmed that the revised concept plan reduces the lot count from 67 to 44 lots, with an average lot size of approximately 8,700 square feet. He stated the development agreement commits to a maximum of 44 lots with a minimum lot size of 8,000 square feet.

He also addressed water availability, explaining that the property has approximately 42 acre-feet of Pine View Water allocation, while the subdivision would require approximately 13 acre-feet.
Derek concluded by asking the Council to identify any remaining concerns and stated that the proposal would provide benefits to the City, including reduced infrastructure maintenance obligations and additional impact fee revenue.

a. **Public Hearing**

1:21:56 Phillip Swanson, a North Ogden resident, addressed the Council and asked for clarification regarding whether the public hearing applied only to the annexation or also to the zoning and development agreement. After clarification was provided, Phil stated he had no objection to the annexation and believed all required conditions had been met by the property owner. He expressed support for the proposed R-1-8 zoning, stating it was a better fit than the previously discussed R-1-4 designation and would be compatible with the surrounding neighborhood. Phil acknowledged that development typically brings concerns but stated he believed the proposal was appropriate and should be approved.

1:22:55 John Kelly, a North Ogden resident who lives near the southern access point of the proposed development on 1900 North, expressed concerns about safety and neighborhood amenities for children. He emphasized the importance of installing sidewalks throughout the development, so children have a safe place to ride bikes, scooters, and play away from the roadway. He also suggested the inclusion of a small neighborhood park or designated green space within the development, noting that the nearest park is approximately half a mile away near Green Acres Elementary. John recommended setting aside one of the exterior lots as usable green space rather than relying on the detention pond area, and suggested including simple features such as benches to create a safe place for children to play and families to gather.

1:24:43 Kate Rivas, a North Ogden resident, expressed appreciation for the discussion that has taken place during prior meetings and stated she supports the proposed annexation and the R-1-8 zoning. However, she urged the Council to ensure that roads within the development are built to the City's full standard rather than reduced widths.

Kate expressed concerns that narrower streets and the removal of sidewalks on one side could create safety and accessibility issues, particularly for emergency vehicles, parking, and neighborhood mobility. She questioned claims that reduced street widths would improve pedestrian safety and suggested that wider streets provide safer space for children, emergency response, and normal neighborhood activity. Kate also expressed skepticism regarding statements made by the developer and noted that when proposed community benefits are not included in the development agreement, it can create distrust among residents. She encouraged the City to require standard public street improvements consistent with surrounding neighborhoods.

1:29:38 Daniel Willis, a North Ogden resident, stated that housing prices will ultimately be determined by the market rather than any cost savings claimed by the developer. He expressed concern that proposed reductions in road widths and the elimination of sidewalks would primarily benefit the developer while leaving future homeowners with less functional infrastructure. Daniel also supported the inclusion of green space within the development to provide an area for children to play. He indicated that he supports the proposed zoning and appreciates the Council's work to reach the current zoning proposal.

1:30:40 Cass Settlemyre, a North Ogden resident who lives near the proposed detention pond area, expressed concerns about the inclusion of a homeowners association (HOA). Cass noted that the HOA appears to be proposed primarily to allow for reduced road standards rather than to provide meaningful neighborhood amenities. He compared the proposal to nearby HOAs that include parks or significant green space and expressed concern that the proposed development would require HOA dues without providing comparable community amenities such as parks or recreational areas.

1:32:22 Kevin Bott, a North Ogden resident of 40 years, expressed support for the annexation but stated he would have preferred a mix of R-1-10 and R-1-8 zoning. He thanked the Council for their time and efforts in reviewing the proposal and listening to resident concerns. Kevin raised concerns about the proposed narrower streets, noting that limited parking and the lack of designated space for trailers, RVs, or recreational vehicles could lead to vehicles being parked on the street, potentially restricting access for emergency vehicles. He also expressed concerns about drainage and flooding issues based on past experiences in the area and questioned whether proposed infrastructure improvements would adequately address those concerns.

Kevin further stated that he believes the developer is seeking several zoning and design concessions without providing sufficient benefits to the community. He suggested the development plan be reconsidered with wider streets, sidewalks on both sides, and additional space for residents, and recommended delaying a decision on the development while indicating he remains supportive of the annexation itself.

1:42:21 Mindy Albee, a North Ogden resident, stated that throughout the zoning and annexation review process, neighbors have offered numerous suggestions intended to help the project better align with the surrounding neighborhood and serve the community. She noted that some of those suggestions do not appear to have been incorporated, including additional street connections and coordination with the school district. Mindy emphasized that several commitments discussed during prior City Council Work Sessions and Planning Commission meetings should be formally included in the development agreement. She outlined several items she believes should be incorporated, including provisions related to a pocket park within the detention basin, owner-occupancy and deed restrictions, designated guest parking, full street improvements along Fruitland Drive, building height limits along neighboring subdivisions, increased setbacks along property boundaries, and a preferred buyer program for certain community professionals. Mindy expressed concern that the development agreement currently under consideration does not include these commitments or protections discussed with neighbors. She urged the Council to amend the development agreement to include these provisions or direct staff and the developer to revise the agreement and return with a version that reflects those commitments and provides clearer protections for the surrounding neighborhood.

See attachment B: Annexation/Development Agreement Comment Handout

1:43:22 Brent Call, a North Ogden resident, expressed concerns regarding the proposed street design and the inclusion of private roads within the development. Brent stated that based on his experience walking through nearby neighborhoods, narrow streets and short setbacks can create conflicts between pedestrians and parked vehicles.

He noted that the proposed development would be located between two existing neighborhoods that contain standard public streets and sidewalks and expressed concern that the proposed private roads and reduced street widths would be inconsistent with surrounding developments and the intent of the City's General Plan.
Brent also discussed potential impacts of private roads and homeowners associations, stating that while private roads may reduce costs for the City, they shift long-term maintenance responsibilities to homeowners. He noted that in some cases, private roads may negatively affect property values when they are not paired with amenities such as parks or community facilities.
Brent indicated that he supports the annexation and the proposed R-1-8 zoning but expressed concern that the development agreement does not adequately address issues raised by neighboring residents. He encouraged the Council to reconsider the current development agreement, explore alternatives that would allow standard public streets, and ensure the project better aligns with surrounding neighborhoods.

1:49:34 Kevin Burns, a North Ogden resident, thanked the Council for their time and for listening to residents' concerns throughout the review of this and other developments. Kevin asked a question regarding the process if the Council approves the annexation with the proposed R-1-8 zoning, but does not approve the development agreement at the same time. He asked whether, in that situation, the property owner could proceed with development under the R-1-8 zoning without being bound by the terms of a development agreement, or whether the City would still have mechanisms in place to ensure the development agreement is completed and enforced.

1:50:55 Merrill Sunderlund, a North Ogden resident, addressed the Council regarding the decision before them. Meryl acknowledged that the Council is hearing input from multiple perspectives, including landowners, development interests, and neighboring residents. He encouraged the Council to carefully consider all viewpoints and to use sound judgment as they evaluate the proposed rezoning and development. Meryl stated that whether the Council chooses to make a decision or delay the matter, he recommends that the Council thoughtfully consider the information presented before determining the appropriate course of action.

1:52:37 Sean Green, a North Ogden resident who lives adjacent to the subject property, expressed appreciation for the developer's efforts to address some concerns during the process. Sean stated that his primary concern remains the proposed street widths within the development. He noted that parking restrictions enforced by a homeowners' association may not prevent residents or visitors from parking on the streets, which could create access issues for emergency vehicles. Sean expressed concern that narrow streets combined with parked vehicles could prevent fire trucks or other emergency responders from reaching homes if needed.
Sean also referenced comments that the property may not accommodate two full-width roads and stated that the limitations of the property should not justify reduced road standards for the neighborhood.
He suggested that the situation results from the property not being developed earlier alongside surrounding developments and questioned why those constraints should now impact the current design of the project.

1:53:59 Jenny Waters, a North Ogden resident who lives in the Fernwood Estates subdivision north of the subject property, thanked the City Council for their service and time spent reviewing the proposal. Jenny expressed concerns regarding the safety implications of the proposed development, particularly related to narrower private roads and reduced sidewalk infrastructure. She referenced comments made during a previous City Council Work Session, indicating that narrower streets would be less expensive to construct, and stated she is concerned that cost savings could come at the expense of safety for residents, including children.
Jenny also discussed concerns about private roads, noting that while they may reduce costs for developers and the City, they shift long-term maintenance costs to homeowners through homeowners' association fees. She referenced provisions in the City's land use development code discouraging private streets and encouraged the Council to maintain traditional neighborhood development standards. Jenny indicated that she and other residents could support the proposed R-1-8 zoning if the development adheres to the full public street standards associated with that zoning designation.

Council Member Pulver motioned to close the Public Hearing. Council Member Carney seconded the motion. All those in attendance voted aye.

b. **Discussion and Consideration of Ordinance 2025-05**

1:56:35 Mayor Barker reopened the discussion and addressed comments regarding the request for a park within the development. Mayor Barker explained that the developer would be paying park impact fees of approximately $5,600 per home, and requiring a park within the subdivision could require the City to reimburse those costs. Mayor Barker also shared his perspective that private streets often experience lower traffic volumes and can be effectively managed by homeowners' associations.

Council Member Pulver asked for clarification regarding curb, gutter, and sidewalk improvements along Fruitland Drive. Derek Terry returned to the podium and explained that the project had evolved from an earlier concept with smaller lots and homes to the current R-1-8 proposal, more consistent with surrounding neighborhoods. He stated that items previously discussed under the earlier concept, such as a pocket park, deed restrictions, and height limitations, were no longer proposed in the same form. Derek noted that private roads would be constructed to public standards but at a reduced width, and confirmed that the homes would be offered for sale.

Council Members discussed several aspects of the proposal, including setbacks, sidewalks, parking, frontage along 925 East, and potential RV storage. Derek stated that improvements along Fruitland Drive would be constructed as required by staff, though final details had not yet been determined.

Council also discussed sidewalk placement within the development. Derek indicated a preference for a six-foot sidewalk on one side of the street but stated he would be open to alternatives if required. Council Members also discussed snow storage, sidewalk access, and the possibility of RV pads within the subdivision.

2:19:53 Following the discussion, Council Member Dalpias requested a five-minute recess

Council Member Dalpias motioned to recess for a five-minute break. Council Member Pulver seconded the motion. All those in attendance voted aye.

2:20:35 After returning from recess, Council Member Dalpias revisited a question raised during public comment regarding whether approval of the annexation and zoning alone would allow the property owner to proceed without a development agreement.

Discussion clarified that if annexation with R-1-8 zoning were approved without a development agreement, the property could still be developed under standard City R-1-8 requirements, but the developer would need a development agreement in order to obtain the requested smaller corner lots and modified setbacks. Derek stated that he did not want the property annexed and zoned without the accompanying development agreement if the requested concessions were not approved.
Council Members continued deliberation regarding deed restrictions, sidewalks, private roads, and consistency with surrounding neighborhoods. Council Member Dalpias acknowledged that earlier discussions had involved a different concept under a prior zoning scenario and stated that the current R-1-8 proposal better aligned with the General Plan and adjacent neighborhoods. Council Member Dalpias also noted the financial benefit of private streets to the City, including estimated future road replacement costs that would otherwise be borne by taxpayers. Council Member Pulver stated that because the property is currently outside City limits, annexation required careful consideration of how the development would fit with surrounding zoning and neighborhood patterns. He also emphasized that the final site plan would still be subject to staff and Planning Commission review. Council Member Watson expressed interest in including more specific provisions in the development agreement, particularly regarding sidewalk placement and design elements discussed during the meeting. Mayor Barker and Council Members also discussed whether deed restrictions remained necessary given that the homes were no longer proposed as smaller entry-level units.

Council Member Dalpias made a motion to approve Ordinance 2026-05 annexing approximately 11.768 acres of property located at approximately 1978 North 1150 East into North Ogden City with the proposed zoning designation of R-1-8. The motion was seconded by Council Member Carney.

City Manager/Attorney Jon Call advised the Council that if they wished the annexation to be contingent upon approval of a development agreement, that condition could be included in the motion.

Council Member Watson then made a substitute motion to approve Ordinance 2026-05 annexing approximately 11.768 acres of property located at approximately 1978 North 1150 East into North Ogden City with the proposed zoning designation of R-1-8 contingent upon approval of a development agreement. The motion was seconded by Council Member Pulver.

Mayor Barker called for a vote to determine whether the substitute motion would replace the original motion.

Voting on the motion:

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

The motion passed 4 to1.

Mayor Barker declared the substitute motion carried and therefore superseded the original motion.

Mayor Barker then called for a vote on the substitute motion to approve Ordinance 2026-05 annexing approximately 11.768 acres located at approximately 1978 North 1150 East into North Ogden City with the proposed zoning designation of R-1-8 contingent upon approval of a development agreement.

Voting on the motion:

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

The motion passed 3 to 2.

c. **Discussion and Consideration of the Atkinson/Pauling Arrowleaf Development Agreement**

2:51:17 Council Members discussed potential provisions to include in the development agreement before taking action. City Manager/Attorney Jon Call advised that the development agreement is a two-sided agreement and recommended that the Council first identify the provisions they would like included before confirming the developer's acceptance.

Council Member Pulver summarized potential provisions discussed during the meeting, including sidewalks along the outer edges of the development, prohibiting driveway access onto 925 East, requiring homes to be owner-occupied, and prohibiting full basements. Council Members also discussed setbacks, driveway space, garage setbacks, and potential RV pad requirements.

Derek Terry was invited to respond and indicated a preference for prohibiting basements rather than increasing garage setbacks, stating this would address flooding concerns and allow more flexibility in home design.

City Manager/Attorney Call reviewed the proposed provisions, which included minimum lot sizes of 8,000 square feet, a 20-foot front yard setback, a maximum of 44 lots, sidewalks along the outer edge of the development, no driveway access onto 925 East, homes to be offered for sale and owner-occupied, an RV pad requirement if garages are not set back at least 25 feet, and no full basements.

Council Member Dalpias noted that the final location of the stormwater detention basin would be determined during the engineering process. City Manager/Attorney Call also clarified that the approved development agreement provisions would guide the site plan review process unless modified by the Council.

Prior to the vote, Council Member Carney thanked members of the public for providing input and noted the Council had carefully reviewed the correspondence received.

Council Member Pulver motioned to approve the Atkinson/Pauling Arrowleaf Development Agreement. Council Member Nabor seconded the motion.

Voting on the motion:

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

The motion passed 4 to 1.

8. DISCUSSION AND CONSIDERATION OF ORDINANCE 2026-06, AMENDING TITLE 5 CHAPTER 1 – REFUSE AND INOPERABLE MOTOR VEHICLE STORAGE

3:06:55 City Manager/Attorney Jon Call presented Ordinance 2026-06, explaining that the proposed amendments are primarily technical updates required by the Court system. Jon stated that the revisions expand existing penalty language throughout the code to clearly outline escalating penalties for repeat offenses. Under the updated structure, the first violation is generally treated as an infraction, a second violation remains an infraction with increased penalties, and a third violation becomes a Class B misdemeanor requiring a mandatory court appearance. Jon emphasized that the ordinance does not change the penalties themselves but clarifies and reorganizes the language to meet current court requirements. Jon noted that the amendments apply to approximately ten percent of the City's code sections, focusing on those most frequently cited by officers. He added that additional updates may be brought forward in the future after further review with the prosecutor and the judge.

Council Member Pulver noted a duplication issue in Section 11-1-8 and recommended removing the first paragraph because the language was repeated later in the section. Jon confirmed the duplication and agreed that the paragraph would be deleted.

Council Member Watson motioned to approve Ordinance 2026-06, Amending Title 5 Chapter 1 – Refuse and Inoperable Motor Vehicle Storage. 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.

9. CITY COUNCIL PILLAR ASSIGNMENT UPDATE

Economic Development: 3:11:53 Council Member Watson provided an update on several economic development projects in the City. She reported that the Planning Commission approved a site plan on February 18 for a Fast Stop convenience store at the Village at Prominence Pointe, located at 1700 North and Washington Boulevard. The project is expected to move forward to the City Council for final approval.
Council Member Watson also reported that Ben Lomond Fitness received site plan approval from the Planning Commission on February 18 for a building expansion. The project is expected to receive RDA funding to support the expansion. City Manager/Attorney Jon Call clarified that the approval included conditions and that final design details were left largely to staff review.
Council Member Watson provided an update on the Cannery project, stating that a building permit application has been submitted and that the sidewalk encroachment agreement discussed earlier in the meeting is part of that process.
She also updated the Council on the status of the RDA grant program. Approximately $805,250 has been awarded to date, with approximately $245,000 already expended. The remaining funds, approximately $560,000, must be expended by the June 30 deadline. Projects still pending completion under the grant include Ben Lomond Fitness, Big O Tires, the Northern Ice Campus, Lock It Up Storage, and the Plaza area, including Ben Lomond Fitness. Staff is continuing to work with the applicants to ensure completion before the deadline.
Council Member Watson also reported that the Cooperstowne Apartments project at 1500 North Washington Boulevard has submitted its first building permit application. Additionally, Wingstop is expected to receive its certificate of occupancy within the week and plans to open shortly.

Public Safety: 3:13:47 Council Member Carney provided a public safety update from the Police Department. She reported that the department is currently down two positions and is considering two lateral officer candidates to help fill the vacancies.
Council Member Carney also reported that the Police Department held its first "Coffee with a Cop" event on February 19 at Beans & Brews. Council Member Nabor and Council Member Carney attended the event. Although attendance from the public was limited, the event was considered successful and allowed officers to engage positively with community members. The Department plans to host similar events quarterly to encourage additional community participation.
Council Member Carney further reported that the North Ogden Police Department has partnered with the Harrisville Police Department, Pleasant View Police Department, and North View Fire to establish the Tri-City Active Shooter Task Force. The task force conducted its first training on February 18 and plans to hold joint training exercises quarterly. The purpose of the task force is to improve regional coordination and preparedness for active shooter and mass casualty incidents through shared intelligence, joint training, coordinated response protocols, and collaboration among participating agencies. The task force will be governed by representatives from each participating agency who will meet monthly to review operations, training, and strategic planning.

Finance: 3:15:28 Council Member Nabor provided an update on his recent activities since joining the Council. He stated that his initial focus has been on gaining a better understanding of the City's operations and finances. Council Member Nabor reported meeting with several department leaders, including Peter Brown, to review financial information and discuss potential periodic financial reports for the Council, such as sales tax and budget updates. He also met with Bryce Nelson, Administrative Services Director; Casey Hunsaker, Treasurer; Tyrell Stark, and Davis Espinoza in Public Works to review additional City information.
Council Member Nabor stated that these meetings have been productive and helpful in understanding how City departments operate. He emphasized that while the Council has oversight responsibilities, he respects the role of staff and does not intend to direct how they perform their duties, but rather to provide perspective where appropriate.
Council Member Nabor also noted that he has observed a positive employee culture within the City organization and was impressed by several employees who have advanced through different departments into leadership roles.
Council Member Nabor also referenced recent sales tax reports, noting that while revenues appear slightly below the previous year, they are currently tracking slightly above budget projections. City Manager/Attorney Jon Call clarified that the City is ahead of its budget projections even though revenues are slightly below last year's totals, and that recent months have stabilized compared to earlier fluctuations.

10. PUBLIC COMMENTS

3:20:16 Cass Settlemyre, A North Ogden resident, thanked the Council for their work and for taking the large number of public comments.

3:20:56 Mindy Albee, a North Ogden resident, thanked the Council for their time and engagement throughout the recent public discussions, noting that the process has been an educational experience for many residents and has helped neighbors better understand how City government operates. She stated that residents appreciate the Council's willingness to listen to public input during these discussions. Mindy Albee also expressed appreciation for the Council's support of the Green Acres Elementary School fundraiser, noting that the school community is grateful for the encouragement and support shown by City leadership.

3:22:42 Brent Call, a North Ogden resident, expressed appreciation to the City Council for their dedication, service, and thoughtful deliberation when making decisions. Brent acknowledged that the Council is required to make difficult decisions and thanked them for the time and effort they devote to serving the community.

3:23:17 Kate Ryan, a North Ogden resident, thanked the City Council for their time, consideration, and the respectful manner in which they conduct meetings. Kate stated that many residents are drawn to North Ogden because of its lower density, open space, and quieter environment compared to larger cities closer to Salt Lake. Kate emphasized that these qualities contribute to residents' quality of life and encouraged the Council to consider those values when making future decisions affecting the community.

11. MAYOR/COUNCIL/STAFF COMMENTS

3:27:11 Council Member Pulver provided an update on activity at the State Legislature, noting that a large number of bills are being considered this session. Council Member Pulver stated that several bills of concern to cities appear to have been resolved or are no longer moving forward, though some proposals remain under discussion, including measures related to limits on property tax increases.
Council Member Pulver also noted concerns about a proposed requirement for cities to determine property tax amounts by April 1, explaining that cities typically do not have finalized budget information by that time.
City Manager/Attorney Jon Call added that such a requirement would be difficult because cities must first determine expenses before finalizing revenue needs.

Council Member Pulver concluded by expressing appreciation for the work of the Utah League of Cities and Towns in monitoring and advocating on legislative issues affecting municipalities.

3:28:42 Council Member Watson shared information about upcoming community volunteer and training opportunities. Council Member Watson reported that Weber Communities That Care is partnering with United Way to participate in the Read Across America program, where volunteers spend approximately 15 minutes reading to students at local elementary schools. Council Member Watson encouraged community members to participate in the event.
Council Member Watson also announced an upcoming QPR (Question, Persuade, Refer) suicide prevention training hosted by Weber Communities That Care. The training will be held at the North View Senior Center on March 6 at 6:00 p.m., is open to the public, and requires advance registration. Council Member Watson noted that the event will include dinner and that additional information is available through the City's social media.

3:30:30 Council Member Dalpias expressed appreciation for the emails and feedback received from residents regarding items on the agenda. Council Member Dalpias noted that due to work obligations during the day, access to email can be limited and encouraged residents to submit comments and concerns earlier when possible so Council Members have adequate time to review and consider them prior to meetings.

3:31:43 City Manager/Attorney Jon Call provided an update on the upcoming budget process. Jon explained that the Budget Committee is meeting on the weeks opposite the City Council meetings and will begin bringing recommendations to the Council in March. He advised Council Members to begin considering policy priorities and potential budget items, as the budget discussions will soon appear on Council agendas. Jon noted that the upcoming budget year will likely remain tight and emphasized the City's goal of keeping property tax and fee increases as low as possible while continuing to provide quality services.
Jon also thanked the Council for their thoughtful deliberations, noting that differences of opinion among Council Members are a healthy part of the decision-making process. He emphasized that staff respect the Council's authority to make final policy decisions and will continue to support and implement the direction provided by the Council.
Chief Eynon thanked Council Member Watson for promoting the Read Across America volunteer opportunity and noted that information about the event is also available on the City's website and social media.

Chief Eynon also shared that North Ogden City recently moved from 13th to 4th place among the safest cities in Utah, reflecting progress toward the Police Department's strategic goal of placing the City among the top ten safest communities in the state. Chief Eynon expressed appreciation for the department's efforts and stated that additional information will be shared with the Council.

3:34:35 City Recorder Rian Santoro provided several City updates. Rian announced that a community outreach meeting hosted by Kimley-Horn to discuss the future of Barker Park will be held in the Council Chambers on March 12 from 5:00 to 7:00 p.m. Rian also announced that the City's annual Shred Day will be held on May 14 from 9:00 to 10:30 a.m. at the North Shore Aquatic Center parking lot.
Rian reminded residents to sign up for the City's notification system to receive agenda alerts and stated that a brief training on how to subscribe to those notifications will be provided during the next work session.
Rian also reported that Cherry Days planning is underway and reminded Council Members to review their Monday.com boards to track progress on Cherry Days planning and the City's pillar initiatives. Rian noted that sponsorship opportunities for the dog park and Cherry Days are available on the City's website, along with vendor, volunteer, and parade applications.

3:37:35 Mayor Barker referenced two recent emails received by the City. One email inquired about the City's rain barrel program. City Manager/Attorney Jon Call explained that the program typically requires approximately $25,000 and would require a budget amendment if the Council wished to fund it this year. Council Member Dalpias expressed that, given the anticipated tight budget year, he would not support including the program this year. Mayor Barker indicated he would respond to the inquiry and noted that the program is not currently included in the City's budget.
Mayor Barker also referenced an email regarding a church requesting to rent space at the Senior Center. Jon explained that the request could likely be handled administratively by renting the space at the nonprofit rate, but noted that if the request included use of additional rooms or storage space, it may require coordination with the Senior Center board and staff. Jon suggested the Council could discuss the matter further during an upcoming work session if desired.

12. ADJOURNMENT

Council Member Watson motioned to adjourn the meeting.

The meeting adjourned at 9:46 p.m.

Ryan M. Barker, Mayor

Rian Santoro
City Recorder

3/24/26
Date Approved

ATTACHMENTS

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

A. Flooding Public Comment Handout
B. Annexation/Development Agreement Handout

We are here this evening regarding the denial of the flood insurance claim submitted in connection with the basement flooding that occurred at our residences on August 27, 2025.

We were informed by the city's insurance company that the claim was denied on the basis that flooding occurred throughout the city. Based on this explanation, it appears the city did not differentiate among the various causes of flooding when communicating with its insurance carrier and instead grouped all incidents together.

The flooding experienced throughout other areas of the city was reportedly caused by groundwater. That is not the cause of the damage to our homes. In our case, water entered exclusively through the city sewer system as a result of sewer backup. There was no groundwater intrusion of any kind. No water entered through window wells, foundations, or any other external sources. This determination was confirmed by the Utah Disaster Company that performed the cleanup services at our properties.

While we acknowledge that the insurance company ultimately makes its own coverage determinations, the manner in which the city presents the underlying facts to its insurer is critical and directly impacts claim outcomes. The failure to clearly distinguish sewer backup flooding from groundwater flooding resulted in the denial of our claim without proper consideration of the specific and materially different circumstances affecting our homes.

We further note a lack of responsiveness from the insurance company despite repeated efforts to obtain follow-up communication. On September 26, 2025, Mark Cooper submitted the claim to the city's insurance carrier. On September 29, 2025, we received written confirmation that the claim had been submitted and that the insurance company would follow up. No such follow-up occurred. On October 12, 2025, we sent an additional email advising that we had still received no communication, despite the fact that two neighboring homeowners had already been assigned adjusters who contacted them directly. We were again advised that our claim had been received, yet to date we have received no direct communication from the insurance company.

We believe this matter has been handled improperly. Water should not back up into private residences through municipal sewer lines, and we believe the city bears responsibility for the failure of its sewer infrastructure that caused this loss.

We respectfully request that you carefully review the documentation provided, including our written notes and the attached photographs evidencing the damage sustained.

The impact of this event has been devastating. We invested significant time and resources to create finished basement spaces intended for family use, including areas occupied by our children prior to the flooding. The damage has rendered those spaces unusable.

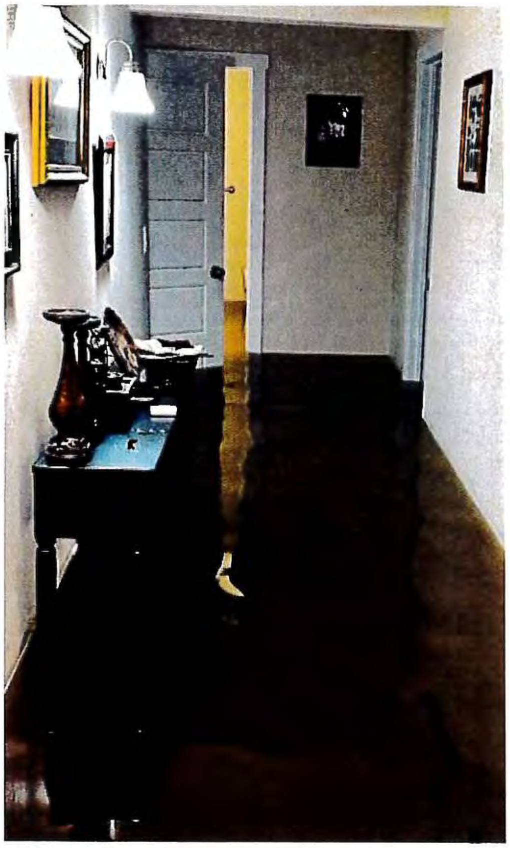
We are not seeking compensation for volunteer labor provided by neighbors, family, or friends, nor for the emotional distress this event has caused. Our sole request is that our basements be restored to the condition they were in immediately prior to the flooding on August 27, 2025.

We appreciate your prompt attention and look forward to your reply.

Sincerely,

Mark and Diane Cooper
873 E 1900 N
(801) 706-1131

Jim and Debbie Joy
889 E 1900 N
(801) 920-8291






DEVELOPMENT AGREEMENT REVISIONS

1. Delete the last sentence of the third WHEREAS clause and add this new paragraph to the agreement:

   Lot Layouts. The lot sizes and layouts shall not vary from the drawing that was included as page 8 of the Staff Report published with the City Council agenda February 19, 2026. The maximum number of lots is 44. Proposed changes to lot sizes or layouts shall require 30 days advance notice to the owners of the parcels adjoining the Site.

2. Add this new paragraph to the agreement:

   Project Requirements. The project must meet the following requirements:

   a. Developer to build a pocket park in the detention basin or pay a fee to the city in lieu of building the park in the amount it would cost to build the pocket park and maintain it for 10 years.

   b. For a period of 10 years after each home's first sale, it must be owner-occupied, not for rent.

   c. Developer to provide at least 10 designated guest parking spaces to mitigate street congestion.

   d. Project to include full street, curb, gutter and sidewalk along all of Fruitland Drive to match Ward Farms and Fernwood Estates.

   e. At least half of the houses along the boundaries of the project to have a 30' height limit, such houses to be distributed reasonably equally along the boundaries.

   f. Minimum backyard house/garage setbacks along the north and south boundaries to be ____ feet.

   g. Developer to provide a thirty-day head start preferred-buyer program where teachers, healthcare workers, firefighters, etc. will be given first opportunities to buy the houses.

3. Add this new paragraph to the agreement:

   Neighboring parcels. The owners of property abutting the Site are third party beneficiaries of this agreement. This agreement shall be recorded at the county recorder and run with the land. This agreement cannot be amended by this developer or by a future developer without the written consent of the owners of a two-thirds majority of the parcels adjoining the Site.

CONTENT MISSING FROM THE DEVELOPMENT AGREEMENT

1. At the February 3 work session, the developer committed to build a pocket park in the detention basin. The development agreement should require him to do it and specify a fee he can pay in lieu of building the park.

2. In his paperwork for the February 3, 2026 work session, the developer said that "all homes in the subdivision will be offered for sale only, not for rent". Councilman Pulver asked that the developer include in a deed restriction that the houses be owner-occupied for 10 years.

3. At that same meeting, councilwoman Watson asked that the neighborhoods' various concerns be addressed in deed restrictions.

4. At the planning commission, the developer promised that there would be designated guest parking to mitigate street congestion.

5. At the February 3 work session, the developer committed to building full street, curb, gutter and sidewalk along all of Fruitland Drive to match Ward Farms and Fernwood Estates.

6. The developer promised height limits along Ward Farms and Fernwood estates. His email after the work session confirms a 30' height limit on half the exterior units.

7. Councilman Pulver asked for larger setbacks along the north and south boundaries.

8. The developer said there would be a preferred-buyer program where teachers, healthcare workers, firefighters, etc. would be given better opportunities to buy the houses.

9. Per the work session, the development agreement is intended to protect the neighbors as deed restrictions and be binding on future developers.