

**NORTH OGDEN CITY COUNCIL WORK SESSION  
MEETING MINUTES**

October 2, 2018

The North Ogden City Council convened in an open meeting on October 2, 2018 at 6:01 p.m. at the North Ogden City Office at 505 East 2600 North. Notice of time, place, and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on September 27, 2018. Notice of the annual meeting schedule was published in the Standard-Examiner on December 31, 2017.

PRESENT:	M. Brent Chugg	Mayor	
	Ryan Barker	Council Member	arrived at 6:12 pm
	Blake Cevering	Council Member	
	Cheryl Stoker	Council Member	
	Phillip Swanson	Council Member	
	Carl Turner	Council Member	

STAFF PRESENT:	Jon Call	City Administrator/Attorney
	Annette Spendlove	City Recorder/HR Director
	Brandon Bell	Associate Planner

VISITORS:	David Gordon	Kevin Burns	Stefanie Casey
	Aaron Christensen	Kaylene Jeppsen	Brenda Ashdown
	Dale Anderson	Julie Anderson	Susan Clements
	Kim Christensen		

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

**WORK SESSION AGENDA**

**1. MAJOR PROJECTS UPDATE**

A staff memo from City Administrator/City Attorney Call explained there are several major projects (projects exceeding \$500,000) on the horizon in the City in the next few years and City Administration plans to provide a monthly update regarding the status of these projects.

Monroe Boulevard (2016- 2018): All Voluntary Purchases have been made.

400/450 East Widening (2020-2021): The Environmental Analysis request for proposals (RFP) should be published before the 10th of October. Administration anticipates 30 percent of the design to be completed by March 2019 with the final design completed by March 2020. This is roughly a \$10.5 million dollar project and of that amount, roughly \$8.5 million will be funded by outside sources (Wasatch Front Regional Council (WFRC), Weber Area Council of Governments (WACOG) and Utah Department of Transportation (UDOT)).

Mr. Call reviewed his staff memo.

Council Member Turner asked if the RFP will be covered by UDOT and if the environmental analysis will extend to Elberta Drive. Mr. Call stated that the analysis will extend to 3100 North; the City is covering the costs associated with environmental analysis per the contract the City has entered into with the WFRC. The cost is expected to be roughly \$60,000.

Mr. Call noted that the status of the other projects listed in his staff report has not changed since his report last month.

## **2. DISCUSSION ON FORM BASED CODE**

Associate Planner Bell noted that the main purpose of tonight's discussion is to recap the information that was provided to the Council during their September 4 work session meeting; he used the aid of a PowerPoint presentation to provide that recap, focusing on the images of the type of development that the form-based code is intended to produce. North Ogden's Form Based Code is intended to create "main-street America" types of developments, or walkable downtowns and neighborhoods. He reviewed several photographs of this type of development, after which he provided renderings illustrating the differences between drivable suburban development and walkable downtown development types. Both are common development patterns across the United States, but they have distinct differences. Components of a walkable development pattern include buildings adjacent to sidewalks, parking in rear, subdistricts, limited maximum block sizes, connected street networks, different street types for different locations, building types permitted by subdistrict, and open space types permitted by subdistricts. He then provided photographs and illustrations serving as examples of each of these components. Regarding street types, there are three different streets listed in the draft form-based code: boulevard, connector, and neighborhood street.

Council Member Turner asked if the form-based code regulates design standards, such as building heights. Mr. Bell answered yes, but stated the manner of regulation is somewhat different than the manner in which building height is currently regulated in the City. The form-based code measures building height by story rather than by feet, but there is a maximum height per story for the various building types; this provides flexibility to developers. He then discussed the building types permitted by subdistrict, including store front building, general stoop, mid-scale shop, terrace building, yard building, and civic building. The form-based code document includes a chart to communicate the subdistricts in which each of the building types are permitted. He then concluded with the final slide in his presentation, which asked if the development facilitated by the form-based code is the type of development the City Council would like to pursue for North Ogden's downtown areas.

Council Member Turner asked if the form-based code document is available online for public access, to which Mr. Bell answered yes and identified the location of the link <http://www.northogdencity.com/home/showdocument?id=17911> to the document on the City's website; historical draft versions of the document can also be found in numerous Planning Commission meeting packets for the past several months.

Mayor Chugg thanked Mr. Bell for his presentation.

3. **RECESS AND CONVENE IN RDA MEETING**

**Council Member Barker motioned to recess the work session and convene in an RDA meeting. Council Member Stoker seconded the motion.**

**Voting on the motion:**

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

**The motion passed unanimously.**

The City Council work session recessed at 6:33 p.m.

The RDA meeting convened at 6:33 p.m.

**RDA AGENDA**

**1. DISCUSSION ON A REQUEST FROM DAVE GORDON FOR RDA FUNDS**

A staff memo from City Administrator/City Attorney Call explained City Administration has received a proposal from one of the property owners in the Redevelopment Area who would like to utilize Redevelopment funds to accomplish several projects around their property. Under state rules the money collected as part of the Redevelopment Area must be used on projects which directly benefit the Redevelopment Area.

The property owner has an aerial photograph of his property along with the following requests:

- A. The wall with the French drain pipe (gravel and pipe). Pipe drains to the West to drain down the future gutter to the storm drain. The city property hill level raised. Back fill behind wall from onsite. Will need gravel for French drain. This wall and drainage is being submitted for RDA funding with B and C.
- B. Small sidewalk extension from walkway to Bench and garbage can or flower pot. Tree (maple) planted for evening shade on the bench. The bench and garbage/pot have been requested as part of the July 4th Broadcast trade 2018 (see email from Parks and Recreation Director).
- C. Small sidewalk extension from walkway to Bench and garbage can or flower pot. Tree (maple) planted for evening shade on the bench. The bench and garbage/pot will be requested as part of the July 4th Broadcast trade 2019.
- D. Storage built onto Northern Ice building to replace Metal Storage Container. Building Permit to be submitted closer to the time it will be constructed.
- E. Eventually the parking lot will be extended from existing area to the wall in A. This is part of the original DML Campus plans from 2007, but funding prevented completion during original construction. The plans for the parking lot include an evening Food Truck Round Up similar to the one held each weekend in Bountiful.

Mr. Gordon approached the RDA Board and summarized his requests included in Mr. Call's memo. He used the aid of the aerial photograph to illustrate the area in which the improvements would be completed.

Board Member Turner inquired as to the funding amount sought by Mr. Gordon. Mr. Gordon stated that he has not assembled a cost estimate and was hoping to work with the City Engineer and Planning staff to determine what is allowed in order to proceed with obtaining a cost estimate.

Mr. Call noted the Board has flexibility relative to the manner in which RDA funds can be spent; some cities only use the funds for city projects, while other cities pay for improvements on private property because of the inherent value those improvements

bring to the city. The belief is any building built on the property will generate additional tax revenue for the City and 50 percent of that increased tax revenue would be diverted to the City's RDA for the term of the RDA. He summarized past projects completed using RDA money, noting that while the majority of funding has been spent on City projects, there has been some money dedicated to private projects.

Board Member Swanson referred to request A for the French drain and asked if those improvements would be performed on City property or private property. Mr. Call stated that work would be done in conjunction with the wall; even if the rain is on the private property side of the wall, it can still be classified as being eligible for RDA funds. Board Member Swanson stated that he is supportive of authorizing Mr. Gordon to work with the City Engineer to determine the work necessary relative to the wall and the French drain and this information can be used to obtain cost estimates. This is justified because the drain is needed to keep water from flowing off the City's property onto private property.

Mr. Call stated that the RDA has two different funding sources for projects within the City's downtown area: the RDA fund and the CDA fund. The RDA fund will expire in 2022 and by the end of that time period the City should have expended all funds available for benefitting the properties within the designated redevelopment area. He will ask Finance Director Nelson to develop a report of the amount of money available, debt service obligations, and the amount of money that will be collected over the next three years. That information can be used to develop a plan for identifying projects for which RDA funding should be allocated.

Board Member Turner stated that he is willing to entertain Mr. Gordon's request, but he would like to see a formal cost estimate for the items he is requesting. He stated he would also like to receive the information from Mr. Nelson as specified by Mr. Call. Board Member Barker agreed.

Mr. Call then provided a high-level overview of the intent of redevelopment areas and statutory requirements and restrictions of RDA funds. He then stated that he will work with Mr. Gordon to identify cost estimates for the items requested by him and bring that information back to the Board for further consideration.

**2. ADJOURN AND CONVENE IN WORK SESSION**

**Board Member Swanson motioned to adjourn RDA meeting and reconvene in the City Council work session. Board Member Turner seconded the motion.**

**Voting on the motion:**

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

**The motion passed unanimously.**

The RDA meeting adjourned at 6:45 p.m.

The City Council work session reconvened at 6:45 p.m.

**WORK SESSION AGENDA – 7 PM**

**Council Member Swanson motioned to move to item six on the agenda. Council Member Barker seconded the motion**

**Voting on the motion:**

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

**The motion passed unanimously.**

**Council Member Swanson motioned to add an item to the agenda for public comments following the closed meeting and consideration of item seven on the agenda. Council Member Barker seconded the motion**

**Voting on the motion:**

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

**The motion passed unanimously.**

**6. DISCUSSION ON SALE OF PUBLIC WORKS BUILDING PROPERTY**

A staff memo from City Administrator/City Attorney Call explained the City has recently declared the old public works property site as surplus property which means we can sell a portion or all of the property (roughly 2.76 acres). The property has not been actively marketed, though I have personally spoken with a few individuals who asked me about the availability of the property for purchase by a private individual. Most of the conversations have been focused around what would the Council want to see on that property. Currently the property is zoned as RE-20 but the 2015 Masterplan anticipates that the property would be zoned for Downtown Mixed Use.

An individual provided the City with a formal offer to purchase the property. The City should provide some sort of a response to the proposal, though it doesn't have to be a firm yes or no. The City completed an appraisal on the property earlier this year for the possible sale of the South East corner of the property. Under the Utah Open Meetings act (52-4-205) the value of the appraisal has not been shared with anybody to help the City in negotiation for the future sale of this property.

One of the reasons to sell this property is to help fund the new water tank expansion which will start construction during this fiscal year. The old public works site is an asset of the water fund and so we would need to keep the asset in that fund unless a formal transfer occurred. Where we have a need for the funds to go towards a water project, staff is recommending any income from the sale be used towards water projects.

With this property the City has a unique opportunity to sell an approved project as part of the purchase contract. This should increase the value of the property, but will require a development agreement and Planning Commission review prior to approval.

If the Council is ok looking at selling the property I would recommend the City use a Request for Proposals type of a process to solicit individuals to propose a purchase price and the type of development the individual is proposing will occur on the property. The City can then make the decision to either sell the property to the highest bidder, sell the property to the best future development, or some mix of the two measurements.

Ultimately the City is not required to sell the property if it is not in the best interest of the City as determined by the Council.

Mr. Call reviewed his staff memo and facilitated a brief conversation about how the Council would like to proceed with the property; he asked if they would like to decline the purchase offer at this time and retain the property for public purposes. Or, if they would like to actively market the property for sale.

Council Member Cevering stated he was contacted by the President of the Family Promise organization who indicated they would like to extend their lease with the City until at least December of 2019. He stated he would be supportive of that extension, which should expire at about the time the City may be ready to consider serious offers for the purchase of the property. Mr. Call stated that would be a reasonable timeline; he would propose issuing a formal Request for Proposals (RFP) in March and market the property for sell for four to six months. Formal offers could be considered in the fall of 2019.

Council Member Cevering inquired as to the size of the property. Mr. Call stated it is just under three acres in size and one building on the land needs to be retained as it serves as a pump house for one of the most productive wells in the City.

Council Member Cevering stated that his only hesitation is that he wonders if the City may have wished that they had retained that property at some point in the future. Mr. Call stated it has occurred in the past that the City has sold property and later wished that they had retained it. The Council can discuss those issues at length before making a decision regarding how to proceed.

4. **DISCUSSION AND/OR ACTION TO ENTER INTO A CLOSED MEETING FOR REASONS RELATED TO UTAH STATE CODE §52- 4-205(1)(a) REGARDING THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL AND §52- 4-205(1)(e) REGARDING STRATEGY SESSIONS TO DISCUSS THE SALE OF REAL PROPERTY**

**Council Member Swanson motioned to recess the meeting and convene in a closed meeting regarding the character, professional competence, or physical or mental health of an individual and regarding strategy sessions to discuss the sale of real property. Council Member Stoker seconded the motion.**



**Voting on the motion:**

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

**The motion passed unanimously.**

**The meeting recessed at 7:02 p.m.**

**5. RECONVENE IN WORK SESSION**

The work session meeting reconvened at 10:20 p.m.

**7. COUNCIL/MAYOR/STAFF COMMENTS**

Council Member Stoker stated that she has been contacted by a resident who asked that the City host a race event with the Thanksgiving holiday theme; she asked if the Council needs to approve that. Mr. Call stated that if the race were a City event that is staffed, the Council would need to approve it. He indicated he can research the costs associated with this type of event and report back to the City Council. Council Member Stoker then stated the lights at Barker Park have been off for some time and she asked Mr. Call to check why that is. Mr. Call stated he will look into the issue.

Council Member Swanson reported there is a street light near the 7-Eleven store that is flickering and could be a nuisance to drivers. Mr. Call stated he will look into that issue as well.

8. ADJOURNMENT

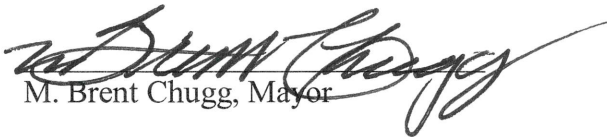
Council Member Swanson motioned to adjourn the meeting. Council Member Turner seconded the motion.

Voting on the motion:

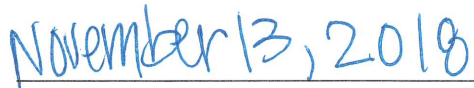
Council Member Barker	aye
Council Member Cevering	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

The meeting adjourned at 10:25 p.m.

  
M. Brent Chugg, Mayor

  
S. Annette Spendlove, MMC  
City Recorder

  
Date Approved