

**NORTH OGDEN CITY COUNCIL
MEETING MINUTES**

September 18, 2018

The North Ogden City Council convened in an open meeting on September 18, 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 13, 2018. Notice of the annual meeting schedule was published in the Standard-Examiner on December 31, 2017.

PRESENT:	M. Brent Chugg	Mayor	
	Ryan Barker	Council Member	
	Blake Cevering	Council Member	excused
	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
	Rob Scott	Planning Director

VISITORS:	Ryan Spelts	Kevin Burns	Robin Simmons
	Andrew White	Jackson Wade	Brian Simmons
	Kaylene Jeppsen	Brenda Ashdown	Ryan Spelts
	Alex Nay	Thomas Longhurst	Mary Longhurst
	Christopher Bohmholdt		

Mayor Chugg called the meeting to order; he excused Council Member Cevering from the meeting. Council Member Barker offered the invocation and Andrew White, Troop 294, led the audience in the Pledge of Allegiance.

CONSENT AGENDA

1. **DISCUSSION AND/OR ACTION TO CONSIDER AUGUST 7, 2018 CITY COUNCIL MEETING MINUTES**

2. **DISCUSSION AND/OR ACTION TO CONSIDER AUGUST 14, 2018 CITY COUNCIL MEETING MINUTES**

Council Member Barker stated that page 15 of the August 7 minutes includes a typographical error in that it references the North Davis Fire District rather than the North View Fire District. He asked that the error be corrected.

Council Member Turner motioned to approve the August 7, 2018 minutes as corrected and the August 14, 2018 minutes as presented. Council Member Swanson seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

ACTIVE AGENDA

3. **PUBLIC COMMENTS**

Christopher Bohmholdt, 1797 N. 700 E., stated that he moved to the City two years ago from a City in Florida and he has noticed that North Ogden is beginning to have some of the same problems that he experienced in Florida. The problem relates to recreational vehicles, trailers, and vehicles parked beyond the front of a home on a residential property. He loves his neighbor, but he has a complaint about this issue on their property. He visited City Hall and was directed to Code Enforcement, who then sent him to the Police Department, who sent him back to Code Enforcement. He stated he was very upset and the person at City Hall helping him sent him to City Administration. The person he spoke with there said that they would look into the issue and suggested that he come to the City Council meeting to bring the matter to the Council's attention. The Sunday after he came to the City, he decided to drive on streets around his home and found 14 violations of existing City Codes relating to this issue. Also, the City's website does not include adequate contact information for the Department or Division of the City responsible for enforcing codes. He asked that the Council look into this issue, not only

in his neighborhood, but City-wide. He does not want the City to turn into a junk yard. He asked that the property maintenance standards for the City be advertised in the City magazine, along with contact information for Code Enforcement Officers.

4. **PUBLIC HEARING TO RECEIVE COMMENTS TO CONSIDER AN ANNEXATION TO PROPERTY LOCATED AT APPROXIMATELY 1750 NORTH 775 EAST, PAUL AND KAREN MACKLEY**

A staff memo from the City Recorder explained Paul Mackley and Karen Mackley submitted an application (Exhibit A) on July 17, 2018 petitioning for annexation of 2.94 acres located at approximately 1750 North 775 East in North Ogden, Utah (Exhibit B). The annexation process requires the City Council to accept the petition for annexation so that the annexation process can begin, which was done on July 17, 2018. A Weber County Surveyor has reviewed the annexation plat map and had no changes. This property is within North Ogden City Annexation Declaration Policy (Exhibit C). The petitioner is requesting an R-1-8(AG) Zone, which the Planning Commission has recommended (Exhibit D). The law requires that the City give notice of an annexation for (3) consecutive weeks no later than 10 days after the Council receives Notice of Certification which was certified by the City Recorder on August 2, 2018. Written protests to this annexation were to be filed by September 11, 2018. No written protests have been received as of date of this staff report and the City Recorder will advise if one is received before or on the due date. If no protests are received by the due date the City Council may adopt this Ordinance annexing this property.

Ms. Spendlove reviewed her staff memo. She noted that as part of the annexation process, the City reached out to utility service providers for the property and were informed that the developer would need to incorporate low impact design standards in their project. She stated that City Administration will inform the applicant of this matter.

Mr. Call noted that in order to correct a boundary line error, a small sliver of property will be included on the annexation plat.

Mayor Chugg opened the public hearing at 6:13 p.m. There were no persons appearing to be heard.

Council Member Swanson motioned to close the Public Hearing. Council Member Turner seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

The public hearing was closed at 6:13 p.m.

5. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE ANNEXING PROPERTY LOCATED AT APPROXIMATELY 1750 NORTH 775 EAST, PAUL AND KAREN MACKLEY

Council Member Swanson inquired as to the zoning designations for the properties to the north, south, and east of the subject property. Mr. Call reviewed the zoning map and indicated that the zoning of properties on all sides is R-1-8. He noted that recommendation is to zone the property R-1-8 (AG), which will allow for horse-keeping on the property. He noted that the ordinance needs to be adjusted as it currently includes the R-1-10 zoning classification.

Council Member Turner motioned to approve Ordinance 2018-22 annexing property located at approximately 1750 North 775 East, Paul and Karen Mackley, with zoning classification to R-1-8 (AG). Council Member Barker seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

6. **DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE REZONING PROPERTY LOCATED AT APPROXIMATELY 2700 NORTH AND 850 EAST FROM RE-20 TO R-1-8 AND PROPERTY BETWEEN 650 AND 800 EAST ALONG 2600 NORTH FROM RE-20 TO R-1-8 IN MOUNTAIN VALLEY VILLAS**

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

The Planning Commission conducted a public hearing on June 27, 2018 regarding this petition. (See Exhibit C Planning Commission Minutes)

The City Council conducted a public hearing on ZMA 2018-09 on July 10, 2018. Three sub-areas were identified as part of that public hearing. Areas 1 and 2 were approved by the City Council.

Area 3

Area 3 are the properties within the block east of 700 East, both sides of 2600 North, west of 850 East, and south of 2750 North that were outside the initial rezone request. The Area 3 properties are going through a transition from agricultural to residential. The timing was deemed appropriate to consider the zoning for this block.

The rationale for some of these properties to be considered for rezoning is that many properties are zoned RE-20 but do not meet the area requirement of 20,000 square feet. This is an opportunity to bring these properties into compliance by giving them a zoning designation which complies with their current lot sizes. This gives these owners conforming zoning that will ease the permit process for any building additions without having to go through a subsequent rezoning process.

The decision on Area 3 was tabled until contact was made with the property owners regarding their desires with a report to come back before the City Council. Staff made contact with the majority of the Area 3 property owners and with one exception the owners desire to have R-1-8 zoning.

Attached is an ordinance with a map attached with the property that the owners desire to have rezoned.

CONFORMANCE WITH THE GENERAL PLAN

The General Plan map shows this area as: Low Density Residential and is in the eastern edge of the Old Town Neighborhood. This rezone application is consistent with that designation.

The General Plan Zoning and Land Use Policy has the following applicable guidelines:

Zoning and Land-Use Policy

The following policy consists of general statements to be used as guidelines. Such guidelines may on occasion conflict, when several are compared. In such cases, the Planning Commission should prioritize the guidelines as they pertain to the specific parameters of the issue which is pending. All zoning requests should first be evaluated for their compliance with the General Plan.

General Guidelines:

- A definite edge should be established between the types of uses to protect the integrity of each use, except where the mixing of uses is recommended in the General Plan.
 - Staff Comment: The low-density general plan designation calls for a variety of single-family zones including the R-1-8 and R-1-8 (AG) zones. The zone boundaries reflect this mixture along well-defined lines.
- Zoning should reflect the existing use of property to the greatest extent possible, unless the area is in transition or is in conflict with the General Plan.
 - Staff Comment: The properties in this area are transitioning from open space and agricultural lands to single family residential uses.
- Where possible, properties which face each other, across a local street, should be the same or a similar zone. Collector and arterial roads may be sufficient buffers to warrant different zones.
 - Staff Comment: The request involves both local and collector streets. The Planning Commission can identify the appropriateness of each zone designation by the referenced area. The proposals will provide connectivity with the surrounding neighborhoods.
- Zoning boundaries should not cut across individual lots or developments (i.e., placing the lot in two separate zones). Illogical boundaries should be redrawn to follow property or established geographical lines.
 - Staff Comment: The proposed zoning will not cross property lines.

Residential Guidelines:

- Avoid isolating neighborhoods.
 - Staff Comment: The proposed subdivision connects the low-density residential neighborhoods. This rezone and the related subdivision will have no isolating effect on the adjacent neighborhood.
- Require excellence in design.
 - Staff Comment: The proposed rezone requires the development to go through the subdivision process.

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

Is the proposal consistent with the General Plan?

Does the proposal meet the North Ogden Zoning ordinance standards?

How does the proposal relate to the Zoning and Land Use Policy guidelines?

The memo concluded by summarizing the Planning Commission recommendation as follows:

- Area 3. The Planning Commission received input from a few of the property owners in Area 3. The Planning Commission recommends that Area Three be rezoned to R-1-8 with the condition that any property owner wishing to opt out of the zone change be allowed to do so.

City Administrator/City Attorney Call reviewed Mr. Scott's staff memo and facilitated discussion among the Council regarding the properties for which the owners have expressed their zoning desires.

Council Member Swanson motioned to approve Ordinance 2018-23 rezoning property located at approximately 2700 North and 850 East from RE-20 to R-1-8 and property between 650 and 800 East along 2600 North from RE-20 to R-1-8 in Mountain Valley Villas. Council Member Stoker seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

7. DISCUSSION AND/OR ACTION TO CONSIDER A CORRECTION ON ORDINANCE 2018-17

City Administrator/City Attorney Call explained this is the grading and drainage standards ordinance that was considered by the Council recently. There was one error relating to numbering of the provisions in the ordinance. Additionally, 11-9-6 had inaccurate language and needs to be changed to include the term "development constraints".

Council Member Barker motioned to approve amended Ordinance 2018-17. Council Member Swanson seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

8. DISCUSSION ON THE NORTH OGDEN CONNECTION MAGAZINE

North Ogden Connection Publisher Ryan Spelts approached and stated that when he entered into an agreement with the City, he agreed to provide a report every six to nine months regarding the status of the magazine. He stated that the 24th issue was recently published, and he feels that the arrangement between his company and the City is going very well; he has improved the online and social media presence for the magazine and readership/participation in various contests and events continues to grow. He stated he is willing to answer any questions the Council may have.

Mayor Chugg stated that he appreciates the publication as he feels it is a great avenue for disseminating information to the residents of the City.

Council Member Turner inquired as to the term of the agreement, to which Mr. Call answered five years.

9. DISCUSSION AND/OR ACTION TO CONSIDER A RESOLUTION AMENDING THE COUNCIL PROCEDURES

City Administrator/City Attorney Call stated this resolution will formalize the Council's suggested edits to their rules of order and procedure for City Council meetings. He summarized the changes relating to the Council's regular meeting schedule, the order of business on Council agendas, conducting of meetings specific to the invocation or moment of reflection at the beginning of a meeting, the process for answering questions asked during the public comment period of a meeting, and the time frame for compiling Council packets and delivering packets to Council Members.

Council Member Swanson stated he would like to include an ending time for regular City Council meetings. There was a brief discussion about this recommendation and the Council concluded to include an end time of 9:30 p.m., with an option to consider a

motion to extend a meeting past that end time. Mr. Call provided draft language that could be included in the resolution to provide for an end time and the Council indicated they were comfortable with the language.

There was then a discussion regarding the difference between special meetings and emergency meetings and Mr. Call stated that he would like to include a statement in the resolution to indicate that any decisions to call an emergency meeting will comply with State Code provisions.

Ms. Spendlove indicated she will need to amend the City's annual meeting notice and asked when the Council would like to begin their adjusted meeting schedule, to which the Council answered October.

Council Member Swanson motioned to approve Resolution 08-2018 amending the Council Procedures as stated and noted. Council Member Stoker seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

10. PUBLIC COMMENTS

Christopher Bohmholdt, 1797 N. 700 E., stated that one thing that he has noticed is that large recreational vehicles do not fit in the side yard of most homes in the City and maybe it would be a good idea to require that a resident secure a permit to keep those types of vehicles on their property. He then addressed the project to extend Monroe Boulevard through North Ogden and he asked that the Utah Transit Authority (UTA) bus line that runs along that road be extended into North Ogden as well. He stated that would be a big help to him so that he is not forced to walk to Washington Boulevard to catch the bus.

Kaylene Jeppsen, 3168 N. 450 E., stated that she was told by Mr. Call that regarding her request to change the daycare regulations, the Council would not be able to make a decision until the end of October. She asked if there is a possibility of accelerating that decision because she needs to make some modifications to the exterior of her home to comply with State regulations.

11. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Barker asked who is handling code enforcement. Mr. Call stated that when Mr. Bohmholdt visited City Hall, there was some confusion about the appropriate Division to refer him to. Some code enforcement issues have been assigned to the Public Works Department while others are handled by the Police Department.

Council Member Turner reported on the great work being performed by the Youth City Council in the City.

Council Member Swanson stated he would like to quash some of the rumors that have been circulating about the recent school closure at Weber High; there was no carbon monoxide poisoning or any other chemical issue found, and no one is aware of why people were becoming ill. He stated that State of Utah hazmat crews were dispatched to the school and they could not find any issues. He congratulated the first responders in the area for their swift response to the school.

Mayor Chugg thanked those in attendance this evening.

Mr. Call then stated that the City's Police Department is current understaffed, and City Administration has discussed opportunities for recruiting quality officers to the City. Some things that could be done include sponsoring individuals through the Police Officers Standards Training (POST) class. The City's savings in salary for the Department will be significant and it may be good to hire a part-time code enforcement officer to provide better coverage for code issues in the City.

Council Member Swanson stated that he is willing to consider ideas for improving the City's recruitment and retention of quality Police Officers.

Ms. Spendlove reported the Police Department completed interviews for the Patrol Sergeant position and they have selected an individual for the position. Another Police Officer position was also filled recently, and the individual selected for that position will begin his employment with the City on October 1.

12. ADJOURNMENT

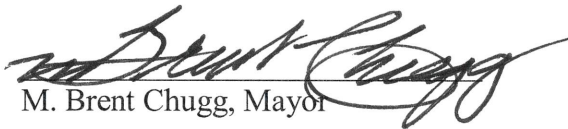
Council Member Stoker motioned to adjourn the meeting. Council Member Swanson seconded the motion.

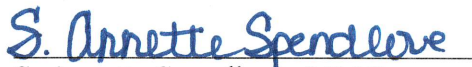
Voting on the motion:


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

The motion passed unanimously.

The meeting adjourned at 6:56 p.m.


M. Brent Chugg, Mayor


S. Annette Spendlove, MMC
City Recorder


Date Approved