

**NORTH OGDEN CITY COUNCIL
MEETING MINUTES**

November 13, 2018

The North Ogden City Council convened in an open meeting on November 13, 2018 at 6:00 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 November 8, 2018. Notice of the annual meeting schedule was published in the Standard-Examiner on October 12, 2018.

PRESENT:	M. Brent Chugg	Mayor	
	Ryan Barker	Council Member	
	Blake Cevering	Council Member	
	Cheryl Stoker	Council Member	Arrived at 6:05 pm
	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
	Rob Scott	Planning Director

VISITORS:	Kevin Burns	Brett Hamblin	Randall Winn
	Leonard Looney	Brenda Upright	Julie Anderson
	Brenda Ashdown	Keith Ashdown	Stefanie Casey
	Janis Christensen	Jay Johnson	Brent Call
	Meg Sanders	Kara Judd	Mona Wald
	Frank Hare	Bob Buswell	Cecil Rhoades

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

Mayor Chugg stated the City is mourning the loss of its Mayor, Brent Taylor, who was killed November 3 while deployed in Afghanistan as a Major in the Utah National Guard. He stated that he is grateful for all Mayor Taylor did for him and for the entire community. He called for a moment of silence in Mayor Taylor's honor.

CONSENT AGENDA

- 1. **DISCUSSION AND/OR ACTION TO CONSIDER SEPTEMBER 18, 2018 CITY COUNCIL MEETING MINUTES**

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

Council Member Turner motioned to approve September 18, 2018 and October 2, 2018 City Council Meeting Minutes. Council Member Cevering seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

ACTIVE AGENDA

3. **PUBLIC COMMENTS**

Brenda Upright, Republic Services, stated she is present to express the condolences of Republic Services for the City’s loss of Mayor Taylor. She stated Republic Services enjoyed a great working relationship with Mayor Taylor; he was a great man and will be truly missed.

Julie Anderson, 940 E. 2600 N., referenced the agenda item relating to the process to fill the vacancy in the office of Mayor; she recommended that the City accept applications until 5:00 p.m. on December 3 rather than noon. She then addressed the agenda item relating to fencing regulations and stated she feels this is an issue that should be vetted thoroughly by the Planning Commission and City Council, not just the Planning Commission. She wants to make sure that developers are responsible for the cost of fencing around their developments or along canals/waterways.

Cecil Rhoades, 3098 N. 750 E., stated he is calling upon the Council to review the fencing ordinance; he has reviewed the ordinance and struggles to understand the meaning of the regulations relating to retaining walls at minimum and maximum elevations. He feels that the current regulations do not provide safety and he would like for them to be rewritten to provide a maximum height for fencing.

City Planner Bell stated the section Mr. Rhoades is referring to is not part of the ordinance that is being considered by the Council tonight; he believes Mr. Rhoades is referencing the section dealing with fence heights for fences placed on top of retaining walls. These fences are measured from the midway point of the retaining wall. According to the language, a fence could be just 3.5 feet taller than a retaining wall. Mr. Rhoades submitted a packet of information to the Council further detailing his concerns and his request for the amendment to provide clarification and provide a minimum fencing height.

Planning Director Scott stated that if the Council desires to have this ordinance reviewed, it would be appropriate to refer the issue to the Planning Commission. Mr. Rhoades stated he was told to address the Council regarding his request in order for a potential amendment to be initiated. He stated he is seeking an amendment that would require a six-foot fence height for fences placed above a retaining wall. The Council then directed staff to refer the issue to the Planning Commission for a formal recommendation.

Megan Sanders, 2915 N. 875 E., stated that she understands the Council must appoint a new Mayor to fill the vacancy created by Mayor Taylor's death. She stated that two of the current Council Members have been appointed. Council Member Barker stated he is the only Council Member that was appointed to fill a vacancy. Ms. Sanders stated that answers her question; she was concerned about the potential for another Council Member to apply for the position of Mayor, which could result in another vacancy on the Council that would need to be filled.

4. DISCUSSION, NOTICE AND PROCESS OF OPEN MAYOR SEAT

A staff memo from City Administrator/City Attorney Call explained City Administration has been in discussions with the Lieutenant Governor's office about the appropriate procedure to fill the vacancy created by the passing of Mayor Brent Taylor. The statute was not specifically written to handle these types of situations and so the recommendation has been to solicit applications for individuals to fill the City Mayor's position similar to when the vacancy created by former Council Member Fawson's resignation was filled.

To satisfy the statute, the City needs to advertise the Mayor's position and allow for individuals to have sufficient time to submit applications for the position. The statute requires that applications be submitted by December 3 and that the Council select the replacement from those who submit applications by that deadline. City Administration is recommending that applications be due by noon that day to allow staff sufficient time to gather and organize the applications before close of business.

The City is required to give public notice of the date and time of the meeting where the Council will conduct the candidate interviews. Staff is recommending the interviews take

place during the first meeting in January because there is only one meeting scheduled for the month of December.

Administration proposes the Council to make a motion to establish the deadline for submitting applications as well as select the meeting where interviews will be held. The individual selected to fill the vacancy will serve until January 2020 when the newly elected Mayor will be sworn in. This process, along with the two-year term currently being filled by Councilman Barker, will result in 5 seats open for election next year. There will be 1 Mayor seat (2-year term), 1 Council seat (2-year term) and 3 council seats (4-year terms).

City Recorder Spendlove reviewed the staff memo and she and Mr. Call facilitated brief high-level discussion among the Council regarding the process for filling a vacancy of an elected position.

Council Member Swanson motioned to approve the process recommended by City Administration to accept applications until December 3, 2018 at noon and vote to appoint a new Mayor on January 8, 2019. Council Member Barker seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

5. DISCUSSION AND/OR ACTION TO REAPPROVE ORDINANCE 2018-22 ON THE MACKLEY ANNEXATION FOR PROPERTY LOCATED AT APPROXIMATELY 1750 NORTH 775 EAST

A staff memo from City Recorder Spendlove 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. 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.

The Mayor and Council have already approved this annexation by Ordinance on September 18, 2018, but the annexation package was not submitted to the Lt. Governor's Office in the correct time frame; the Council must reapprove the ordinance in order for the annexation package to be resubmitted to the Lt. Governor's Office for acceptance and amendment of the City's Articles of Incorporation.

Council Member Cevering motioned to reapprove Ordinance 2018-22 on the Mackley Annexation for property located at approximately 1750 North 775 East. Council Member Turner seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

6. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING THE REQUIREMENTS FOR DEVELOPER REQUIRED FENCING IN SUBDIVISIONS

A staff memo from Associate Planner Bell explained when the City is considering a legislative matter, the Planning Commission is acting as a recommending body to the City Council. The City Council 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 issue of which locations fences should be required to be installed by developers arose during the approval process of the Northampton Phase 7 subdivision. In the August 7, 2018 joint City Council-Planning Commission work session, both bodies discussed ways in which they would like City ordinance amended as it pertains to developer required

fencing. The primary change requested was the transfer of responsibility regarding the issue of developer-required fences to the Planning Commission, from the City Council. The proposed amendment was subsequently discussed in the September 5, 2018 and October 3, 2018 Planning Commission meetings.

The proposed ordinance reflects the changes to the currently adopted ordinance requested in prior meetings with the City Council and Planning Commission, including transferring authority for waiving developer-required fencing requirements to the Planning Commission. The proposed ordinance amendment has been written to make fencing required by default in specific types of locations where safety, incompatibilities in land use, or other concerns may exist, but with the ability on the part of the Planning Commission to waive such requirements. In order for the requirement for fencing to be waived, it must be requested by the applicant and approved by the Planning Commission. The ordinance allows flexibility regarding the fencing materials by the same approach, with required standard materials, unless different materials are requested and approved.

This approach has been taken in an effort to balance resident safety with the flexibility provided to the Planning Commission to waive these requirements when they are determined to be out of context and inapplicable for the purpose for which they are intended.

On October 17, 2018, the Planning Commission recommended the ordinance, while requesting a couple of minor changes. Those changes are reflected in the version of the ordinance presented to you. Due to the requested changes by the Planning Commission that required the removal of some language from the ordinance, Staff also adjusted the placement of other content in the ordinance, in order for that content to be clearer and more logical.

CONFORMANCE WITH THE GENERAL PLAN

Housing Goals

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

Environment

Protect sensitive lands within the existing and future City boundaries.

The memo offered the following summary of potential Land Use Authority considerations. There are some guiding principles that should be considered before there is a change in code standards:

- Is the request a positive change for not only a specific property but does it make sense for the entire city?
- Is the proposal consistent with the General Plan?

The memo concluded the Planning Commission recommended this ordinance for adoption, with some minor changes. Those changes are reflected in the version being presented to the City Council at this time.

Mr. Bell reviewed his staff memo.

Council Member Swanson stated he has reviewed the ordinance adjustments recommended by the Planning Commission and noted that it seems that the amendments provide increased specificity of the regulations; text that could be somewhat ambiguous or vague has been removed and replaced with language that is clearer and possibly easier to interpret.

High level discussion regarding the provision that provides for the Planning Commission to be the final approving authority for this type of fencing then ensued, with the Council concluding that the ordinance is specific enough to ensure that it will not be applied in a subjective manner and that the Planning Commission will not have wide discretion to approve varied requests from applicants.

Council Member Turner moved to set aside the rules to allow public comment on this proposed ordinance. Council Member Swanson seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

There were no public comments.

Council Member Swanson motioned to approve Ordinance 2018-26 amending the requirements for developer required fencing in subdivisions based on the findings and subject to the conditions listed in the staff report. Council Member Turner seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

7. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING THE HARD SURFACE PARKING AND DRIVEWAY REQUIREMENTS

A staff memo from City Administrator/City Attorney Call explained that Administration has been working to draft changes to the City's hard surface parking standards; the purpose of this agenda item is to determine what regulations the Commission would like to propose so that they can be incorporated into the ordinance for future adoption. Proposed changes to the current ordinance are shown below in red.

11-17-3: DESIGN AND LOCATION OF PARKING SPACES

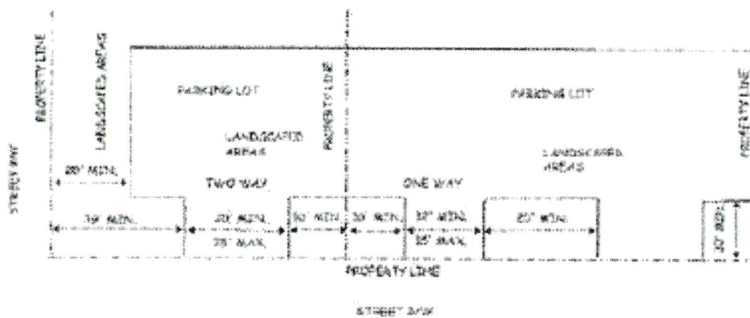
A. Single-Family Residences, Mobile Homes And Multiple-Family Residences Of Four Or Less Dwelling Units *per building*:

1. Location: Required off street parking shall be located on the same lot or parcel as the use it is intended to serve.
2. Surfacing:
 - a. The first thirty (30) feet from the public right-of-way of all parking spaces, primary driveways used to access the required parking stalls under 11-17-4 for any residential unit shall be surfaced with asphaltic concrete, pavement bricks, cement concrete, permeable pavers, or other material approved by the City Engineer which complies with air quality and SWWP standards.
 - b. Secondary accessways may be constructed using rocks, road base, or other natural or manmade materials provided the area is kept weed free and complies with air quality and SWWP standards.
 - c. Off-street parking stalls located in the side yard or rear yard setbacks of a structure may be constructed using rocks, road base, or other natural or manmade materials provided the area is kept weed free and complies with air quality and SWWP standards.
 - d. Multi-family units and Accessory Dwelling units are required to utilize asphaltic concrete, pavement bricks, or cement concrete, or other materials approved by the City Engineer for all parking stalls.
~~a. and accessways shall be surfaced with asphaltic concrete, pavement bricks or cement concrete.~~

2.3.Driveways: *Primary* driveways and accessways shall be not less than ten feet (10') wide for one-way traffic, and not less than twenty feet (20') wide for two-way traffic.

- 3.4. If additional parking of vehicles and trailers takes place, including recreational vehicle parking pads, such parking places shall meet the following standards:
- a. The dwelling unit has the minimum number of required off street parking spaces as stipulated by CCNO 11-17-4.
 - b. The **parking area** slab is at least eight feet (8') wide, and in the case of corner lots, a maximum of twelve feet (12') wide **in the side yard area**, and is of sufficient length to accommodate the vehicle with no portion of the vehicle extending more than ten feet (10') forward of the front face of the dwelling. In the case of a corner lot, no vehicle shall be parked in the forty-foot (40') sight triangle.
 - c. The appurtenant driveway to the slab must be tapered to use the existing driveway approach or a new approach must be installed for the new driveway **access**.
 - d. Any slab constructed must remain open and unobstructed to the sky, **or appropriate building permit be obtained to comply with all setbacks and other requirements of this code.**
 - ~~e. No vehicle shall be parked in the required side yard unless the parking area is improved with hard surface material such as concrete or asphalt.~~
 - f. e. All storm water runoff from the hard surfaces of the slab must be directed so as to prevent drainage onto adjacent properties.
- B. Garages: When residential garages are used to meet the minimum off street parking requirements, an unobstructed parking stall from the floor to the height of the garage door with the following dimensions must be met:
1. Single Car Garage: Twelve-foot (12') width by a twenty-foot (20') depth.
 2. Double Car Garage: Twenty-two-foot (22') width with a twenty-foot (20') depth.
 3. Garages larger than a double car garage must provide at least the parking space dimensions of a double car garage for each dwelling unit the garage is serving.
- C. All Uses Except As Provided Above:
1. Location: Required off street parking shall be located within three hundred feet (300') of the building or use it is intended to serve, the distance being measured along the street line from the nearest point of the building or use to the nearest point of the parking lot. Whenever the use of a separate lot or parcel is proposed for fulfillment of minimum parking requirements, the owner shall submit as a part of his application satisfactory assurance that the separate lot or parcel is permanently committed to parking use by enforceable legal measure.
 2. Off Street Parking: Off street parking spaces shall be situated in a manner which will not result in automobiles backing onto a public street.
 3. Surfacing: All off street parking areas, accessways and driveways shall be improved with concrete, pavement bricks or asphaltic concrete. The surfacing of the parking area shall be designed and graded so that there will be total retention or drainage into a drainage system approved by the city engineer. Catch basins and drains shall be provided to collect surface

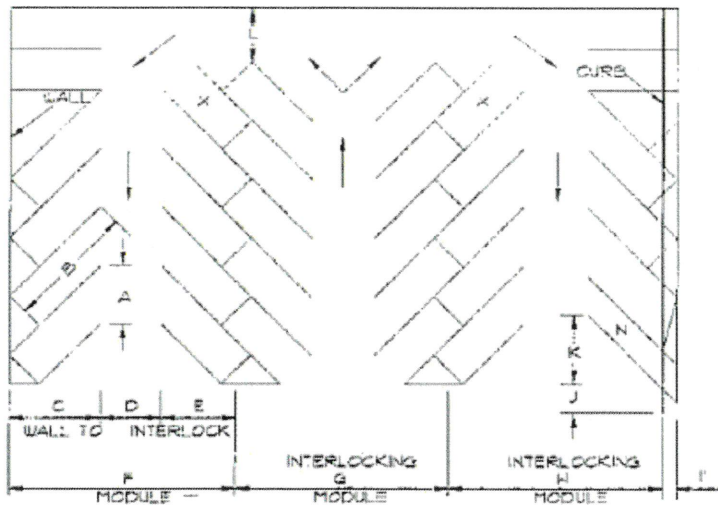
4. drainage of all paved areas at a minimum rate of one inch (1") an hour rainfall. Surface drainage is not allowable across pedestrian walkways or sidewalks.
5. Curbing: A six inch (6") wide by six inch (6") high curb or bumper guard shall be installed along all property lines bordering the parking and maneuvering area, excluding necessary points of ingress and egress, and shall be so located that no part of a vehicle shall extend over or beyond any property line or sidewalk. The building inspector may determine the location of additional bumper guards or curbs to protect adjacent property owners or persons using a sidewalk.
6. Landscaping: In addition to the perimeter landscaping, a minimum of five percent (5%) of the interior parking lot must be landscaped in accordance with a landscape plan submitted to and approved by the community development department. Such landscaping must be maintained for the duration of the use of the parking lot.
7. Design: As indicated in the diagram below, all areas of the parking lot, with the exception of necessary points of ingress and egress, shall be no closer than twenty feet (20') from the front property line. That unoccupied area shall be landscaped and maintained with trees, shrubs, ground cover, undisturbed natural growth, pedestrian walkways and plazas in a manner acceptable to the planning commission. Access to off street parking areas from a public street shall be from a two-way driveway with a minimum width of twenty feet (20') and a maximum width of twenty-five feet (25'), or two (2) one-way driveways each with a minimum width of twelve feet (12') and a maximum width of fifteen feet (15'). No access driveway shall be located closer than twenty feet (20') from a street intersection or other access driveway, nor any closer than ten feet (10') from any property line.



7. Maximum Yard Area To Be Used For Parking And Vehicle Access Lanes: For all uses permitted in the RE-20 and single-family residential zoning districts, none of the front yard area and side yard required by the respective zones shall be used to meet the minimum off street parking requirements, but overflow parking is permitted in the front and side yard areas if the standards of subsection A4 of this section are met. In the case of multiple-family dwellings and nonresidential uses in a residential zone,

not more than fifty percent (50%) of the required side and twenty five percent (25%) of the required rear yards shall be used for parking or vehicular access lanes. In such cases where it is deemed necessary to utilize more than permitted of the required side and rear yards, any said yard area used in excess of said limits shall be provided in an equivalent amount of land area elsewhere on the same lot as the building for open green space, patios, play areas or courts.

8. **Parking Spaces For Persons With Disabilities:** Parking spaces for persons with disabilities shall include a five foot (5') wide access aisle adjacent to the right side of each parking space. The parking space and access aisle shall not have a slope greater than two percent (2%) in any direction. The access aisle shall be connected to an accessible route to the appropriate accessible entrance of a building or facility. The parking access aisle shall either blend with the accessible route or have a curb ramp complying with Americans with disabilities act (ADA) regulations. Such a curb ramp opening must be located within the access aisle boundaries, not within the parking space boundaries. The required dimensions of the access aisle cannot be restricted by planters, curbs or wheel stops. Signs designating parking spaces for disabled persons shall be located in front of each parking space, and shall be mounted four feet (4') above the ground, in addition to blue wheelchair logo being painted on the parking space itself.
9. **Screening:** Whenever a parking lot or a driveway to a parking lot is established so as to adjoin the side or abut the rear line of a lot in a residential zoning district, a solid masonry or solid material fence eight feet (8') in height or of other material or height as allowed or required by the planning commission (subject also to the fence height regulations established in CCNO 11-8A-8 and CCNO 11-10-11) shall be constructed and maintained along said side or rear lot line.
10. **Lighting:** Parking lot lights used during hours of darkness shall not exceed five(5) foot-candles. Lighting shall be indirect, hooded and arranged so that the source of light is not directly visible from any street or adjoining property. Light standards shall be a maximum of twenty feet (20') in height above grade.
11. **Dimensions:** Arrangements of parking spaces within the parking lot and driveway widths shall conform with the following requirements: Parking layout dimension (in feet) for nine foot by nineteen-foot (9' x 19') stalls at various angles.



X = STALL NOT ACCESSIBLE IN CERTAIN LAYOUTS

Dimensions (in feet)	On Diagram	Angle			
		45	60	75	90
Stall width, parallel to aisle	A	12.7	10.4	9.3	9.0
Stall length of line	B	28.5	24.3	21.5	19.0
Stall depth to wall	C	20.0	21.0	20.5	19.0
Aisle width between stall lines	D	12.0	16.0	23.0	26.0
Stall depth, interlock	E	17.0	19.0	19.5	19.0
Module, wall to interlock	F	49.0	56.0	63.0	64.0
Module, interlocking	G	46.0	54.0	62.0	64.0
Module, interlock to curb face	H	47.0	43.7	60.5	61.5
Bumper overhang, (typical)	I	2.0	2.3	2.5	2.5
Offset	J	6.4	2.6	0.6	0.0
Setback	K	13.8	10.4	4.9	0.0
Cross aisle, one-way	L	14.0	14.0	14.0	14.0
Cross aisle, two-way	M	24.0	24.0	24.0	24.0
Access aisle	N	5.0	5.0	5.0	5.0

12. Persons With Disabilities: One parking space for persons with disabilities shall be required for any development having twenty-five (25) or more parking spaces. Thereafter, not less than two percent (2%) of the parking spaces within a development shall be built and maintained as parking spaces for persons with disabilities.

13. Turnaround Bay: There shall be a turnaround bay, at least nine and one-half feet (9½') deep and thirteen feet (13') wide, with eighteen-foot (18') radii located at the end of each dead-end row of parking stalls.

D. **Agricultural Uses:** For properties which are zoned RE-20 or R-1-8AG the primary and secondary accessways to agricultural uses may remain unpaved, but property owners are responsible for all road cleaning required because of debris tracked onto the roadway from vehicular access.

E. **Undeveloped Lots and Parcels:** No parking shall occur on undeveloped lots or parcels.

Mr. Call reviewed his staff memo and facilitated discussion about the potential implications of the proposed amendments.

Council Member Turner moved to set aside the rules to allow public comment on this proposed ordinance. Council Member Swanson seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

Cecil Rhoades, 3098 N. 750 E., stated that he has no stake in the decision made regarding this ordinance, but he asked the Council to consider that not every home in the City faces a street; his home was built in 1890 and added to in 1974 and it faces west. He previously had a driveway on the west side of his home, but when the trail system was constructed, that driveway was eliminated to prevent him from crossing the trail to access his property. He stated that forced him to move his driveway to the back side of his home, which fronts 3100 North. He stated he believes each situation should be considered on a case-by-case basis and according to its own individual merits.

Julie Anderson, 940 E. 2600 N., stated that she and her husband own a large piece of property on 2600 North, which has a secondary access point. This proposed ordinance made she and her husband happy because the ordinance will help them by allowing them to use their property as they wish while addressing the things that need to be addressed for the public benefit.

Brent Call, 835 E. 2100 N., stated that he also feels this is a wonderful ordinance that is a good change for the City; it will allow many residents who are currently not in

compliance with the ordinance to continue to operate as they have been. He stated that he does have a few questions about the requirement for asphalt or concrete for the first 30-feet of the driveway; he feels that should be changed to require the material to extend to the primary residence unless there is a particular reason for a variance. If someone elects to build their home further than 30 feet from the road, they should recognize that may result in them being required to install a driveway to access their home. He then stated that he does not understand other restrictions that would limit a property owner's use of their property even if they are willing to abide by the ordinance. He understands the desire to require parking that is appropriate for the community, but if someone has an undeveloped lot they should not be prevented from parking on that property if they are willing to meet the requirements included in the ordinance.

There were no additional public comments.

Council Member Swanson stated that he still believes that a driveway should be completely paved; he agreed with Mr. Call that if someone decides to build a home that is setback further than 30-feet from the road, they should understand that they may be required to build a driveway to access their home.

Council Member Barker stated he feels differently than Council Member Swanson; many people living on agricultural properties build a home that is setback further than 30 feet and he feels the proposed ordinance addresses concerns they may have about the cost associated with requiring a paved driveway from the road to their home.

High level philosophical discussion and debate centered on the merits of the ordinance and its relation to storm water protection standards, ultimately concluding that the ordinance still provides some flexibility while protecting the City's streets and storm water infrastructure from being overrun with materials that may be deposited by vehicles that drive on a dirt road to exit their property onto a public street. The Council also supported the provision of the ordinance that prohibits parking on an undeveloped lot with no primary structure.

Council Member Barker motioned to approve Ordinance 2018-27 amending the Hard Surface Parking and Driveway requirements as presented, with one typographical correction to change SWWP to SWPPP. Council Member Stoker seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

The motion carried on a four to one vote.

8. PUBLIC COMMENTS

Julie Anderson, 940 E. 2600 N., stated she has one question relating to the matter of appointing a new Mayor. She stated that Brent Taylor was not only the City's Mayor, he also served as the City Administrator and she asked if that structure will be adjusted to provide for a City employee to carry out the duties of the position of City Administrator. She recommended that the two positions be separated at this time.

Mona Lisa Wald, 2457 N. 750 E., stated that five days after Mayor Taylor passed away, she received a letter from him thanking her for her support of the Amphitheater project. She stated that she is working on a final paper for a college class and she chose the topic of the Amphitheater, which led her to conduct a lot of research on the operation and management of other amphitheater facilities across the State. She has found that many function differently than the City's Amphitheater and she presented the findings of her research. Some cities use city employees to manage their amphitheater while others partner with a private committee or entity to manage their amphitheater. She stated she has drawn four conclusions from her research: first is to determine the purpose of the amphitheater and whether it will be revenue generating; second is to consider the entity that will be responsible for management of the facility; third would be to invest in a good website that can be used to market and fundraise for the facility; fourth and final is the suggestion to rename the Amphitheater after Brent Taylor. This will ensure the success of fundraising for the completion of the facility.

Randy Winn, 2412 Barker Parkway, stated that he would support Ms. Anderson's recommendation to separate the positions of Mayor and City Administrator. While Brent Taylor had the ability and expertise to perform both functions, that will likely not be the case for other applicants. He stated he would also support renaming the theater to honor Brent Taylor. He would also recommend that the Amphitheater be retained and managed by the City for public purposes and not for private enterprise.

Bob Buswell, 962 E. 3025 N., stated that he was wondering if each Council Member would express their thoughts about the recommendation to separate the Mayor and City Administrator positions from one another.

Mr. Call advised that the Council can express their feelings, but he also believes the Council has flexibility in considering that matter as applicants for the position are considered.

Council Member Stoker stated that Brent Taylor was given the title of City Administrator because of his education and experience; if candidates have similar credentials, she would be willing to consider the same arrangement.

Council Member Barker stated that while he recognizes that Brent Taylor was able to fulfill both roles assigned to him, that will not be the case for many of the applicants for the position and he would prefer to separate the two positions.

Council Member Cevering stated he would agree with Council Member Barker unless there are a number of applicants that are qualified to perform as Brent Taylor did. Council Member Swanson agreed and stated he can think of three or four individuals in the City that have the same qualifications that Brent Taylor had; however, he does not want to limit the applicant pool based on the requirement to be able to serve as the City Administrator as well as the Mayor.

Council Member Turner stated he believes the position for which a new person should be appointed to should be that of part-time Mayor and if the City chooses to revisit the issue after the next election, that may be appropriate.

9. **COUNCIL/MAYOR/STAFF COMMENTS**

Council Member Turner reported on his recent participation with the Weber Mosquito Abatement, to which he is assigned to represent North Ogden City. Statistics regarding West Nile Virus cases in the State were provided.

Council Member Cevering stated that the Senior Citizens Board, which meets at the City's senior center are looking for additional members to be part of the Board.

Council Member Barker stated that a candlelight vigil in Brent Taylor's honor was held this weekend at the Amphitheater and it brought to his mind a question about why parking is allowed on the west side of Fruitland Drive and not the east side. He stated that he feels that this arrangement is unsafe, and he felt it would be appropriate to address it in the future.

Council Member Swanson supported a discussion about the issue raised by Council Member Barker. He then stated that he wanted to express his amazement regarding the outpouring support and volunteers who have reached out to do things for the Taylor family during this difficult time. He stated that the efforts to coordinate volunteers to hang the Big Betsy flag in Coldwater Canyon are examples of that support. He stated that he has known that he lives in a great community, but that has been reaffirmed in his mind a thousand times over the last several days. He stated that Brent Taylor was correct in his last Facebook post that 'there is far more that unites us than divides us.' It has been amazing to watch political and ideological differences set aside while everyone comes together to support Jennie and her children. He is hopeful that the community will be able to continue to stay together and be supportive of one another.

Council Member Stoker stated that times like this make people reevaluate their priorities and decide what is truly important to them. She stated that this is a great community and she appreciates everyone. She noted that Mayor Taylor used to say that he welcomed opinions and disagreements with the knowledge that at the end of the day, everyone could be friends. She stated she hopes that will continue and she welcomes input and suggestions and she emphasized that she will miss Brent Taylor terribly.

Mr. Call reported that the City has received approval for federal funding for the debris basin to be constructed on the North Ogden Divide Road; construction can commence this winter. He then reported that the Mayor of Alpine stopped at City Hall today and indicated that City wishes to provide North Ogden with a gift in Mayor Taylor's office and they will provide details at a future date; they would like to develop a bronze statue to memorialize Mayor Taylor.

Mayor Chugg stated that he is so grateful for the support of the community; North Ogden is a wonderful community with truly wonderful people. He stated he is truly grateful for his true friend, Mayor Taylor.

Council Member Swanson reported on the plans to return Mayor Taylor's body to Utah and, ultimately, to North Ogden. Council Member Turner added the funeral will be held Saturday at the Dee Events Center at Weber State University at 1:00 p.m. Washington Boulevard will be closed following the funeral for the procession to the cemetery. More information will be forthcoming through the Taylor family.

10. ADJOURNMENT

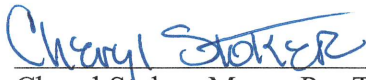
Council Member Swanson motioned to adjourn the meeting. Council Member Stoker seconded the motion.


Voting on the motion:


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

The motion passed unanimously.

The meeting adjourned at 7:29 p.m.


Cheryl Stoker, Mayor Pro Temp


S. Annette Spendlove, MMC
City Recorder


Date Approved