



NORTH OGDEN CITY

— SETTLED 1851 —

CITY COUNCIL MEETING AGENDA
APRIL 28, 2020 - 6:00 PM
NORTH OGDEN, UT 84414

Click the link below to join the webinar:

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Welcome: Mayor Berube

Message & Pledge of Allegiance: Stefanie Casey

CONSENT AGENDA

1. Discussion and/ or action to approve the March 10, 2020 City Council meeting minutes

ACTIVE AGENDA

2. Public Comments*
3. Discussion on the Annual Sanitary Sewer Report
Presenter: Trent Wilkins, Sanitary Sewer Superintendent
4. Discussion and/or action to consider an Ordinance amending Zoning Ordinance dealing with the Accessory Building Standards
Presenter: Rob Scott, Planning Director
 - a. Public Comments*
 - b. Discussion and/or action to consider an Ordinance amending the Zoning Ordinance of North Ogden City to adjust the setback standards for accessory buildings in residential zones
5. Discussion and/or action to consider the Recycling and Garbage Services
Presenter: Evan Nelson, Finance Director
6. Discussion and/or action regarding Cherry Days and Aquatic Center schedule for summer 2020
Presenter: Tiffany Staheli, Parks & Recreation Director
7. Discussion on the Fiscal Year Budget 2021
Presenter: Evan Nelson, Finance Director
 - a. Public Comments*
 - b. Budget Discussion
 1. Culinary Water/Storm Water/Solid Waste/Utility Rates, and Transportation Funds
8. Discussion and/or action to consider a contract with Family Promise
Presenter: Jon Call, City Administrator/Attorney
9. Public Comments*
10. Council/Mayor/Staff Comments
11. Adjournment

****Please see notes regarding Public Comments rules and procedure***

The Council at its discretion may rearrange the order of any item(s) on the agenda. Final action may be taken on any item on the agenda. In compliance with the American with Disabilities Act, needing special accommodation (including auxiliary communicative aids and service) during the meeting should notify Annette Spendlove, City Recorder at 782-7211 at least 48 hours prior to the meeting. In accordance with State Statute, City Ordinance, and Council Policy, one or more Council Members may be connected via speakerphone or may by two-thirds vote to go into a closed meeting

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the North Ogden City limits on this 24th day of April, 2020 at North Ogden City Hall, on the City Hall Notice Board, on the Utah State Public Notice Website, at <http://www.northogdencity.com>, and faxed to the Standard Examiner. The 2020 meeting schedule was also provided to the Standard Examiner on December 22, 2019. S. Annette Spendlove, MMC, City Recorder

Public Comments/Questions

- a. Time is made available for anyone in the audience to address the Council and/or Mayor concerning matters pertaining to City business.
- b. When a member of the audience addresses the Mayor and/or Council, he or she will come to the podium and state his or her name and address.
- c. Citizens will be asked to limit their remarks/questions to five (5) minutes each.
- d. The Mayor shall have discretion as to who will respond to a comment/question.
- e. In all cases the criteria for response will be that comments/questions must be pertinent to City business, that there are no argumentative questions and no personal attacks.
- f. Some comments/questions may have to wait for a response until the next Regular Council Meeting.
- g. The Mayor will inform a citizen when he or she has used the allotted time.

**NORTH OGDEN CITY COUNCIL
MEETING MINUTES**

March 10, 2020

The North Ogden City Council convened in an open meeting on March 10, 2020 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 March 5, 2020. Notice of the annual meeting schedule was published in the Standard-Examiner on December 22, 2019.

PRESENT:	S. Neal Berube	Mayor	
	Ryan Barker	Council Member	
	Blake Cevering	Council Member	
	Charlotte Ekstrom	Council Member	
	Cheryl Stoker	Council Member	
	Phillip Swanson	Council Member	
STAFF PRESENT:	Jon Call	City Manager/Attorney	
	Annette Spendlove	City Recorder	
	Lorin Gardner	City Engineer	
	Rob Scott	Planning Director	
	Brandon Bell	Associate Planner	
	Dirk Quinney	Chief of Police	
	Tiffany Staheli	Parks & Recreation Director	
	Dave Espinoza	Public Works Director	
	Evan Nelson	Finance Director	
	Jami Jones	Treasurer	
	Laura Barker	Court Clerk	
	Jeremy Hindes	Lieutenant	
	Paul Rhoades	Detective	
Anthony Bersamin	Sergeant		
Clark Crowther	Lieutenant		
VISITORS:	Rod Carney	Tera Carney	John Hansen
	Julie Martindale	William Martindale	Chaz Schlange
	Geneva Blanchard	Jim Child	Scott Holmes
	Kevin Burns	Brett Hamblin	Seth Schvaneveldt
	Bill Hart	Julee Smith	Stefanie Casey
	Jay Johnsen	Karmen Sanone	Lynn Satterthwaite
	Elaine Smith	Kim Christensen	Meg Sanders
	Graylin Bartley	Chad Roylance	Jamie Rasmussen
	Scott Shay	Michelle Scadden	Rick Scadden

Mayor Berube called the meeting to order. Graylin Bartley offered a thought and led the audience in the Pledge of Allegiance.

CONSENT AGENDA

1. **DISCUSSION AND/OR ACTION TO CONSIDER JANUARY 14, 2020 CITY COUNCIL MEETING MINUTES**
2. **DISCUSSION AND/OR ACTION TO CONSIDER JANUARY 28, 2020 CITY COUNCIL MEETING MINUTES**

Mayor Berube noted a correction is needed to Jed Musgrave’s comments in the January 14, 2020 minutes; there is a typographical error referencing a time measurement rather than a distance measurement and the word ‘years’ should be changed to ‘yards’.

Council Member Swanson motioned to approve January 14, 2020, with discussed change, and January 28, 2020 City Council meeting minutes as presented. Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Ekstrom	aye
Council Member Stoker	aye
Council Member Swanson	aye

The motion passed unanimously.

ACTIVE AGENDA

3. PUBLIC COMMENTS

Julie Smith, 835 E. 3350 N., stated there is a group of concerned parents, school personnel, and court officers that are very concerned about human trafficking in North Ogden and the entire State of Utah. Two laws were recently passed by the Utah State Legislature and Attorney General Sean Reyes is very concerned about this issue as well. Two students at Weber High School were recently recruited into trafficking and they were almost lost. The group of parents want to work with school officials to enforce laws and prevent greater losses. It is hard for residents in this country to wrap their minds around what human slavery actually is, but human trafficking is becoming as common – if not more so – than drug trafficking because it is so lucrative. She is asking for the North Ogden City Council support and the support of other community members in educating parents about what can happen to their children.

Mayor Berube asked Ms. Smith to take some time to document her request for support from the North Ogden City Council. Ms. Smith stated she would love to present more information to the Mayor and Council in the future.

4. **DISCUSSION ON A NEW PUBLIC SAFETY BUILDING**

Police Chief Quinney reported the City's current Public Safety Building was constructed in 1962 and it is outdated. Police Officers are asked to do a difficult job, but they do it proudly every day for the community they love. It is up to the City to provide them with a facility and the resources they need to do that job. He then introduced Jim Child and Scott Holmes of JRCA Architects to provide the Council with more information about this project.

Mr. Child indicated JRCA Architects was hired to perform a needs assessment for a new Public Safety building in the City of North Ogden. He used the aid of a PowerPoint presentation to discuss that assessment. The current concerns were identified relative to the existing Public Safety building:

- Lack of ballistic security at Records and Clerks Service Counter.
- The close adjacency for the Police Records Service Window and the Courts Service Window is a problem for public perception.
- Conflicting circulation paths between victim/witness clients, detainees, staff, and secure operations creates a safety issue.
- Lack of views to the outside and a high number of interior offices creates a poor working environment.
- Undersized and combined front office workspace for Police and Court Clerks, Code Enforcement, and Animal Control create a difficult work environment.
- The current patrol and staff parking area is not secured.
- Additional enclosed storage space is needed for Bulk Evidence, ATV Storage, Bicycle Storage, and a Vehicle Exam Bay.

The existing facility has exceeded its life expectancy and is operationally insufficient. It is out of compliance with building codes and accessibility requirements and contains dated building infrastructure (HVAC, Electrical, Plumbing, Energy Consumption). There are safety issues for the public, staff and detainees. Additionally, the City must consider the Justice Court's compliance with State Judicial requirements. The goals of this project include:

- Reinforcing the Daily Activities of Each Officer;
- Convey a Positive Public Image;
- Provide Clear Separation of Public and Secure Areas;
- Support a Clear and Secure Chain of Evidence;
- Help to Ensure the Safety of the Public, Staff, Officers, and Detainees;

- Provide Flexibility to Accommodate Changing Services, Programs, and Technology; and
- Reinforce the Community's Planning Goals.

He then reviewed a chart illustrating the scoring criteria used to develop the current space summary and needs analysis. JRCA has determined the City needs a facility that is approximately 22,600 square feet as well as a 2,400 square foot ancillary building that can handle storage needs of the City; this was based upon staff interviews and work with the Public Safety Committee after touring several upgraded Public Safety facilities in other communities to determine what components should be included in North Ogden's facility. The Committee desired a common/shared space that can be utilized for public meetings as well as the City's Justice Court space.

Mr. Holmes then noted the Committee considered various sites for a new Public Safety facility; they found the existing Public Works site would be adequate to accommodate a new Public Safety facility, but there are some access issues. Separation of the Public Safety and Public Works facility would limit site opportunities. The current Public Safety campus is known to the public and would provide the City the opportunity to maintain continuity with public interface. Priorities for the selected site include access to arterial roadways, secure access/site, and minimal impact on surrounding properties. He presented a conceptual site plan that identifies the current campus as the viable site for the upgraded Public Safety facility; expansion of the current facility on this site would require acquisition of an adjacent property, but there are opportunities for providing adequate parking space, securing access to the site, and maintaining the current community garden land use nearby. He discussed the project budget; land acquisition and demolition costs total \$360,000; the site preparation and building construction costs total \$10 million; and equipping the facility would cost approximately \$425,000. Including a contingency/inflation line item of \$800,000, the total budget would be \$11,585,000. He compared this budget with the budgets for both the Pleasant Grove Justice Center and the Tooele Justice Center, which were built in 2018 and 2019, respectively. The Pleasant Grove facility total costs were \$10,571,000 and the Toole facility total costs were \$9,950,000. Property acquisition was not needed for these two facilities.

Council Member Ekstrom asked if the Pleasant Grove and Tooele facilities include separate storage facilities that were part of their total budget. Mr. Child stated that Tooele does have a separate storage facility, but Pleasant Grove's storage facility is attached to their main building; both were included in their project budget.

Council Member Stoker stated that she attended some of the Public Safety Committee meetings and can attest to the amount of time and effort the Committee spent to evaluate the City's needs and tour other facilities to determine what components should be included in North Ogden's facility. It is her personal opinion that it is best for the City to rely upon public safety professionals to determine the needs of the City's facility and

design that facility based upon that analysis. She supports the plan they developed and she supports the City's Police Department.

Council Member Swanson stated he has been at the City's Public Safety facility several times and has felt it was adequate, but when he participated in the tours of other cities' facilities, it became glaringly obvious to him what the City's facility is lacking. He thought of a person who was recently arrested in North Ogden who was accused of doing terrible things; he was dangerous and the thought of the City's Police Officers trying to handle him at the current Public Safety facility was scary to him.

Mayor Berube stated he agrees with all that has been said and added that it is important to consider the need to build a facility that is responsive to the growth the City has seen and will continue to see over the next several years. As the City's population grows, the City's Police force should grow as well and the current facility cannot accommodate that growth. Chief Quinney has emphasized the need to be proactive rather than reactive and he agrees with that. The project will be costly and now is the time to consider how to fund that cost; he would recommend consideration of a bond – possibly one that could be voted on by the citizens. A bond will likely result in a tax increase and no resident wants that, but he is committed to being transparent throughout the process of considering how to proceed with this project.

Council Member Ekstrom asked where the Police Department will be housed if the choice is made to construct the new facility on the current building's site. Chief Quinney stated those are details that are yet to work out; it may be necessary to consider renting a building for the construction phase of the project, but he would prefer to leave the current building standing while the new one is built to house the Department.

Mayor Berube then invited any resident of the community to tour the current facility to gain a greater understanding of the reason that this new facility is needed.

City Manager/Attorney Call noted that he is not a proponent of tax increases, but if the Council is considering a bond, now is the time to proceed with issuing one because bond rates are very favorable right now. He then noted that a commercial building is typically good for 50 years and the City's Public Safety is older than 50 years; there have been two additions to the building since it was constructed, but that does not mean that it should outlast typical building usage models. He then noted the Public Safety Committee communicated their desire to be involved in the public outreach process in the community in order to get information out to residents regarding the need for this project. He noted the project is in its very early stages. Mayor Berube agreed and noted that the City is examining the bonding process and will solicit information from bond counsel about the costs associated with proceeding in that manner.

5. DISCUSSION ON FISCAL YEAR 2020 SALARIES

City Manager/Attorney Call reported one matter to be considered in the upcoming budget development process includes Fiscal Year (FY) 2021 salaries for City employees; budget discussions will be held during City Council meetings for the next few months. He discussed the history of employee salaries, dating back to the time that pay increases were suspended for two years during the 2008-2010 recession. Pay increases were again implemented to cover cost of living increases and to provide a merit increase and in 2013 the City organized an employee compensation committee that studied how City salaries compare with other cities and even private sector companies. Some of the recommendations of the committee were implemented and pay practices have evolved since that time. Last year, the City Council approved a plan that allowed for the City to 'catch-up' employees who were well below the market pay for their position. He then noted that City Administration is very interested in ensuring that City salaries are competitive so that the City can attract and retain quality employees. He discussed various compensation philosophies and indicated that staff needs direction from the Council about which philosophy should be relied upon in order to proceed with formulating a detailed compensation proposal for the next FY. He focused briefly on salaries for public safety employees, noting that is one area that has been very difficult for many cities because some cities are paying much higher wages that smaller cities cannot compete with; a Police Officer will start his or her career with a smaller city only to move to a larger city to more pay. This costs North Ogden a great deal of money that is spent on onboarding for those employees. He noted the City does not have a clear policy on how to determine salaries and compensation increases from year to year and the goal of this discussion is to give guidance on how to proceed and possibly draft a written policy that will allow some flexibility for the City to adapt to changes in the market place while providing guidance for Administration from year to year.

Mayor Berube noted that his professional background is in private enterprise, but it is his believe that whether someone holds a public sector or private sector position, they deserve to be properly compensated for the job they perform. It is his proposal that City employees be paid market rates, which can be determined by surveying the marketplace and paying at the 50th percentile of those surveyed averages. He indicated Mr. Call has provided to him a report that details the amount employees are currently being paid and how those rates compare to the market rate. He stated after moving each employee to their market rate, he would propose to give each Department Head a sum of money to be allocated to their employees for cost of living adjustments. He then noted the main difference between public and private sector compensation is that the public sector typically considers pay increases based upon longevity while the private sector pays based upon performance and an employee's contribution to the goals of the entity. North Ogden City has historically paid based upon their term of employment, but he would propose allowing Department Heads to pay higher performers a rate higher than the market rate of pay. He does not want to hurt the morale of the team, but he feels this is a program that would incentivize improved performance while fairly compensating all employees. He stated that his proposal to pay all employees at their market rate, plus allocating funding for cost of living adjustments, would cost the City just under \$270,000; this amount includes benefit costs. He invited Council input on this matter.

Council Member Barker stated that he made it very clear last year that employee salaries and benefits are his highest priority. Increasing wages, especially for public safety employees, will lower the City's costs of training as that cost is directly tied to turnover rates. He would support salaries being higher than the 50th percentile of market rates. Council Member Ekstrom agreed and added that she would like to offer employees compensation rates that would allow them to live in North Ogden. Mayor Berube stated he is willing to entertain those concepts, but added that while it is important to be fair to employees, the City must also be fair to its citizens. He feels that much discussion is necessary to reach a compromise and balance between those two. There are several dire funding needs of the City and the Council will need to weigh those appropriately.

Mayor Berube invited any Department Head present to provide their input regarding this matter.

Parks and Recreation Director Staheli stated that her only concern about the idea of paying strictly based upon performance with no credit for longevity is that employees that have worked for the City for many years may be disheartened when a new employee is hired at an equivalent position for the same market pay. There is something to be said for on-the-job experience and she would like for her employees to receive credit for that.

Police Chief Quinney stated in his working life, he has worked in just two fields: public safety and in the restaurant business. In both of those industries, experience and time on the job is invaluable. The amount of supervision needed for a one- or two-year officer is at least ten times that for a five- or six-year officer. Police officers never see the same thing twice and they are always learning and getting better; there is a liability component of the job and time on the job helps officers to evaluate that liability. He stated for that reason, time on the job is very valuable to him and he hopes that is taken into consideration.

Council Member Swanson stated he agrees that the City needs a hybrid-type of policy that will allow the City to attract and retain quality employees; it should be possible to recognize and compensate for tenure, but to also pay for performance.

Council Member Cevering asked if the City has job descriptions for each employment position that include key performance indicators for each position. Mr. Call answered yes. Council Member Cevering stated that cost of living pay is important, but so too is merit pay.

Council Member Stoker stated that the City has given Department Heads the ability to pay based upon merit and not just longevity; everyone likes to be recognized for their performance and the value they bring to the City.

Council Member Ekstrom stated she likes the idea of a hybrid approach that will give Department Heads some flexibility to give employees pay increases based upon great

performance. She added other programs could also be implemented that communicate the City's appreciation for its employees. Acknowledgement of an employee's contribution can greatly improve employee morale. Mayor Berube agreed, but added that before additional recognition programs can be successful, the City must first compensate its employees in-line with the market. He then noted that one thing that makes compensation difficult for the City is that all government employee salaries are public; it is easy for City employees to learn what their counterparts in other cities are earning. This can be very harmful to morale or can increase turnover. If an employee is a high performer and making great contributions to the City, they should be eligible for an increase as a result rather than only being paid for tenure. He supports a program that provides for a hybrid of performance and longevity pay to address both viewpoints.

Council Member Barker stated he supports the work that needs to be done to find adequate funding to cover the costs of improving compensation policies. Mayor Berube agreed; this should be a top priority for the City, but it is important for all Council Members and the residents to understand that expenses are paid for with revenues received by the City.

6. **DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE REZONING PROPERTY LOCATED AT APPROXIMATELY 175 EAST ELBERTA DRIVE FROM SUBURBAN RESIDENTIAL RE-20 TO SINGLE FAMILY R-12**

A staff memo from Planning Director Scott explained when the City is considering a legislative matter, the Planning Commission acts 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 City Council reviewed the Planning Commission recommendation regarding ZTA 2019-05 on January 14, 2020. The City Council tabled action on this application until information can be researched regarding snow removal, water run-off, and a traffic study could be performed.

Snow removal for this project will be handled as in other parts of the city. The storm drainage will be analyzed and requirements made to meet the city standards as part of the subdivision review process. Staff is recommending that a stub street to the west be included for connectivity. This will also impact at least one lot.

The applicant has conducted a traffic analysis that addresses three aspects of traffic on Lomond View and Elberta Drives.

The three analyses address traffic projections, trip generation, site distance evaluation, and clear zone evaluation. The consultant's summary is below:

- Based on observed data counts, a 19-unit subdivision would not significantly impact traffic volumes on adjacent roads.
- The proposed subdivision entrances meet or exceed site distance requirements as established in the Geometric Design of Highways & Streets, 2018.
- Clear zone along Lomond Drive can be mitigated for utility poles within the 7 – 10-foot recommendation by applying 2-in reflective striping as indicated in the geometric evaluation section.

A second area of concern was the number and size of lots for the proposed subdivision. A revised preliminary plat shows a reduction of 2 lots for a total of 19. With the lot reduction there is also a corresponding adjustment to the average lot sizes. A table has been prepared showing the lot sizes for the proposal. (See Exhibit B) The average lot size for the 19 lots is 14,236 square feet. The smallest lot is 12,500 square feet with the largest being 22,040 square feet. The previous plan had several 10,000 square foot lots.

The memo offered the following summary of potential City Council considerations:

- Is the proposal consistent with the General Plan?
- How does the proposal relate to the Zoning and Land Use Policy guidelines?
- Does the revised plan address the City Council's concerns?

The memo concluded the Planning Commission voted in a 6 to 1 vote to recommend that the City Council deny this rezoning request, because (as was stated in the motion) they viewed RE-20 is the appropriate zoning at this time. The City Council should consider the guidelines from the General Plan above, and determine if the proposed rezone from Suburban Residential RE-20 zone to the Single-Family Residential R-1-10 zone is appropriate for this property.

Mr. Scott reviewed his staff memo.

a. Public Comments

John Hansen, 1165 W. 4000 N., Pleasant View, stated that after the public comment period, he would like for the Council to hear from the traffic engineer regarding the traffic study for the project.

Scott Shay, CRS Engineers, stated that he performed the traffic study for the project, which evaluated traffic capacity and safety of Elberta Drive and Lomond View Drive. Concerns related to capacity are typically evaluated during the highest traffic peak hours and the traffic study found the peak hour for this area was between 4:15 and 5:15 p.m.; the capacity of Elberta Drive is currently being used at 29 percent of total capacity. The addition of the proposed subdivision will only increase that amount by 9.6 percent. This does not raise concern for him about traffic capacity. The increase of traffic on Lomond

View Drive is immeasurable based upon the General Highway Capacity Manual; the increase would be so low that it would be imperceptible to someone that the proposed development has occurred. Relative to safety, concerns regarding sight distance have been expressed. The sight distance is measured sitting in a vehicle as a driver approximately 3.5 feet off the road; in order to make a decision to pull out into traffic, either left or right, the drive must be able to see an object that is 3.5 feet tall. This is different from stopping sight distance. Looking from Elberta Drive, the sight distance in both directions was great at 500 feet based upon the speed of the roadway. On Lomond View, at 30 miles per hour, the sight distance is reduced to 300 feet; looking east, a driver could see a 3.5-foot-tall item at 350 feet distance. He stated he has concluded there is adequate sight distance for vehicles pulling out of the subdivision onto both roads. He then addressed the width of Lomond View Drive; at less than 750 vehicles per day, vehicles need a clear zone of seven to 10 feet. There are currently some utility poles in the clear zone and that will remain the fact regardless of whether the proposed project is built. There is a recommendation to install reflective striping to highlight the poles during evening hours. He concluded he has no concerns about capacity or safety related to the proposed project.

Jamie Rasmussen, 383 E. Elberta Drive, stated she is opposed to the rezone petition and asked that the RE-20 zoning of the property remain intact. She owns the smallest lot in that area and she moved there because of the amount of open space. The whole street has had a lot of space. She has noticed that there are only a few RE-20 properties left in the City and those should be maintained for those who desire more land and space to build a nicer home for their families. She stated it should not be a concern for the City to provide affordable homes in this area; there are many older homes in the City that are affordable.

Council Member Cevering inquired as to the size of Ms. Rasmussen's lot. Ms. Rasmussen stated it is tiny; she moved here after raising her children on five acres. She could not find an acre or half-acre in North Ogden that was affordable, so she bought her childhood home and the fact that it is located at the end of the street provides a feeling of wide-open space.

Meg Sanders, 2950 N. 875 E., stated it is very impressive that the traffic study determined that everything was 'hunky dory' on Lomond View Drive; its almost as if a study was not needed. She wondered who paid for the study; she asked if the City or the developer paid for the study. Council Member Cevering stated developers are required to pay for those studies. Ms. Sanders stated that clarification is important; it is nice when someone wants something and can pay for a study to justify what they want. She then stated she is lucky enough to be a member of the City's General Plan Steering Committee; this group met two weeks ago and participated in an exercise allowing Committee members to communicate their thoughts about what zoning of different areas of the City should be and for this particular area, the Committee felt that RE-20 was most appropriate. She stated this is a Committee made up of a large group of City residents. During the meeting she sat next to the City's Planning Commission Chairman, Eric Thomas, with whom she does not always see eye to eye. She addressed the fact that he

voted to forward a positive recommendation to the City Council about this project and he told her that was not because he necessarily thought it was a good plan, but because it is not the Planning Commission's job to legislate. She stated it is the City Council's job to legislate and the Planning Commission understands that as well. She hopes the Council will listen to many North Ogden residents who have participated in several meetings and have spoken against the zone change. The RE-20 zone fits the General Plan and it is not appropriate to change the zone so that a developer can benefit financially.

Karmen Sanone, 114 E. Pleasant View Drive, stated she thought that the traffic study would be performed by an unbiased party. She did not think it would be commissioned and paid for by the developer. A couple of other issues she is concerned about include snow removal; there are already problems with snow removal and her driveway was plowed in three times this winter. This results in the storm drain becoming plugged and her driveway flooding. She added there are no shoulders on the south side of Lomond View Drive and in some areas there are seven to 10-foot drop offs from the road. The only thing that could be construed as a shoulder is her actual driveway to her property and if the snow is placed there, the sight distance at the intersection will be obstructed. She would like to hear more information about how snow removal will be handled. She is very disappointed in the manner in which the traffic study was commissioned; she was hoping for a bit more direction about how concerns which have been raised by residents would be addressed.

Public Works Director Espinoza responded to Ms. Sanone's comments about snow removal; larger trucks will be used to remove snow from the roadways so they will not pile the snow anywhere. Ms. Sanone stated there is nowhere to 'wrap' the snow to. Mr. Espinoza stated it will be pushed along Lomond View Drive or Elberta Drive. Ms. Sanone stated there is no way to push it onto Lomond View Drive without pushing it onto her fences or blocking the line of sight; there is no shoulder to push it onto. Mr. Espinoza provided an explanation of snow removal practices, indicating that the snow does not need to be piled somewhere. Rather, it is dragged along the road and eventually wrapped around another intersection/road. He added that the storm drain system will be improved in conjunction with this project; the developer will be required to ensure that storm water associated with this project is kept on the property or in facilities designed for that purpose. Ms. Sanone stated that she wants to make sure that her property is not damaged as a result of the project; if that ends up being the case, she will be back to complain as she has had several problems with the City in the past. She then addressed the ordinance before the Council for consideration and noted that it indicates that the R-1-10 zone will be extended to the south of the subject property; she asked if the City intends to rezone the property to the south for R-1-10 development. Mr. Scott answered no and stated the zone change is specific to the proposed project area. Ms. Sanone stated the ordinance indicates the zoning will be extended to the parcel south of Lomond View Drive. Mr. Scott stated he will examine that language; each ordinance typically includes an exhibit to identify the property being rezoned. Mr. Call stated that the ordinance indicates the zone is being extended on Lomond View Drive to the south of the parcel being rezoned. Mr. Call stated that he interprets that to mean the zoning will extend to the southern

boundary of the property. Ms. Sanone stated she would like that clarified because that would be her property and she has not requested a zone change; additionally, her property is unincorporated and no one has approached her about changing the zoning of her property.

Michelle Scadden, 118 E. Lomond View Drive, stated her property is the one-acre parcel on the west side of the subject property and units will be built all along her driveway. She encouraged the Council to personally visit Lomond View Drive and sit on the side of the roadway for about a half-hour before voting on this item. She stated that Lomond View Drive cannot handle additional cars; it is a one-lane road and it can be very difficult to turn onto the road from her driveway because of limited sight distance. The entrance to the subdivision is located very near her access to Lomond View Drive and the people in the subdivision will use Lomond View Drive rather than Elberta Drive. She concluded she is unsure why there is a need to rezone the land; it could be developed according to the regulations for the RE-20 zone, which would still be a drastic change for the area. She asked the Council to follow the General Plan and not approve the zone change.

Kim Christensen, 2428 N. Barker Parkway, stated that there is a great deal of high school traffic in this area; before school, after school, and during the lunch hour traffic in this area is horrific. Students leave the high school to go to Lee's Marketplace and Smith's Marketplace. They take any route that will get them there the fastest and this includes roads around the subject property. She does not agree with the traffic engineer's assessment that there should be no traffic concerns associated with this project; she believes there will be rising concerns. There are not many places left in the community that are open and available for development of bigger lots. The City needs more areas like that as people long for open spaces. She asked why it is necessary to destroy someone else's peace based upon the roads not being at capacity yet. It is concerning to her that capacity is the basis of decisions made by the Council and it would be fine to let the property remain as it is so it can be enjoyed by the people that already live nearby.

Mayor Berube invited a response from Mr. Hansen.

Mr. Hansen stated he is very sorry that people are offended and that people consider him to be the enemy. However, it is offensive to Scott Shay, who has a PhD and teaches at the University of Utah, to disregard his study. He acknowledged that he paid for the traffic study, but that does not mean that he could have predicted the outcome of that study. To suggest that Mr. Hansen could have paid for the outcome he desired is very offensive to Mr. Shay. He then stated that the property is unique; it is oblong and it is difficult to lay it out in a project consisting of half-acre parcels. Required frontage for half-acre lots would be 180 feet and the landowner would only be able to create eight lots. The General Plan calls for lots that range in size from 5,000 square feet to half-acre in size. He initially developed lots that were 10,000 square feet in size and after hearing the concerns of the community, he amended his plan to create 14,236 square foot average size lots. There are only two lots that are 12,500 square feet. There will be a retention basin on parcel A and that would provide an open feeling for nearby residents. Lot number one is 22,000 square

feet, which should also provide a feeling of openness. The lot on Elberta Drive is 17,508 square feet. An average lot size of 14,236 is a large lot size. He has looked at other subdivisions that have been approved in North Ogden based on minimum lot size, but those subdivisions only have a few lots that are actually the size of the minimum lot size; most lots exceed the minimum size requirements. He stated the Taggart family has a right to develop their property; if nearby residents like the current view, they should buy the property as it is for sale and he would be happy to sell it. If they cannot buy the property, they should not try to hold up the sale of the property to defeat this project. There are projections that the City's population will double and those people will need places to live; if housing projects are defeated in order to preserve open space, that does not mean that people will stop moving here. He stated that he is not creating low quality housing, but he wants to provide houses for families that want to move here. Just because a property has not been developed yet, does not mean that it should not be developed. All of the people who live behind his home are living in what used to be large open fields, but the developers and the City worked together to build a community. He indicated the zone he has requested and the project he has designed is not even close to being high density; high density is 10 to 20 units per acre and that is not what he is proposing here. He stated that he is not infringing on anyone's property rights and people that moved next to a large field should have known that it would not be that way forever. He asked everyone to think of where they live currently and how it used to be in the past; everything changes because of growth and he has always tried to build a first-class product to leave a great legacy in this City.

There were no further public comments.

b. Discussion and/or action to consider an Ordinance rezoning property located at approximately 175 East Elberta Drive from RE-20 to Single Family Residential R-12.

Council Member Ekstrom stated that she thinks the area will be a beautiful place to live; the lots are a great size and the location is convenient. She stated the City needs to work to solve problems rather than take the position of keeping more people out of the community. There is a supply and demand issue and if supply is restricted, prices will only continue to skyrocket so that future generations cannot afford to live here. North Ogden is a community with a lot of kids who will need places to live in the future and this project is a great idea. She moved away from North Ogden and when she came back she was grateful to find development that provided her a place to live. She stated that the current zoning of the property is RE-20, which would have provided for 10 homes; the developer is proposing a project that will have 19 homes. The property will be developed eventually and the residents will have new neighbors and she feels the project that has been designed is good and the lots are well proportioned. She feels the applicant responded to the comments made by the concerned residents and adjusted his plan in a great way. She is at a loss as to why the Planning Commission voted against it.

Council Member Barker also wondered why the Planning Commission recommended denial; he asked if it would be inappropriate to refer the application back to them and ask them to consider the R-1-12.5 zone. Mayor Berube stated he spoke with some of the Commissioners about their vote. Chairman Thomas indicated to him that he voted in opposition to the R-1-10 zone because he wanted the Council to have options. He stated the Council can refer the item back to the Commission again, but he does not feel that would add much value to the discussion.

Council Member Stoker stated that she drove through a neighborhood in Salt Lake City recently that was a country road with larger lots on both sides. She noted she lives on a corner lot on Mountain Road and since the recent reconfiguration of the intersection where she lives, the road feels like a freeway to her. She has had many vehicles enter her property due to traveling at too high a rate of speed or being careless when approaching the stop sign. She can sympathize with the residents' concerns about changes in traffic patterns and how that impacts one's way of life. She is of the opinion that it is not necessary to approve smaller lots all throughout the City and she is not currently in favor of changing the zoning to allow smaller lots.

Council Member Swanson stated that in his review of the plat, he feels that what Mr. Hansen has proposed is a reasonable compromise; the Council must be careful not to impact a property owner's right to develop their land by placing untenable restrictions on the development.

Council Member Cevering stated that he is torn on this issue; he would like to maintain the RE-20 zoning designation, but if the property is developed under that zoning classification, there will still be a road providing a connection between Elberta Drive and Lomond View Drive. There is such a great deal of focus on preserving constitutional rights in today's society, but if the City does not allow a landowner to develop his property, the City will essentially be taking away his constitutional rights. It is easy for him to support development because he lives in a newer area of the City that was developed 15 to 20 years ago; he was raised in North Ogden and has seen it change from a community of 3,000 to a City of 21,000 people. The fundamental principle that he is focused on is the constitutional right to develop property. He cannot support taking away Mr. Taggart's right to develop his property and use it how he desires.

Mayor Berube stated he has personally visited the subject property and the surrounding area and in his mind this is not a question of whether the property will be developed because it will ultimately be developed. He has reviewed the plat and he feels that if the Council chooses to support the current application, this is the best layout the City can hope to get. The City cannot and should not stop growth; rather, it is necessary to manage growth in a responsible manner. He added that everyone is entitled to their own opinion and it is important to respect differing opinions. He concluded he feels that the options before the City are RE-20 or R-1-12.5 and he feels that the layout that has been proposed by Mr. Hansen is the best the City will get under the R-1-12.5 zone.

Mr. Call referenced Ms. Sanone's comments about whether the zone will extend past the subject property and he asked Mr. Scott for his input on that matter. Mr. Scott stated that it would be appropriate for the exhibit to reflect the extension of the zoning designation to the middle of both Lomond View and Elberta Drives; he can create a new exhibit clearly identifying that. Mr. Call stated that he has amended the ordinance to reflect the same and to clarify that no other property is included in the rezone request.

Council Member Ekstrom motioned to approve Ordinance 2020-03 rezoning property located at approximately 175 East Elberta Drive from Suburban Residential RE-20 to Single Family Residential R-12. Council Member Swanson seconded the motion.

Voting on the motion:

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

The motion passed 4-1.

Mr. Scott noted the next step in this project is for Mr. Hansen to present a subdivision application to the Planning Commission for their review and consideration.

7. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE REZONING PROPERTY LOCATED AT APPROXIMATELY 1625 NORTH 425 EAST FROM COMMERCIAL C-2 TO MULTI-FAMILY RESIENTIAL R-4

A staff memo from Planning Director Scott 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.

BACKGROUND

The applicant is requesting a zone change for the property located at approximately 1625 North 425 East from Commercial C-2 to Multi-Family Residential R-4. (See Exhibit A, C, & D)

The Planning Commission conducted a public hearing on February 19, 2020. Several comments were made at the public hearing. See Exhibit E for the attached minutes.

This property was rezoned on May 14, 2019 from Suburban Residential (RE-20) to Commercial (C-2). The project was not completed.

This proposal is to construct 8 (2 4-plex) owner-occupied townhomes. The property is approximately 42,253 square feet. The eight units require a lot size of a minimum of 36,000 square feet. The applicant has submitted concurrent subdivision and site plan applications. The Planning Commission approved preliminary approval of the subdivision and a conditional use permit for this project subject to this rezone being approved.

The proposed density is 8 units on .97 acres or 8.2 dwelling units per acre. The project is a one-lot subdivision. A condominium plat will be processed to allow purchase of these units.

This property has a unique situation regarding the Hart Plaza parking lot. The Hart Plaza parking lot has approximately half of their existing parking on the applicant's property. A joint use agreement is proposed to continue to allow the Hart Plaza patrons to use this parking lot. It is also proposed that the required townhome parking and visitor parking requirement be partially satisfied with this parking. This was reviewed as part of the conditional use permit review. A copy of the joint use agreement is required for final subdivision approval.

CONFORMANCE WITH GENERAL PLAN

The General Plan map calls for this property to be developed as Southtown Mixed Use; the MPC zone is consistent with this designation. There is a note on the General Plan map stating, "Future Washington Boulevard Development should be commercial, office, or multifamily."

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 Mixed Use Multi Family designation calls for "development areas that combine residential, commercial and/or office uses. This area has a variety of uses commercial, office, and residential although not within a single project.

- 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 commercial and multi-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: 1625 North already serves both commercial and residential uses.
- 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 zone change is a single parcel, and the proposed boundaries would follow the boundaries of the existing property lines if adopted, with the addition that the new zone would extend to the center of 1625 North.

Residential Guidelines:

- Avoid isolating neighborhoods.
Staff Comment: The proposed zone change would not isolate neighborhoods, but further the mixed-use character of this neighborhood.
- Encourage appropriate management of higher density developments. This includes project size sufficient to warrant on site management and assurances of professional site and tenant management.
Staff Comment: The proposed zone would be in a medium density range.
- Require excellence in design.
Staff Comment: A future site plan review will be conducted for this project.
- Consider development agreements to assure higher quality development.
Staff Comment: No development agreement is proposed.

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

- Is the proposal consistent with the General Plan?
- How does the proposal relate to the Zoning and Land Use Policy guidelines?

The memo concluded the Planning Commission, on a five to zero vote, recommends approval of this rezone from Commercial C-2 to Multi-Family Residential R-4 zone. The Planning Commission found that this application is consistent with the General Plan and the Zoning and Policy Rezone Guidelines

Mr. Scott reviewed his staff memo and used the aid of a map to orient the Commission to the location of the subject property.

a. Public Comments

Chaz Schlange, 198 E. 3475 N., stated this property was rezoned last year to allow for construction of some commercial flex buildings on the site. It has been listed for sale for a few years and has not sold and he has decided to pursue a different use on the property.

Rick Scadden, 118 E. Lomond View Drive, stated he has had a hard time listening to property owner rights and constitutional rights. He feels that the proposed project is a good project and he supports it; however, he sees driveway configurations that would require vehicles to back out into a street and he has been told that is not allowed. While he thinks this is a good project, it is really hard for him to contain his feelings about the City's inconsistency on different types of land use applications.

Mr. Scott noted that 1625 E. is a private street and the City will not be involved in the maintenance of that street.

There were no additional public comments.

b. Discussion and/or action to consider an Ordinance rezoning property located at approximately 1625 North 425 East from Commercial C-2 to Multi-Family Residential R-4.

Council Member Ekstrom motioned to approve Ordinance 2020-04 to rezone property located at approximately 1625 North 425 East from Commercial C-2 to Multi-Family Residential R-4. Council Member Swanson seconded the motion.

Council Member Cevering asked Mr. Scott to respond to Mr. Scadden's comment about vehicles backing out onto a street. Mr. Scott stated that it is correct that driveways will back onto the street. Mr. Call added that the City's ordinance states that parking stalls should not back directly onto streets, but that does not apply to driveways. Additionally, the street is a private street as mentioned by Mr. Scott so the proposed layout is not a violation of City ordinance.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Ekstrom	aye
Council Member Stoker	aye
Council Member Swanson	aye

The motion passed unanimously.

8. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE TO AMEND ACCESSORY BUILDING STANDARDS

A staff memo from Planning Director Scott 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.

BACKGROUND

At the November 6, 2019 Planning Commission meeting a group of concerned citizens came before the Planning Commission with a concern regarding a large accessory building that was constructed at 1721 North 875 East.

The Planning Commission discussed potential amendments to the accessory building standards at their November 20, 2019 meeting. The Commission discussed the potential amendments with residents from the above-mentioned neighborhood.

Residents questioned whether or not the accessory building met all of the current standards. Staff further researched the building height and the circumstance behind this building permit and found that it was issued correctly based on the current ordinances.

The Planning Commission held further discussions on accessory building standards at the December 4 and 18, 2019 meetings. The Planning Commission conducted a further discussion on January 8, 2020 and requested that a public hearing be scheduled.

The Planning Commission conducted a public hearing on the amendment on February 19, 2020. (See Exhibit C)

ACCESSORY BUILDING OPTIONS

The issue of compatibility for accessory buildings is a legitimate concern. The Planning Commission addressed the standard differences between the RE-20 zone, large accessory building size standards, building materials, building height, buffering, and numbers of large accessory buildings per lot, and the relationship to Accessory Dwelling Units.

AMENDMENT SUMMARY

- **Overview.** There are different standards for accessory buildings in the RE-20 zone and the R-1 zones. Accessory buildings should be in scale with the home / main building, i.e., in building height, setbacks, and materials.
- **RE-20 Zone.** There is one change to the RE-20 zone; a reference is made to the Building Design and Materials section in 11-10-31.
- **R-1 Zones.** The site development standards for R-1 zones are modified:
 - The height maximum table is modified to reflect a 20-foot maximum height.
 - The scale reflects three height tiers. A range is shown for the 11 to 15-foot tier setback of 8 feet; an 80% of the main building height allowance is added.

- Building size provisions are shown limiting the size of an accessory building to half the size of the main building main floor plus 400 square feet and a maximum of 1,000 square feet.
- The building separation standard is moved.
- The maximum number of large accessory buildings is established with one per lot.
- A reference to the Building Design and Materials section in 11-10-31.
- **HP Zones.** Several standards are added in Section E:
 - A building separation standard is added.
 - The maximum number of large accessory buildings is established with one per lot.
 - A reference to the Building Design and Materials section in 11-10-31.
- **11-10-31 STANDARDS FOR ACCESSORY BUILDINGS IN RESIDENTIAL ZONES**
 - Section A Design and Materials is modified to incorporate the design and materials standards. Previously they were co-mingled with Section B Location and Size.
 - Metal accessory buildings less than 200 square feet are allowed in all residential zones. This is a location change from section B; the standard is not new.
 - A definition of architectural metal is included.
 - In R-1 zones accessory buildings larger than 200 square feet finished with metal siding are not allowed.
 - In R-1 accessory building materials are identified as horizontal siding, brick, stucco, wood, or similar material in the main building.
 - In RE-20 zones accessory buildings made of architectural metal are allowed.
 - R-1 zone standards for material integration, windows, buffering, and roof pitches are given.
 - All accessory buildings larger than 200 square feet are required to:
 - Integrated into the design of the residential building with a similar wall color
 - Roofing materials may be metal; and have a similar color to the main building
 - An eave is required with a minimum of 12 inches; aluminum fascia and soffits are allowed
 - Are required to have a window that occupy 5% of the façade (a window in the garage door may satisfy this standard).
 - Accessory buildings must have a buffer of either a fence or landscaping or a combination of the two
 - Roof pitches shall be a minimum of 4/12
 - Section B Location and Design. Modifications are made that remove and relocate the design related provisions to Section A.
 - Section C Height. No change.
 - Section D Prohibited Use. A provision clarifies that Accessory Dwelling Units

- are not considered accessory buildings.
- **11-10-34 O. 5. Accessory Dwelling Units, Development Standards for ADU's**
 - 5. Height standards are identified for attached and detached ADU's. Attached may be the same as the main building. Detached ADUs may be 25 feet.

CONFORMANCE WITH THE GENERAL PLAN

Housing Goals

Goal #1 – Increase Housing Quality and Variety

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

Strategies

- Proactively evaluate current ordinances and policies to determine whether there are obstacles that can be removed or modified to achieve the community's housing goals.
- Create design standards to improve the overall quality of North Ogden's housing.
- Work with homeowners, landlords, and renters to maintain and improve existing properties.

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

- Should the accessory building setbacks standards be modified to reflect an appropriate scale between accessory buildings and homes / main buildings?
- Is the amendment consistent with the General Plan?

The memo concluded the Planning Commission recommends on a 5-0 vote to adopt the amendment. The Planning Commission found that the amendment is consistent with the General Plan.

Mr. Scott reviewed his staff memo. He also used the aid of a PowerPoint presentation to provide photographs of the accessory building that spurred a group of residents' concerns about the City's accessory building standards; he focused on the relationship between the accessory building and the primary structure on the property as well as the surrounding properties and the smaller homes on those lots. The accessory building is overpowering and has obstructed all views of the neighboring properties. The Commission discussed this issue at length and determined it was appropriate to recommend adjusted standards for accessory building maximum size, height, and setbacks for the RE-20 zone and other residential zones. He then reviewed photos of other accessory buildings in the City to contrast differences between building heights for accessory buildings and primary structures. The Commission felt that creating different standards for the RE-20 zone compared to other residential zones in the City is appropriate; the varied standards are detailed in the staff report above.

a. Public Comments

Chad Roylance, 971 E. 3025 N., stated he feels the ordinance is somewhat intrusive as it tries to legislate the look of an accessory building; he can understand regulating size and setbacks, but telling someone how their building should look is not appropriate. The City needs to be careful not to take away the rights of homeowners and legislating the look of a building may lead to more non-compliance with the ordinance.

Tera Carney, 3255 N. 800 E., stated she and her husband bought property about a year ago at 2850 N. 800 E. to build a home and accessory building; she is concerned about some of the regulations included in the ordinance and she asked if the more restrictive standards will apply to her property. Mayor Berube inquired as to the zoning of the property, to which Mr. Scott answered R-1-8AG. Ms. Carney stated it is a 3.5-acre lot and she does not want to be held to conform with standards that are intended for smaller lot sizes. Mr. Scott agreed Ms. Carney has a point and he feels the City would consider a rezone for her property to RE-20 to allow them to build a larger accessory building as they desire. There was a brief discussion about the ratio of the accessory building size and the home size and Mr. Call stated that he is unsure that Ms. Carney's plans would be allowed in the RE-20 zone; the maximum size of an accessory building is one-half the size of the primary structure or 2,000 square feet. Ms. Carney stated that the accessory building would be 2,700 square feet and she asked if it is possible for her to seek an exception to the ordinance.

Mayor Berube stated that he is interested in hearing Council Member Cevering's opinion regarding the manner in which this ordinance impacts a property owner's rights as he feels that this ordinance is an example of government overreach. It is so detailed and regulates esthetics and he does not feel that is appropriate.

Ms. Carney then stated that the property that she purchased has received approval of development up to 13 lots; this means there could be 13 houses with 13 1,000 square foot accessory buildings, but she would not be allowed to build an accessory building that is 2,700 square feet.

Council Member Swanson stated that he has visited with the Carney's about their plans for their property; he considered how he would feel as a neighboring property owner. This included weighing whether he would prefer to have a large accessory building or six or seven homes with a 35-foot rear yard setback abutting his property. The Carney's are North Ogden residents who have chosen to purchase a large property and preserve some of the open space in the community that so many people are so upset about losing, but the City's ordinance could prevent them from doing what they want to do with their property.

Brett Hamblin, 963 Deer Meadows Drive, referenced the photos included in Mr. Scott's presentation; one of the buildings was very nice looking, but given its size and roof pitch, it may not comply with the recommended ordinance amendments.

b. Discussion and/or action to consider an Ordinance to amend accessory building standards.

Council Member Covering stated that many subdivisions are governed by covenants, conditions, and regulations (CCRs), which serve to regulate the construction of an accessory building. A property owner in this type of development must choose between the more strict of the two standards, whether that be the CCRs or the City ordinance. Relative to constitutional rights, property owners have the ability to dispose of their property as they choose, but the City has some policing power over property use. There are times when it is appropriate to set parameters that may be considered strict.

Council Member Ekstrom stated that she is concerned about the City's ability to enforce differing regulations for different zones throughout the City.

Council Member Barker stated he agrees with the concerns about government overreach; he also wished that neighboring property owners could be respectful of one another. He agrees that size should be regulated, but he is not sure the appearance of a building should be.

Council Member Stoker stated that it is impossible to create a 'one-size-fits-all' solution to a problem. It will be necessary to consider different regulations for different situations.

Mr. Scott recommended the Council take the time needed to thoroughly vet this ordinance; the Planning Commission spent five different meetings considering this recommendation and he would suggest not to vote tonight. The biggest concern the Planning Commission had was the location of prefab metal buildings in residential zones. He stated Section 11-10-31 should be reviewed in detail to determine what regulations are appropriate. He concluded the Council needs to be prepared to live with the results of the ordinance they create.

Mayor Berube asked how the Planning Commission came to settle on recommending a maximum accessory building size of 2,000 square feet for the RE-20 zone, which could include properties up to 10 acres in size. Mr. Scott stated it was related to maximum lot coverage in the RE-20 zone and ensuring preservation of required setbacks. Each lot has a maximum buildable area, which is typically no greater than 35 percent. He created a table that indicates the maximum buildable area in different zoning designations and he would be happy to share that with the Council for continued deliberation of the ordinance. There is rationale behind the relationship between the accessory building and the primary structure.

Mr. Call stated that the Planning Commission took on this matter after hearing complaints from neighbors about a large accessory building in their neighborhood. He noted that some Council Members will recall that this is an issue they have considered five times in about eight years. The recommendation before the Council tonight is the Commission's attempt to close loopholes in the ordinance.

Council Member Barker asked if there are regulations for AG zones in the City that may differ from the regulations for the RE-20 zone. Mr. Scott stated that there are not different size regulations for the different zones. The AG designation simply provides for the keeping of large animals.

Council Member Swanson asked if the Carney's could pour a large concrete slab on their property to park vehicles on. Mr. Scott stated that would still be governed by lot coverage standards.

Mayor Berube asked for a Council motion on the item before them tonight.

Council Member Swanson motioned to table the proposed ordinance item to amend accessory building standards. Council Member Ekstrom seconded the motion.

Mr. Call noted that a joint work session with the City Council and Planning Commission will be held in April and this may be a good topic of discussion for that meeting.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Ekstrom	aye
Council Member Stoker	aye
Council Member Swanson	aye

The motion passed unanimously.

Council Member Ekstrom asked if the Carney's can proceed with their plans based on the existing ordinance. Mr. Call stated that the current maximum accessory building size is 2,000 square feet; additionally, Utah Law provides for any land use action to be frozen while the amendments are being considered. Mr. Call added that the Carney's cannot build their accessory building until their home is built. Mayor Berube stated that if they cannot build their accessory building, they may choose not to build their home on the property.

9. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE TO CREATE LOW IMPACT DESIGN STANDARDS

A staff memo from City Engineer Gardner 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.

BACKGROUND

The State of Utah through the Department of Water Quality has established Low Impact Design (LID) Standards that all municipalities are required to adopt.

Lorin Gardner presented information on low impact design in several discussions with the Planning Commission. The Planning Commission conducted a public hearing on February 19, 2020. The meeting minutes are found in Exhibit D.

There are four components to this amendment:

- Chapter 10: Regulations Applicable to All Zones is proposed to add 2 subsections.
- 11-10-38 Street Standards. The first subsection contains a flexibility standard for road rights-of-way and pavement widths if a low impact design retention of storm water is approved by the City Engineer.
- 11-10-39 Low Impact Development (LID) Standards. This subsection contains the design standards to meet the LID requirements. The section identifies the relationship to the State Regulations, the allowance for design choices to meet the standards, the requirement to follow the State Regulations, and the Goals of LID.
- 11-7C-6: Street Standards. The R-1-5 zone standard for LID is being deleted and replaced by the above amendment.

The Public Works Standards and Technical Specifications for the City of North Ogden is being amended to add the Low Impact Design Standard Drawings.

CONFORMANCE WITH THE GENERAL PLAN

The North Ogden City General Plan contains an Environmental chapter.

Environmental Goals

Goal #1 – Protect sensitive lands within the existing and future City boundaries

Strategies:

- Continue to use the land use approach found in the Hillside Protection zones to incentivize developers to avoid sensitive lands.
- Reduce and avoid impacts on sensitive lands. Sensitive lands include: wetlands, riparian corridors, steep slopes, land slide runway areas, avalanche paths, and others.
- Create and reinforce use of rigorous disclosure statements for all property and home sales so buyers are aware of potential dangers. Add these to the Hillside Protection chapters of the Zoning Ordinance.

Goal #2 – Protect the water quality of existing wetlands, springs, streams, ponds, and aquifers.

- Foster, encourage, create and reward “green” behavior and initiatives.

SUMMARY OF LAND USE AUTHORITY CONSIDERATIONS

- Should the low impact design standards be updated?
- Should these standards apply to the entire city?
- Is the amendment consistent with the General Plan?

The memo concluded the Planning Commission on a 5 – 0 vote recommends adoption of this amendment. The Planning Commission found that the amendment is consistent with the General Plan.

Mr. Gardner reviewed his memo and referred to the Technical Specifications document, which will be relied upon by project engineers to determine the documentation they must provide as analysis of the LID measures for a specific project.

Council Member Ekstrom asked for examples of the options developers can choose from for retention of water. Mr. Gardner stated that each development must include a storm water detention basin; the basin could be deepened to handle retention, use an infiltration trench, and create a rain garden that will allow collected rainwater to water landscaped area. The goal is to keep more water on-site rather than allowing all of it to runoff.

a. Public Comments

There were no public comments.

b. Discussion and/or action to consider an Ordinance to create Low Impact Design Standards.

Council Member Cevering motioned to approve Ordinance 2020-05 to create Low Impact Design Standards. Council Member Barker seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Ekstrom	aye
Council Member Stoker	aye
Council Member Swanson	aye

The motion passed unanimously.

10. DISCUSSION ON RECYCLING PROGRAM

Mr. Call stated that recycling costs have increased to \$84 per ton. This is compared to \$41 per ton for regular landfill waste. He needs to know what information the Council would like in order to facilitate meaningful discussion on this issue in future meetings.

Mayor Berube stated that the Council needs to understand all options related to recycling and he and Administrative staff can work to provide that.

Council Member Swanson stated that he has watched some documentaries on recycling recently; many recycled materials are being shipped to other countries, namely Malaysia, and they are not being reused.

Mayor Berube stated that it will be necessary to make a decision regarding the future of the City's recycling program and it is possible that can take place in a meeting that will be held in the coming weeks.

11. DISCUSSION AND/OR ACTION TO CONSIDER RECESSING AND MOVING INTO A CLOSED MEETING FOR THE PURPOSE OF UTAH CODE ANN. §52-4-205(1)(e) REGARDING STRATEGY SESSIONS TO DISCUSS THE SALE OF REAL PROPERTY

Council Member Stoker motioned to recess the regular meeting and convene in a closed meeting for the purpose of Utah Code Ann. §52-4-205(1)(e) regarding strategy sessions to discuss the sale of real property. Council Member Barker seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Ekstrom	aye
Council Member Stoker	aye
Council Member Swanson	aye

The motion passed unanimously.

The meeting recessed at 9:41 p.m. and reconvened at 10:01 p.m.

12. DISCUSSION AND/OR ACTION TO CONSIDER 2550 DETENTION BASIN PROPERTY SALE

City Manager/Attorney reported the City has received an offer for the purchase of the City's detention basin property on 2550 North. The Council has discussed this offer and it would be appropriate to take action on that proposal at this time.

Council Member Swanson motioned to reject the offer for the purchase of the 2550 North detention basin property and re-open the process of advertising the property for sale. Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Ekstrom	aye
Council Member Stoker	aye
Council Member Swanson	aye

The motion passed unanimously.

13. PUBLIC COMMENTS

Brent Hamblin, 963 Deer Meadows Drive, stated that earlier in the meeting during the discussion of employee pay, he liked the idea of creating a hybrid employee compensation system. He stated that the combination of merit pay and cost of living is appropriate. Pay should not be based solely on longevity. Experience should be weighed heavily in order to fairly compensate individuals. He then addressed the conversation about the need for a new Public Safety building; he understands there is a need and he is supportive of a tax increase to pay for that need. The only thing he would suggest is that the City also carefully evaluate the possibility that the City may need a larger police force to handle the City's projected buildout population.

14. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Barker reported on his participation with the local Mosquito Abatement District; they are planning to use drones to assist in mosquito control.

Council Member Stoker asked Public Works Director Espinoza to visit the Graystone Subdivision to determine if the pine trees at the entrance to the project need to be trimmed to preserve the sight lines on the roadway. Mr. Call stated that Mr. Gardner is reviewing those matters and that comment can be referred to him.

Council Member Ekstrom asked about a petition that the City has received for streetlights. Mayor Berube stated that the City has received a petition and Mr. Espinoza and Mr. Call are looking into that issue. Council Member Ekstrom added she also received an email from someone who was told they could not plant trees on their property; they live behind the Lee's Marketplace. Mr. Call asked that the email be forwarded to him so that he can evaluate the situation.

City Recorder Spendlove reported on a large fundraising event that the City Council Members have been invited to. She then discussed the upcoming Utah League of Cities and Towns (ULCT) Conference to be held in April in St. George and indicated that she needs to know which Members and their spouses are planning to attend.

Mayor Berube then stated that he likes the idea of each Council Member to take responsibility for securing individuals to handle the thought or invocation at the beginning of each Council meeting. Each Council Member volunteered for various months.

Mr. Call noted a national bike group is looking into creating a Route-66 bicycle route through the City and they would need a letter of support from the City. He is gathering more information about that issue and will report back to the Council. He then provided an update on the Washington Boulevard widening project and how that will impact the Cherry Days parade route. He concluded that the next election caucus meeting is scheduled for the same night as the next Council meeting and he asked that the Council take action on whether to hold or cancel that meeting.

Council Member Stoker motioned to cancel the March 24 City Council meeting. Council Member Barker seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Ekstrom	aye
Council Member Stoker	aye
Council Member Swanson	aye

The motion passed unanimously.

15. ADJOURNMENT

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

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Ekstrom	aye
Council Member Stoker	aye
Council Member Swanson	aye

The motion passed unanimously.

The meeting adjourned at 10:17 p.m.

S. Neal Berube, Mayor

S. Annette Spendlove, MMC
City Recorder

Date Approved



***Municipal Wastewater Planning Program (MWPP)
Annual Report
for the year ending 2019
NORTH OGDEN CITY***

SUBMIT BY APRIL 15, 2020


Are you the person responsible for completing this report for your organization?

Yes

No

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***Municipal Wastewater Planning Program (MWPP)
Annual Report
for the year ending 2019
NORTH OGDEN CITY***

Financial Evaluation Section

Form completed by:

Evan Nelson

Part I: GENERAL QUESTIONS

Yes

No

Are sewer revenues maintained in a dedicated purpose enterprise/district account?

3.

35

- | | Yes | No |
|--|----------------------------------|-----------------------|
| Are you collecting 95% or more of your anticipated sewer revenue? | <input checked="" type="radio"/> | <input type="radio"/> |
| Are Debt Service Reserve Fund ⁶ requirements being met? | N/A <input type="radio"/> | <input type="radio"/> |

What was the User Charge¹⁶ for 2019?

26.90

Do you have a water and/or sewer customer assistance program* (CAP)?

- Yes
- No**

Part II: OPERATING REVENUES AND RESERVES

3.

36

Yes

No

Are property taxes or other assessments applied to the sewer systems¹⁵?

Yes

No

Are sewer revenues¹⁴ sufficient to cover operations & maintenance costs⁹, and repair & replacement costs¹² (OM&R) at this time?

Are projected sewer revenues sufficient to cover OM&R costs for the *next five years*?

Does the sewer system have sufficient staff to provide proper OM&R?

Has a repair and replacement sinking fund¹³ been established for the sewer system?

Is the repair & replacement sinking fund sufficient to meet anticipated needs?

N/A

Part III: CAPITAL IMPROVEMENTS REVENUES AND RESERVES

Yes

No

Yes

No

Are sewer revenues sufficient to cover all costs of current capital improvements³ projects?

Has a Capital Improvements Reserve Fund⁴ been established to provide for anticipated capital improvement projects?

Are projected Capital Improvements Reserve Funds sufficient for the *next five years*?

Are projected Capital Improvements Reserve Funds sufficient for the *next ten years*?

Are projected Capital Improvements Reserve Funds sufficient for the *next twenty years*?

Part IV: FISCAL SUSTAINABILITY REVIEW

Yes

No

Have you completed a Rate Study¹¹ within the last five years?

Do you charge Impact fees⁸?

2019 Impact Fee =

3. North Ogden 546.00, Central Weber Sewer District 2,395.00 38

Yes

No

Have you completed an Impact Fee Study in accordance with UCA 11-36a-3 within the last five years?

Do you maintain a Plan of Operations¹⁰?

Have you updated your Capital Facility Plan² within the last five years?

Yes

No

Do you use an Asset Management¹ system for your sewer systems?

Yes

No

Do you know the total replacement cost of your sewer system capital assets?

Yes

No

Do you fund sewer system capital improvements annually with sewer revenues at 2% or more of the total replacement cost?

N/A

What is the sewer/treatment system annual asset renewal* cost as a percentage of its total replacement cost?

N/A

What is the sewer/treatment system annual asset renewal* cost as a percentage of its total replacement cost?

Part V: PROJECTED CAPITAL INVESTMENT COSTS

Cost of projected capital improvements

Cost

Purpose of Improvements


	Please enter a valid numerical value	Purpose of Improvements Replace/Restore Technology	Incr Cap
2020	350,000	<input type="checkbox"/>	<input type="checkbox"/>
2020 thru 2024	1,200,000	<input type="checkbox"/>	<input type="checkbox"/>
2025 thru 2029	0	<input type="checkbox"/>	<input type="checkbox"/>
2030 thru 2034	0	<input type="checkbox"/>	<input type="checkbox"/>
2035 thru 2039	0	<input type="checkbox"/>	<input type="checkbox"/>

This is the end of the Financial questions

To the best of my knowledge, the Financial section is completed and accurate.

Yes

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***Municipal Wastewater Planning Program (MWPP)
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Collections System Section

Form completed by:

May Receive Continuing Education /units (CEUs)

Wallace Trent Wilkins

Part I: SYSTEM DESCRIPTION

What is the largest diameter pipe in the collection system
(diameter in inches)?

3.

43

21" On Washington Blvd.

What is the average depth of the collection system (in feet)?

7' 5"

What is the total length of sewer pipe in the system (length in miles)?

94 Miles in Service as of Dec. 31, 2019

How many lift/pump stations are in the collection system?

We do not have any Lift/pump stations

What is the largest capacity lift/pump station in the
3. llection system (design capacity in gallons per minute) 44

N/A

Do seasonal daily peak flows exceed the average peak daily flow by 100 percent or more?

- Yes
- No

What year was your collection system first constructed (approximately)?

1955

In what year was the largest diameter sewer pipe in the collection system constructed, replaced or renewed? (If more than one, cite the oldest)

1979



How many days last year was there a sewage bypass, overflow or basement flooding in the system due to rain or snowmelt?

How many days last year was there a sewage bypass, overflow or basement flooding due to equipment failure (except plugged laterals)?

The Utah Sewer Management Program defines two classes of sanitary sewer overflows (SSOs):

Class 1– a Significant SSO means a SSO or backup that is not caused by a private lateral obstruction or problem that:

- (a) affects more than five private structures;*
- (b) affects one or more public, commercial or industrial structure(s);*
- (c) may result in a public health risk to the general public;*
- (d) has a spill volume that exceeds 5,000 gallons, excluding those in single private structures; or*
- (e) discharges to Waters of the state.*

Class 2 – a Non-Significant SSO means a SSO or backup that is not caused by a private lateral obstruction or problem that does not meet the Class 1 SSO criteria.

Below include the number of SSOs that occurred in year: 2019

	Number
Number of Class 1 SSOs in Calendar year	0
Number of Class 2 SSOs in Calendar year	1

Please indicate what caused the SSO(s) in the previous question.

Roots growing into the sewer system, entering in at the joints of the sewer pipe

Please specify whether the SSOs were caused by contract or tributary community, etc.

N/A

Part III: NEW DEVELOPMENT

3. Did an industry or other development enter the community or expand production in the past two years, such that flow 48

or wastewater loadings to the sewerage system increased by 10% or more?

- Yes
 No

Are new developments (industrial, commercial, or residential) anticipated in the next 2 - 3 years that will increase flow or BOD5 loadings to the sewerage system by 25% or more?

- Yes
 No

Number of new commercial/industrial connections in the last year

4	Arbys Starbucks	o' Riley Auto Parts ultimate Car Wash
---	--------------------	--

Number of new residential sewer connections added in the last year

155

Equivalent residential connections⁷ served

7075

Part IV: OPERATOR CERTIFICATION

How many collection system operators do you employ?

3

Approximate population served

3.0,009

50

State of Utah Administrative Rules requires all public system operators considered to be in Direct Responsible Charge (DRC) to be appropriately certified at least at the Facility's Grade.

List the designated Chief Operator/DRC for the Collection System below:

	Name	Grade	Email
	First and Last Name		Please enter full email address
Chief Operator/DRC	Wallace Trent Wilk	III ▼	twilkins@nogen.oi

List all other Collection System operators with DRC responsibilities in the field, by certification grade, separate names by commas:

	Name
	separate by comma
3.	

	Name separate by comma
SLS ¹⁷ Grade I:	
Collection Grade I:	
Collection Grade II:	
Collection Grade III:	
Collection Grade IV:	

List all other Collection System operators by certification grade, separate names by commas:

	Name separate by comma
SLS ¹⁷ Grade I:	

3.

52

	Name separate by comma
Collection Grade I:	
Collection Grade II:	
Collection Grade III:	Brian Lee Galvez
Collection Grade IV:	Nolan Bryce Nelson Bruce D. Higley
No Current Collection Certification:	

Is/are your collection DRC operator(s) currently certified at the appropriate grade for this facility?

- Yes
- No

	Yes	No
Have you implemented a preventative maintenance program for your collection system?	<input checked="" type="radio"/>	<input type="radio"/>
Have you updated the collection system operations and maintenance manual within the past 5 years?	<input type="radio"/>	<input checked="" type="radio"/>
Do you have a written emergency response plan for sewer systems?	<input checked="" type="radio"/>	<input type="radio"/>
Do you have a written safety plan for sewer systems?	<input checked="" type="radio"/>	<input type="radio"/>
Is the entire collections system TV inspected at least every 5 years?	<input checked="" type="radio"/>	<input type="radio"/>
Is at least 85% of the collections system mapped in GIS?	<input checked="" type="radio"/>	<input type="radio"/>

Part VI: SSMP EVALUATION

	Yes	No
Has your system completed a Sewer System Management Plan (SSMP)?	<input checked="" type="radio"/>	<input type="radio"/>
Has the SSMP been adopted by the permittee's governing body at a public meeting?	<input checked="" type="radio"/>	<input type="radio"/>
Has the completed SSMP been public noticed?	<input checked="" type="radio"/>	<input type="radio"/>

Yes

No

During the annual assessment of the SSMP, were any adjustments needed based on the performance of the plan?

Date of Public Notice

04/05/2016

During 2019, was any part of the SSMP audited as part of the five year audit?

Yes

No

Have you completed a System Evaluation and Capacity Assurance Plan (SECAP) as defined by the Utah Sewer Management Program?

Yes

No

3.

55

Part VII: NARRATIVE EVALUATION

This section should be completed with the system operators.

Describe the physical condition of the sewerage system: (lift stations, etc. included)

The sewer system over all is in good shape

What sewerage system capital improvements³ does the utility need to implement in the next 10 years?

To continue to use cured in place pipe in our concrete lines which extends the life of the sewer lines, to continue to have the sewer manhole vaults sprayed with an epoxy liner which helps stop infiltration and to continue t.v. and clean 1/3 of the city each year

What sewerage system problems, other than plugging, have you had over the last year?

North Ogden City has not had any problem with the sewer system over the last year

Is your utility currently preparing or updating its capital facilities plan²?

- Yes**
- No

Does the municipality/district pay for the continuing education expenses of operators?

- 100% Covered**
- Partially cover
- Does not pay

is there a written policy regarding continuing education and training for wastewater operators?

- Yes**
- No

Any additional comments?

This is the end of the Collections System questions

To the best of my knowledge, the Collections System section is completed and accurate.

- Yes**

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I have reviewed this report and to the best of my knowledge the information provided in this report is correct.



clear

Has this been adopted by the council? If no, what date will it be presented to the council?

Yes

No

60

What date will it be presented to the council?

Date format ex. mm/dd/yyyy

03/24/2020

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Staff Report to the North Ogden City Council

SYNOPSIS/APPLICATION INFORMATION

Application Request: Consideration on a legislative amendment to amend accessory building standards
Agenda Date: April 28, 2020
Applicant: North Ogden City
File Number: ZTA 2019-11

PUBLIC NOTICE:

Mailed Notice: None
Newspaper: January 9, 2020
City Website: April 3, 2020

STAFF INFORMATION

Robert O. Scott, AICP
rscott@nogden.org
(801) 737-9841

APPLICABLE ORDINANCES

North Ogden Zoning Ordinance Title 11-1-4 (Changes and Amendments)
North Ogden Zoning Ordinance Title 11-7 Residential Zone Regulations
North Ogden Zoning Ordinance Title 11-10-31 Standards for Accessory Buildings in Residential Zones

LEGISLATIVE DECISION

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.

BACKGROUND

The City Council considered the Planning Commission recommendation regarding this amendment on March 10, 2020. The City Council had questions regarding two parts of the amendment; namely the size of accessory buildings on a large parcel over 5 acres that is zoned R-1-8(AG) and the design standards for R-1 and RCC accessory buildings.

On April 7, 2020, the City Council and Planning Commission held a joint work session to review the amendment. The City Council requested that the Carney property be addressed and that a sliding scale be established for the RE-20 zone.

ACCESSORY BUILDING OPTIONS

The issue of compatibility for accessory buildings is a legitimate concern. The Planning Commission addressed the standard differences between the RE-20 zone, large accessory building size standards, building materials, building height, buffering, and numbers of large accessory buildings per lot, and the relationship to Accessory Dwelling Units. (See Exhibit A)

Amendment Purpose. There are different standards for accessory buildings in the RE-20 zone and the R-1 zones. Accessory buildings should be in scale with the home/main building, i.e., in building height, setbacks, and materials.

AMENDMENT SUMMARY

Follow-up from joint City Council Planning Commission April 7 Meeting

The following summary reflects the items requested to be discussed from the March 10, 2020 report and joint work session held on April 7, 2020 and the previous amendment summary. (See Exhibit A)

- **RE-20 Zone.**

Carney Property/Parcel 170100072

The City Council at the April 7, 2020 meeting accepted the recommendation that a rezone to RE-20 would address the property owner's concern. Staff was requested to identify a sliding scale that would address the needs of all RE-20 zoned properties.

Sliding Scale

A sliding scale has been created and incorporated into the amendment. (See Exhibit A) There are five changes that are identified in green color in the amendment:

11-7A-4: SITE DEVELOPMENT STANDARDS

1. Accessory building height

(2) (A)The height maximum table has been simplified from 6 to 3 height tiers

4 Building size

a. Maximum size on lots or parcels less than one acre or adjacent to any R-1 zone. An Option B is given to simplify this standard to a maximum 1,500 square feet

b. Created a sliding scale of lot size to maximum accessory building size over an acre up to 5 acres with maximum square footages.

5. Building Separation

a. If the large accessory building is larger than 2,000 square feet a minimum setback for side and rear yards set at 30 feet.

7. A nonconforming standard is established for when a future subdivision makes a large accessory building nonconforming the accessory building must be brought into conformity.

- **R-1 Zones.**

- The height maximum table is modified to reflect a 20 foot maximum height along with a proportional reference to the height of the main building.

- The scale reflects three height tiers. A range is shown for the 11-15 foot tier setback of 8 feet.

- Building size provisions are shown limiting the size of an accessory building to half the size of the main building main floor plus 400 square feet with a maximum of 1,000 square feet.

- The maximum number of large accessory buildings is established with one per lot.

- References the Building Design and Materials section in 11-10-31.

- **RCC Zone**

- The accessory building table is modified to be consistent with the R-1 zones.

- The height maximum table is modified to reflect a 15 foot maximum height. Metal accessory buildings are limited to 12.5 feet in height.

- The scale reflects two height tiers. A range is shown for the 10 foot tier setback of 3 and a 11-15 foot tier setback of 8 feet.
- Building size provisions are shown limiting the size of an accessory building to half the size of the main building main floor plus 400 square feet and a maximum of 1,000 square feet.
- The rear yard coverage language is revised to be consistent with the R-1 zones.
- The maximum number of large accessory buildings is established with one per lot.
- References the Building Design and Materials section in 11-10-31.
- **HP Zones.**
 - A building separation standard is added.
 - The maximum number of large accessory buildings is established with one per lot.
 - References the Building Design and Materials section in 11-10-31.
- **11-10-31 STANDARDS FOR ACCESSORY BUILDINGS IN RESIDENTIAL ZONES**

Design Standards

The design standards found in 11-10-31 were discussed at the April 7, 2020 meeting. It was concluded that these standards met the desires of the citizens who brought this issue forward. Below is the summary of changes to this chapter.

- Section B Location and Design. Modifications are made that relocate the design related provisions to Section A.
- Section C Height. No change.
- Section D Prohibited Use. A provision clarifies that Accessory Dwelling Units are not considered accessory buildings.
- **11-10-34 O. 5. Accessory Dwelling Units, Development Standards for ADU's**
 - 5. Height standards are identified for attached and detached ADU's. Attached ADUs may be the same as the main building. Detached ADUs may be 25 feet.

CONFORMANCE WITH THE GENERAL PLAN

Housing Goals

Goal #1 – Increase Housing Quality and Variety

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

Strategies

- Proactively evaluate current ordinances and policies to determine whether there are obstacles that can be removed or modified to achieve the community's housing goals.
- Create design standards to improve the overall quality of North Ogden's housing.
- Work with homeowners, landlords, and renters to maintain and improve existing properties.

SUMMARY OF LAND USE AUTHORITY CONSIDERATIONS

- Which accessory building standards should be modified to reflect an appropriate scale between accessory buildings and homes?
- Is the amendment consistent with the General Plan?
- The City Council requested two things to be addressed the Carney property and add a sliding scale at the April 7, 2020 joint meeting. Is the added language consistent with those requests?

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommends on a 5-0 vote to adopt the amendment. The Planning Commission found that the amendment is consistent with the General Plan.

EXHIBITS

A. Amendment

ORDINANCE 2020-

AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE ZONING ORDINANCE OF NORTH OGDEN CITY TO ADJUST THE SETBACK STANDARDS FOR ACCESSORY BUILDINGS IN RESIDENTIAL ZONES

- WHEREAS;** There are accessory building setback standards in residential zones; and
- WHEREAS;** The accessory building setback standards vary between the RE-20 zone and the R-1 and RCC zones; and
- WHEREAS;** The current accessory building setback standards have two thresholds based upon whether an accessory building is a large accessory building; and
- WHEREAS;** The standards are in place in order to provide a reasonable setback from adjoining properties and maintain the reasonable use of property; and
- WHEREAS;** Accessory dwelling unit standards are unique from accessory building standards and have been modified to reflect those differences; and
- WHEREAS;** The General Plan goals support the reasonable use of property while maintaining high quality design standards; and
- WHEREAS;** The North Ogden City Planning Commission has reviewed these standards and conducted a public hearing on the amendment and recommends adoption of this amendment.

NOW THEREFORE, BE IT ORDAINED by the North Ogden City Council that the North Ogden City zoning ordinance 11-2 Definitions, 11-7A-4 section F, 11-7B-4 section F, 11-7J-4 section E, 11-9-8 section E. Accessory Building Standards, 11-10-31 Standards For Accessory Buildings In Residential Zones, 11-10-34-section O subsection 5: Accessory Dwelling Units, Development Standards for ADU's are amended.

SECTION 1: Text to be amended:

11-2 DEFINITIONS

ARCHITECTURAL METAL: A paneled metal sheet building exterior that is not part of a prefabricated building; does not have a specific coating; consists of all new materials.

11-7A-4: SITE DEVELOPMENT STANDARDS RE-20 Zone

F. Accessory building regulations (in feet) (see also CCNO 11-10-31)	
1. Accessory building height	15
a. Exception: The maximum height if the accessory building is set back at least 20 feet; rear and side setback, and 60 feet from any neighboring dwelling.	25
b. a. Accessory building setback	
(1) Accessory building	
(A) Interior lot	3
(B) Corner lot (non-street side)	3
(C) Corner lot (street side)	20
(2) Large accessory building	

(A) Interior lot	20	
Height Maximum in Feet	Setback Minimum in Feet.	
15-17	3-6	
16	6	
17	9	
18-19	12-8	
19-25 20-25	15-12	
(B) Corner lot (non-street side)	20	
(C) Corner lot (street side)	20	
2. There shall be provided a minimum spacing between main and accessory; and between accessory buildings of at least	6	
3. Rear yard coverage by accessory buildings shall not exceed the following	25%	
a. On lots less than an acre the minimum rear yard area calculation is based upon the minimum lot width x the rear yard setback and not the actual rear yard dimensions		
4. Building size		
a. Maximum size on lots or parcels less than one acre or adjacent to any R-1 zone	Option A One half the square footage of the main building main floor or 2,000 square feet whichever is less	Option B 1,500 square feet
b. Maximum size on lots or parcels greater than one acre		
1-2 Acres	2,000	
2-3 Acres	2,250	
3-4 Acres	2,500	
4-5 Acres	2,750	
5+ Acres	3,000 square feet	
b.c. On lots adjacent to any R-1 zone, the accessory building width or length cannot exceed 40% of the total length of the side lot lines or 40% of the rear lot line when those lot lines are within 50 feet of the accessory building.		

5. Building Separation: Large Accessory Building to be 60 feet from any neighboring dwelling on any adjoining parcel a. If the large accessory building is larger than 2,000 square feet the building setback from rear or side property lines	30
6. Building Design and Materials See 11-10-31	
7. Nonconforming. If an accessory building setbacks become nonconforming due to a subdivision of the existing lot; the accessory building must be brought into conformity.	

11-7B-4: SITE DEVELOPMENT STANDARDS, R-1-12.5, R-1-10, R-1-8, R-1-8(A), R-1-8(AG)
Sections A – E to remain the same. The table under subsection 1 and 3 are combined into one cell.

F. Accessory building regulations (in feet) (see also CCNO 11-10-31)	
1. Accessory building height	
a. Accessory building setback	
(1) Accessory/Large building	
(A) Interior lot & Corner lot (non-street side)	
Height Maximum in Feet	Setback Minimum in Feet
10	3
11-15	8
15-20	15
The ridge or highest point of the roof of an accessory building may be erected to a height no greater than the lesser of: 1. Twenty feet (20'); 2. Eighty percent (80%) of the highest point of the roof of the main residential building, except where the ridge or highest point of the roof of the main residential building is sixteen feet (16') or less the ridge or highest point of the roof of the accessory building may not exceed twelve and one-half feet (12'6"); or 3. For a metal accessory building, twelve	

and one-half feet (12'6").	
11	6
12	9
13-18	12
19-25	15
(B) Corner lot (street side)	20
2. There shall be provided a minimum spacing between main and accessory buildings of at least	6
3. Rear yard coverage by accessory buildings shall not exceed the following	25%
4. Building Size	
a. Maximum Size	One half the square footage of the main building main floor to a maximum of 1,000 square feet. The main floor size shall be the main floor living space plus 400 square feet.
5. Building Separation: Large accessory building to be 60 feet from any neighboring dwelling on any adjoining parcel	
6. Maximum Number of Large Accessory Buildings Per Lot	1
7. Building Design and Materials See 11-10-31	

11-7J-4: SITE DEVELOPMENT STANDARDS, RESIDENTIAL CITY CENTER ZONE RCC
Sections A – D to remain the same. The table under subsection 1 and 3 are combined into one cell.

E. Accessory building regulations (in feet) (see also CCNO 11-10-31)	
1. Accessory building height	15
a. Exception: The maximum height if the accessory building is set back at least 20 feet; rear and side setback	25
a. Accessory building setback	
(1) Accessory/Large building	
(A) Interior lot & Corner lot (non-street side)	
Height Maximum in Feet	Setback Minimum in Feet
10	3
11-15	8

The ridge or highest point of the roof of an accessory building may be erected to a height no greater than the lesser of: 1. Fifteen feet (15'); 2. For a metal accessory building, twelve and one-half feet (12'6").	
(B) Corner lot (street side)	20
2. Rear and side setback	
a. Accessory building:	
1 Interior lot (side only) (non-street side)	3
2 Corner lot (side only) (non-street side)	3
3 Corner lot (side only) (street side)	20
b. Large accessory building	
Interior lot	15
2 Corner lot (non-street side)	20
3 Corner lot (street side)	20
3. 2. There shall be provided a minimum spacing between main and accessory buildings of at least	6
4. 3. No accessory building or group of accessory buildings shall cover more of the rear yard than Rear yard coverage by accessory buildings shall not exceed the following	25%
4. Building Size	
a. Maximum Size	One half the square footage of the main building main floor to a maximum of 1,000 square feet. The main floor size shall be the main floor living space plus 400 square feet.
5. Building Separation: Large accessory building to be 60 feet from any neighboring dwelling on any adjoining parcel	
6. Maximum Number of Large Accessory Buildings Per Lot	1
7. Building Design and Materials See 11-10-31	

11-9-8: SITE DEVELOPMENT STANDARDS, HP-1, HP-2, HP-3 Sections A-D to remain the same. The following table is deleted with a new insert.

E. Accessory building regulations (in feet) (see also CCNO 11-10-31)				
	1. Accessory Building Smaller than 600 square feet rear and interior side yard setback	3	3	3
	2. Large accessory building greater than 600 square feet:			
	a. interior lot rear and side yard setback:	15	15	15
	b. Corner lot (non-street side)	15	15	15
	c. Corner lot (street side)	20	20	20
F. There shall be provided a minimum of 6 feet of spacing between main and accessory buildings.				
G. In the HP-1 and HP-2 zoning districts, no accessory building shall be greater than 1 story (15 feet) nor more than 25 percent of the footprint square footage of the main building. In the HP-3 zoning district, no accessory building shall be greater than 1 story (15 feet) nor have a footprint larger than the house. No accessory buildings are permitted without a single-family residence or main building.				
E. Accessory building regulations (in feet) (see also CCNO 11-10-31)				
1. Building Separation: Large accessory building to be 60 feet from any neighboring dwelling on any adjoining parcel				
2. Maximum Number of Large Accessory Buildings Per Lot		1		
3. Building Design and Materials See 11-10-31				

11-10-31: STANDARDS FOR ACCESSORY BUILDINGS IN RESIDENTIAL ZONES

- A. Design and Materials: The original design of the building must have been to function as a typical accessory residential structure, such as a storage shed or carport, and not for some other use. Reuse of a metal structure originally designed or used for other purposes, such as shipping or cargo containers, is not allowed unless the exterior of the metal structure is made to be integrated into the design of the main residential building, with a similar residential exterior wall treatment and roofing material as the main building.
1. Metal accessory buildings two hundred (200) square feet or less are allowed in all residential zones.

In the R-1 and RCC zones, accessory buildings over 200 square feet finished with metal siding are not allowed.

In the RE-20 zone architectural metal and prefab metal buildings are allowed as accessory buildings.

2. In the R-1 and RCC zones accessory buildings ~~must be constructed of similar building materials as the main building~~ may be constructed of horizontal siding, brick, stucco, wood, or similar material as the main building, etc.
3. All accessory buildings larger than 200 square feet must be integrated into the design of the residential building, with a similar residential exterior wall treatment color. ~~and~~
 - a. Roofing materials including metal roofs shall have a similar color as the main building.
 - b. An eave proportionate to the main building is required with a minimum of 12 inches. Aluminum fascia and soffits are allowed.
 - c. Accessory buildings fronting onto a street must have a window(s) that occupy 5% of the façade of the building, or have a person door, or garage door with windows.
4. All accessory buildings shall have a buffer of either a fence or landscaping or a combination of the two.
5. Roof pitches shall be a minimum of a 4/12.

B. Location and Size:

1. No detached accessory building, other than trellises, shall be allowed between the front of the main residential building and the street.
2. A garage or carport attached to the main residential building is allowed between the front of the main residential building and the street if the front yard setback requirement for the zone is maintained and the garage or carport is integrated into the design of the residential building, with a similar residential exterior wall treatment, roof slope, and roofing material as the main building to which it is attached.

A detached garage or carport may be located in the side yard so long as it meets the side and front yard setbacks, is a minimum of 6 feet from the main building, and is integrated into the design of the residential building, with a similar residential exterior wall treatment and roofing material as the main building.

3. Metal accessory buildings must be located in the rear yard and shall not exceed two hundred (200) square feet.
4. Nonmetal accessory buildings and accessory buildings finished with architectural metal regardless of size may be located in an interior side yard or rear yard provided they meet the required setbacks of the zone. Nonmetal accessory buildings larger than 200 square feet must be integrated into the design of the residential building, with a similar residential exterior wall treatment, and roofing material as the main building.
5. On a corner lot, an attached or detached accessory building (with or without a roof) that is open on at least three (3) sides may extend into the side yard setback facing a street up to the minimum side yard setback for an interior lot in its respective zone. Such structures are limited to covered or uncovered decks,

patios, gazebos, pergolas, and trellises. The finished floor elevation of these structures may not be higher than eighteen inches (18") above finish grade.

- C. Height: The building shall not exceed the maximum height allowed by other sections of the Zoning Ordinance.
- D. Prohibited Use: Accessory buildings shall not be used as living quarters. **Accessory Dwelling Units are not considered accessory buildings.**

11-10-34 O. 5: Accessory Dwelling Units, Development Standards for ADU's

O. Development Standards: for ADU's

- 1. The total area of the ADU shall be less than fifty percent (50%) of the total square footage of the primary residence for an attached accessory dwelling unit. The total area of the ADU shall be less than forty percent (40%) of the total square footage of the primary residence for a detached accessory dwelling.
- 2. ADUs shall not be located in a front or corner lot side yard and shall meet the same setbacks as required for the primary residence in the zone.
- 3. Appearance. The architectural design, color pallet, and materials for an ADU shall be similar to the primary dwelling unit.
- 4. ADUs and the primary dwelling must be on the same parcel and may not be subdivided.
- 5. The height of an ADU shall conform to the height limit specified for the zoning district in which it is located. **attached ADU may be equal to the main building maximum height. A detached ADU may have a maximum height of 25 feet.**
- 6. Location: Accessory dwelling units may be allowed as long as the zoning requirements for properties in a single-family neighborhood are met. The ADU shall not be within the building front, rear, or side yard setbacks for the zoning district in which the dwelling lot is located. In addition the following standards apply:
 - a. All accessory dwelling units are allowed over the garage, provided the parking within the garage is not converted, or
 - b. Attached accessory dwelling units are allowed:
 - i. Inside the primary residential dwelling through an internal conversion of the housing unit as an addition or in the basement.
 - ii. By an addition to the house, containing an internal connection between dwelling units provided that the addition will not alter the single-family character of the building
 - c. Detached accessory dwelling units are allowed:
 - i. Over a detached garage.
 - ii. Only in the rear yard.
 - iii. On lots having a minimum area of 20,000 square feet.
 - iv. Shall have a minimum separation from the primary dwelling of 15 feet.
 - v. Subject to 11-7A-4, 11-7B-4, and 11-7J-4 Site Development Standards.

SECTION 2: This ordinance shall take effect upon adoption.

PASSED and ADOPTED this 28th day of April 2020.

North Ogden City:

S. Neal Berube
North Ogden City Mayor

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay
Council Member Barker:	_____	_____
Council Member Cevering:	_____	_____
Council Member Ekstrom:	_____	_____
Council Member Stoker:	_____	_____
Council Member Swanson:	_____	_____
(In event of a tie vote of the Council):		
Mayor Berube	_____	_____

ATTEST:

S. Annette Spendlove, MMC
City Recorder



NORTH OGDEN CITY STAFF REPORT

TO: MAYOR AND CITY COUNCIL
FROM: TIFFANY STAHELI, PARKS & RECREATION DIRECTOR
SUBJECT: 2020 CORONAVIRUS CONSIDERATIONS FOR PARKS & RECREATION
DATE: 4/24/2020

With all the recent changes and disruptions caused by COVID-19, the Parks and Recreation Department is requesting recommendation from the City Council regarding certain upcoming events and activities.

At this current time, we are continuing with registrations and plans for activities and events for the City's Cherry Days celebrations on July 4th as well as the opening of the Aquatic Center on May 23rd.

It is anticipated that we will remain in the Stabilization Phase of Governor Herbert's [Utah Leads Together 2.0](#) plan for management of the novel coronavirus throughout the state of Utah through the end of September 2020. This plan details out a color code health guidance based on risk levels. We are currently in the Red or High Risk category.

Based on this guidance, mass gathering for events such as Cherry Days is not permitted until the city/county/community has reached the Green "New Normal Risk" category of health guidance. While this is a possibility during the stabilization phase, it still remains uncertain and many of the events and activities planned in North Ogden City require much advanced planning and decisions in the present time in order to successfully operate in the future.

Specifically, the Parks and Recreation Department is looking to the City Council for decisions to hold, cancel, modify, or postpone the City's Cherry Days Celebrations and operation of the Aquatic Center.

Items to consider:

- Would the Council like us to attempt to modify events to fit social distancing guidelines (fireworks – viewable from cars only, Cherry Days 5k with significantly staggered start times, etc.)?

- If events are modified, how will the City ensure that social distancing guidelines are followed?
- If events and Aquatic Center opening are postponed, what are the new dates and what do postponed activities look like?
- If events and the Aquatic Center season are cancelled, how would the City Council like to notify residents and visitors (street signage, an article in the regular city magazine – no Cherry Days brochure, etc.)
- Refunds for items purchased – if we are unable to hold events, is the City Council agreeable to refunding purchases for both Cherry Days and for the Aquatic Center (swimming lessons, season passes, booth reservations, parade spots, etc.)

The City has not yet signed a contract or paid for the fireworks for this year. Our department has been anticipating a future decision and has held off on that purchase. If fireworks are cancelled, there will not be a loss to the city. This is the same for entertainment, races, and other events. We have held off on purchases in anticipation of a future decision. In the case where entertainment contracts and others were required to be signed, we have ensured that the contracts accommodate our cancellation or postponement of events and activities.

The City also hires many seasonal employees throughout the spring and summer months for events and activities. Because of the uncertainty, we have moved forward with the hiring process as if we will be able to hold events, activities, and the Aquatic Center season, however, we have not completed the hiring of all of these individuals, and they are aware that there is a possibility of event/season cancellation and/or postponement.

NORTH OGDEN CITY STAFF REPORT

TO: CITY COUNCIL
FROM: EVAN NELSON, FINANCE DIRECTOR
SUBJECT: FISCAL YEAR 2021 BUDGET

DATE: 4/28/2020

The Budget discussion on April 28th will focus on the transportation funds and utility funds.

The attached budget report shows historical data, current year budgets, and proposed budgets for Fiscal Year 2021. As you know, we are facing unprecedented challenges which are having dramatic impacts to City operations, revenues, and expenditures. The draft budget presented to the Council is a work in progress. Staff is seeking Council direction on the budget proposals including proposed expenditures and revenue estimates.

CITY-WIDE

- All proposed new positions have been eliminated.
- Proposed changes from part-time to full-time status have been reduced to current part-time status.
- Merit/Cost-of-Living adjustments have been eliminated.
- Salary adjustments, based on a recent market study, have been included in the current draft in the amount of approximately \$100,000 across all funds.
- Travel and Training has been limited to those which are required to maintain certifications.

TRANSPORTATION FUNDS

The City maintains several transportation funds to account for different revenue sources related to street maintenance. Here is a summary:

Transportation Utility Fund – The Transportation Utility Fee has been suspended due to a pending lawsuit filed against another Utah city. This budget is set at \$0 for revenues and expenditures and will be adjusted as needed based on the outcome of the lawsuit and Council direction.

Transportation Impact Fee Fund - \$1,134,000 is budgeted to be transferred into the Capital Improvement Fund for the 2600 North Intersection Project.

Transportation Sales Tax Fund – All revenue in this fund is being held in reserve as back-up funding for the 2600 North Intersection and 400/450 East Widening projects. No budgeted expenditures are proposed at this time.

400/450 East Improvement Fund – Revenue in this fund is generated through rental fees from homes that have been purchased by the City for the road widening project. \$200,000 is proposed to be transferred to the Capital Projects Fund for use on the widening project.

IMPACT FEE FUNDS

Sewer Impact Fee Fund - All revenues are budgeted to be reserved for future projects.

Storm Impact Fee Fund - \$313,000 is budgeted to be transferred into the Storm Water Fund as the City's contribution to the storm water portion of the Community Pond. The remaining amount is funded through a federal grant.

UTILITY FUNDS

Water Fund – No utility increase is proposed. Department vehicles are proposed to be exchanged at a net cost of \$5,000. The Department's effort to replace all meter registers in the City is funded at \$20,000 compared to \$285,000 in FY2020 as the project is nearing completion. Capital projects include upgrades to well houses, a new PRV station, and two waterline replacements.

Sewer Fund – No utility increase is proposed. Department vehicles are proposed to be exchanged at a net cost of \$2,000. Fees charged by the Central Weber Sewer District are budgeted to increase by \$35,041. The effort to reline aging sewer lines is proposed to continue funded in the amount of \$350,000.

Storm Water Fund – No utility increase is proposed. Department vehicles are proposed to be exchanged at a net cost of \$1,500. Capital projects include the Community Pond and two bubble-up boxes, although the timing of the Community Pond project is not certainly defined.

Solid Waste Fund – The Council will need to discuss important developments in the Solid Waste Fund. As previously discussed, the cost of recycling has increased significantly over the past year. The Council has discussed the possibilities of 1. Continuing the current program at the higher cost; 2. Discontinuing the recycling program; and 3. Suspending the recycling program by throwing away recyclable waste until the market changes. This will be discussed in greater detail at the meeting. Also, our contract for waste hauling is up for renewal and we are anticipating costs to increase by more than \$100,000. Staff is exploring possible ways to address this and will provide additional information at the meeting. Due to the increasing costs, and no proposed rate increase in the draft budget, the Solid Waste Fund proposed budget is currently under funded by \$104,006. Staff will seek Council direction on addressing this shortfall.

LOOKING AHEAD

The Council will hold an additional budget discussion not originally on the calendar on May 5th at 6pm. This discussion will allow further discussion prior to adoption of the Tentative Budget on May 12th. There will be a public hearing on May 26th. The Final Budget is proposed for adoption on June 9th.

Report Criteria:

- Accounts to include: With balances
- Print Fund Titles
- Page and Total by Fund
- Print Source Titles
- Total by Source
- Print Department Titles
- Total by Department
- All Segments Tested for Total Breaks
- [Report].Account Number = "2300000"- "3399999", "4100000"- "5899999"

Account Number	Account Title	2017-18 Prior year 2 Actual	2018-19 Prior year Actual	2019-20 Approved Budget	2020-21 Proposed Budget
TRANSPORTATION UTILITY FUND					
Source: 36					
23-36-100	Interest Earned	8,537.03	18,204.12	6,000.00	.00
Total Source: 36:		8,537.03	18,204.12	6,000.00	.00
Source: 37					
23-37-110	Transportation Utility Fee	219,591.98	224,447.17	223,000.00	.00
23-37-120	APPROPRIATE FUND BALANCE	.00	.00	885,256.00	.00
Total Source: 37:		219,591.98	224,447.17	1,108,256.00	.00
Department: 40					
23-40-560	Bad Debt	16.55	70.28	.00	.00
23-40-800	TRANSFER TO CAPITAL PROJECTS	.00	53,283.22	1,114,256.00	.00
Total Department: 40:		16.55	53,353.50	1,114,256.00	.00
TRANSPORTATION UTILITY FUND Revenue Total:		228,129.01	242,651.29	1,114,256.00	.00
TRANSPORTATION UTILITY FUND Expenditure Total:		16.55	53,353.50	1,114,256.00	.00
Net Total TRANSPORTATION UTILITY FUND:		228,112.46	189,297.79	.00	.00

Account Number	Account Title	2017-18 Prior year 2 Actual	2018-19 Prior year Actual	2019-20 Approved Budget	2020-21 Proposed Budget
TRANSPORTATION IMPACT FEE FUND					
Source: 37					
24-37-100	Interest	9,135.50	23,430.76	6,000.00	6,000.00
24-37-110	TRANSPORTATION IMPACT FEE	418,591.86	434,899.15	325,737.00	280,700.00
24-37-120	APPROPRIATE FUND BALANCE	.00	.00	1,353,732.00	847,300.00
Total Source: 37:		427,727.36	458,329.91	1,685,469.00	1,134,000.00
Department: 40					
24-40-800	TRANSFER TO CAPITAL PROJECTS	.00	.00	1,685,469.00	1,134,000.00
Total Department: 40:		.00	.00	1,685,469.00	1,134,000.00
TRANSPORTATION IMPACT FEE FUND Revenue Total:		427,727.36	458,329.91	1,685,469.00	1,134,000.00
TRANSPORTATION IMPACT FEE FUND Expenditure Total:		.00	.00	1,685,469.00	1,134,000.00
Net Total TRANSPORTATION IMPACT FEE FUND:		427,727.36	458,329.91	.00	.00

Account Number	Account Title	2017-18 Prior year 2 Actual	2018-19 Prior year Actual	2019-20 Approved Budget	2020-21 Proposed Budget
TRANSPORTATION SALES TAX FUND					
Source: 36					
25-36-100	INTEREST EARNED	4,354.08	12,373.52	3,000.00	3,000.00
Total Source: 36:		4,354.08	12,373.52	3,000.00	3,000.00
Source: 37					
25-37-110	TRANSPORT. SALES TAX REVENUE	191,429.26	204,818.01	196,000.00	187,600.00
25-37-120	APPROPRIATE FUND BALANCE	.00	.00	617,848.00	.00
Total Source: 37:		191,429.26	204,818.01	813,848.00	187,600.00
Department: 40					
25-40-800	TRANSFER TO OTHER FUNDS	.00	.00	816,848.00	.00
25-40-810	PROJECT RESERVES	.00	.00	.00	190,600.00
Total Department: 40:		.00	.00	816,848.00	190,600.00
TRANSPORTATION SALES TAX FUND Revenue Total:					
		195,783.34	217,191.53	816,848.00	190,600.00
TRANSPORTATION SALES TAX FUND Expenditure Total:					
		.00	.00	816,848.00	190,600.00
Net Total TRANSPORTATION SALES TAX FUND:					
		195,783.34	217,191.53	.00	.00

Account Number	Account Title	2017-18 Prior year 2 Actual	2018-19 Prior year Actual	2019-20 Approved Budget	2020-21 Proposed Budget
SEWER IMPACT FEE FUND					
MISCELLANEOUS					
32-36-100	INTEREST EARNED	2,747.67	6,331.79	1,000.00	1,000.00
Total MISCELLANEOUS:		2,747.67	6,331.79	1,000.00	1,000.00
Source: 37					
32-37-110	SEWER IMPACT FEE REVENUE	108,599.40	96,150.60	84,084.00	79,100.00
Total Source: 37:		108,599.40	96,150.60	84,084.00	79,100.00
EXPENDITURES					
32-40-330	ENGINEER SERVICES	17,629.75	.00	.00	.00
32-40-810	PROJECT RESERVE	.00	.00	85,084.00	80,100.00
Total EXPENDITURES:		17,629.75	.00	85,084.00	80,100.00
SEWER IMPACT FEE FUND Revenue Total:		111,347.07	102,482.39	85,084.00	80,100.00
SEWER IMPACT FEE FUND Expenditure Total:		17,629.75	.00	85,084.00	80,100.00
Net Total SEWER IMPACT FEE FUND:		93,717.32	102,482.39	.00	.00

Account Number	Account Title	2017-18 Prior year 2 Actual	2018-19 Prior year Actual	2019-20 Approved Budget	2020-21 Proposed Budget
STORM IMPACT FEE FUND					
Source: 36					
33-36-100	INTEREST EARNED	13,588.94	27,833.92	10,000.00	10,000.00
Total Source: 36:		13,588.94	27,833.92	10,000.00	10,000.00
Source: 37					
33-37-110	STORM WATER IMPACT FEE REVENU	374,089.24	287,164.92	187,440.00	202,825.00
33-37-120	APPROPRIATE FUND BALANCE	.00	.00	26,510.00	100,175.00
Total Source: 37:		374,089.24	287,164.92	213,950.00	303,000.00
Department: 40					
33-40-330	Engineer Services	34,793.50	18,978.25	.00	.00
33-40-800	TRANSFER TO OTHER FUNDS	.00	61,222.11	223,950.00	313,000.00
Total Department: 40:		34,793.50	80,200.36	223,950.00	313,000.00
STORM IMPACT FEE FUND Revenue Total:		387,678.18	314,998.84	223,950.00	313,000.00
STORM IMPACT FEE FUND Expenditure Total:		34,793.50	80,200.36	223,950.00	313,000.00
Net Total STORM IMPACT FEE FUND:		352,884.68	234,798.48	.00	.00

Account Number	Account Title	2017-18 Prior year 2 Actual	2018-19 Prior year Actual	2019-20 Approved Budget	2020-21 Proposed Budget
400/450 EAST IMPROVEMENT FUND					
Source: 30					
41-30-100	INTEREST INCOME	399.00	2,396.46	1,000.00	1,000.00
41-30-110	RENTAL PROPERTY REVENUE	123,530.36	130,307.67	106,000.00	135,000.00
Total Source: 30:		123,929.36	132,704.13	107,000.00	136,000.00
Source: 38					
41-38-900	APPROPRIATE FUND BALANCE	.00	.00	.00	104,000.00
Total Source: 38:		.00	.00	.00	104,000.00
Department: 40					
41-40-410	RENTAL PROPERTY EXPENSE	30.00	1,071.72	30,000.00	40,000.00
41-40-415	ADVERTISING	65.30	80.82	.00	.00
41-40-420	JUNK REMOVAL	122.50	.00	.00	.00
41-40-425	APPLIANCE PURCHASE	1,556.16	998.87	.00	.00
41-40-430	TURNOVER CLEANING	1,370.00	1,368.50	.00	.00
41-40-435	MANAGEMENT FEES	12,019.85	12,771.70	.00	.00
41-40-440	YARD MAINTENANCE	6,334.39	5,373.09	.00	.00
41-40-445	PROPERTY TAX	815.55	.00	.00	.00
41-40-450	UTILITIES	132.32	654.18	.00	.00
41-40-455	REPAIRS	36,080.29	21,671.46	.00	.00
41-40-710	FUND BALANCE RESERVE	.00	.00	77,000.00	.00
Total Department: 40:		58,526.36	43,990.34	107,000.00	40,000.00
Department: 80					
41-80-230	TRANSFER TO CAPITAL IMP FUND	17,000.00	.00	.00	200,000.00
Total Department: 80:		17,000.00	.00	.00	200,000.00
400/450 EAST IMPROVEMENT FUND Revenue Total:		123,929.36	132,704.13	107,000.00	240,000.00
400/450 EAST IMPROVEMENT FUND Expenditure Total:		75,526.36	43,990.34	107,000.00	240,000.00
Net Total 400/450 EAST IMPROVEMENT FUND:		48,403.00	88,713.79	.00	.00

Account Number	Account Title	2017-18 Prior year 2 Actual	2018-19 Prior year Actual	2019-20 Approved Budget	2020-21 Proposed Budget
WATER FUND					
MISCELLANEOUS					
51-36-100	INTEREST EARNED	31,669.43	55,364.94	28,020.00	28,000.00
51-36-400	SALE OF ASSETS	20,267.11	51,091.42	204,500.00	237,000.00
51-36-495	METER RENTALS	1,325.00	765.00	.00	.00
51-36-500	MISCELLANEOUS REVENUE	71,786.59	50,752.36	70,000.00	70,000.00
51-36-600	BUILDERS SYSTEM CONTRIBUTIONS	359,692.07	727,201.95	.00	.00
Total MISCELLANEOUS:		484,740.20	885,175.67	302,520.00	335,000.00
ENTERPRISE REVENUE					
51-37-110	UTILITY BILLING	1,556,156.76	1,638,547.34	1,647,587.00	1,755,953.00
51-37-111	Utility Billing R&R	177,526.08	247,994.04	251,458.00	294,704.00
51-37-350	CONNECTION FEES	73,581.01	87,792.00	75,000.00	75,000.00
Total ENTERPRISE REVENUE:		1,807,263.85	1,974,333.38	1,974,045.00	2,125,657.00
CONTRIBUTIONS & TRANSFERS					
51-38-810	RETAINED EARNINGS	.00	.00	2,192,259.00	.00
Total CONTRIBUTIONS & TRANSFERS:		.00	.00	2,192,259.00	.00
SPECIAL REVENUE					
51-39-010	IMPACT FEES	614,677.75	586,606.56	510,092.00	357,064.00
51-39-012	TRANSFER FROM OTHER FUNDS	.00	.00	31,000.00	.00
Total SPECIAL REVENUE:		614,677.75	586,606.56	541,092.00	357,064.00
EXPENDITURES					
51-40-110	SALARIES	303,068.55	336,422.34	332,642.00	347,700.00
51-40-115	Part Time Wages	7,036.11	.00	.00	.00
51-40-130	EMPLOYEE BENEFITS	147,094.34	167,126.41	169,637.00	165,917.00
51-40-135	COMPENSATED ABSENCES	2,157.52	8,232.00	5,000.00	5,000.00
51-40-140	UNIFORM ALLOWANCE	5,338.38	5,776.34	5,100.00	3,600.00
51-40-210	SUBSCRIPTION & MEMBERSHIPS	8,035.00	10,757.83	16,000.00	38,000.00
51-40-220	PUBLIC NOTICES	1,841.50	.00	.00	2,000.00
51-40-230	TRAVEL	6,133.17	9,464.19	8,000.00	6,000.00
51-40-240	OFFICE SUPPLIES	1,336.31	482.48	2,000.00	2,000.00
51-40-245	POSTAGE & MAILING SERVICES	10,100.36	12,511.87	12,000.00	12,000.00
51-40-250	MOTOR POOL LEASE	89,821.92	86,601.00	35,115.00	35,097.00
51-40-251	FUEL & PARTS	.00	.00	28,200.00	20,000.00
51-40-255	COMPUTER SERVICES	36.48	.00	.00	.00
51-40-280	TAX ASSESMENT	6,860.20	6,955.16	7,500.00	7,500.00
51-40-281	TELEPHONE	3,881.29	6,620.48	5,600.00	6,600.00
51-40-290	POWER FOR PUMPING	59,647.75	84,640.23	85,000.00	85,000.00
51-40-310	PROFESSIONAL SERVICES	10,583.42	236.50	4,000.00	4,000.00
51-40-320	BLUE STAKE SERVICE	2,522.18	2,140.96	.00	.00
51-40-330	ENGINEER SERVICES	18,639.50	10,175.50	10,000.00	10,000.00
51-40-409	Building Maintenance	.00	33,023.16	24,000.00	24,000.00
51-40-410	PREVENTATIVE MAINTENANCE	76,616.98	46,784.87	48,100.00	30,000.00
51-40-411	ASPHALT/PATCH REPAIRS	25,181.31	21,157.00	20,000.00	25,000.00
51-40-412	REVOLVING PUMP REPAIRS	19,414.97	9,945.00	10,000.00	10,000.00
51-40-450	DEPARTMENT SUPPLIES	65,933.37	67,249.67	79,600.00	79,600.00
51-40-454	METERS - NEW CONNECTIONS	.00	.00	75,000.00	75,000.00
51-40-455	Meters - Change Out	.00	.00	285,000.00	20,000.00

Account Number	Account Title	2017-18 Prior year 2 Actual	2018-19 Prior year Actual	2019-20 Approved Budget	2020-21 Proposed Budget
51-40-490	WATER SAMPLE TESTING	7,095.39	5,191.00	15,000.00	15,000.00
51-40-515	Insurance Claim Contingency	.00	10,000.00	.00	.00
51-40-550	DEPRECIATION	705,952.43	794,732.59	780,000.00	840,000.00
51-40-560	BAD DEBT	420.28	8,486.27	8,800.00	2,000.00
51-40-570	COLLECTION COSTS	842.53	962.38	400.00	400.00
51-40-690	SERVICES NOT CLASSIFIED	729.29	1,402.06	400.00	400.00
51-40-695	CREDIT CARD FEES	6,447.02	7,139.02	8,000.00	8,000.00
51-40-700	SMALL EQUIPMENT	6,671.12	7,856.15	6,500.00	7,200.00
51-40-740	PURCHASE EQUIPMENT	.00	.00	340,870.00	242,000.00
51-40-750	CAPITAL PROJECTS	.00	.00	2,138,000.00	1,495,000.00
51-40-760	CAPITAL TO BALANCE SHEET	.00	.00	.00	1,832,000.00-
51-40-800	TRANSFER TO OTHER FUNDS	.00	.00	3,950.00	.00
51-40-811	RET. EARNINGS-REDUCE I.F. DEBT	.00	.00	170,031.00	.00
51-40-900	ADMIN FEE - GENERAL FUND	127,995.00	140,895.96	270,471.00	267,725.00
Total EXPENDITURES:		1,723,118.63	1,902,968.42	5,009,916.00	2,059,739.00
WATER FUND Revenue Total:		2,906,681.80	3,446,115.61	5,009,916.00	2,817,721.00
WATER FUND Expenditure Total:		1,723,118.63	1,902,968.42	5,009,916.00	2,059,739.00
Net Total WATER FUND:		1,183,563.17	1,543,147.19	.00	757,982.00

Account Number	Account Title	2017-18 Prior year 2 Actual	2018-19 Prior year Actual	2019-20 Approved Budget	2020-21 Proposed Budget
SEWER FUND					
MISCELLANEOUS					
52-36-100	INTEREST INCOME	16,904.05	26,270.83	15,570.00	15,570.00
52-36-400	SALE OF ASSETS	.00	41,100.87	83,000.00	83,000.00
52-36-500	MISCELLANEOUS REVENUE	202.37	.00	.00	.00
52-36-600	BUILDERS SYSTEM CONTRIBUTIONS	329,205.10	569,391.90	.00	.00
Total MISCELLANEOUS:		346,311.52	636,763.60	98,570.00	98,570.00
ENTERPRISE REVENUE					
52-37-110	UTILITY BILLING	1,824,337.31	1,957,384.67	1,979,801.00	2,045,204.00
52-37-111	Utility Billing R&R	43,194.60	80,244.71	44,329.00	105,019.00
52-37-350	CONNECTION FEES	8,262.00	9,632.00	7,000.00	7,000.00
Total ENTERPRISE REVENUE:		1,875,793.91	2,047,261.38	2,031,130.00	2,157,223.00
CONTRIBUTIONS & TRANSFERS					
52-38-810	RETAINED EARNING	.00	.00	452,950.00	.00
Total CONTRIBUTIONS & TRANSFERS:		.00	.00	452,950.00	.00
EXPENDITURES					
52-40-110	SALARIES	143,487.01	135,182.73	122,728.00	107,731.00
52-40-115	Part-time Wages	27,510.19	28,356.29	15,983.00	17,118.00
52-40-130	EMPLOYEE BENEFITS	78,586.96	99,833.29	80,695.00	75,185.00
52-40-135	COMPENSATED ABSENCES	646.53	967.98	4,753.00	4,753.00
52-40-140	UNIFORM ALLOWANCE	2,246.53	1,813.43	2,000.00	1,700.00
52-40-210	SUBSCRIPTIONS & MEMBERSHIPS	.00	.00	2,500.00	2,500.00
52-40-220	Public Notices	1,119.25	.00	1,000.00	1,000.00
52-40-230	TRAVEL & TRAINING	3,867.52	2,845.78	3,000.00	2,000.00
52-40-240	OFFICE SUPPLIES	702.66	107.66	2,280.00	2,280.00
52-40-245	POSTAGE & MAILING SERVICES	9,299.04	10,347.91	10,000.00	10,000.00
52-40-250	MOTOR POOL LEASE	64,158.96	62,886.00	30,479.00	30,302.00
52-40-251	FUEL & PARTS	.00	.00	8,400.00	12,400.00
52-40-255	COMPUTER SERVICES	2,340.35	.00	1,546.00	1,546.00
52-40-281	TELEPHONE	2,934.28	5,071.37	1,960.00	2,400.00
52-40-330	ENGINEER SERVICES	1,658.63	.00	2,000.00	2,000.00
52-40-370	CENTRAL WEBER SEWER DISTRICT	1,097,362.00	1,139,471.00	1,185,405.00	1,220,446.00
52-40-375	SEWER CHARGES OGDEN CITY	18,295.66	18,814.20	20,000.00	20,000.00
52-40-440	SEWER LINE MAINTENANCE	18,613.89	28,032.51	97,000.00	50,000.00
52-40-441	ASPHALT/PATCH REPAIRS	.00	.00	10,000.00	10,000.00
52-40-450	DEPARTMENT SUPPLIES	4,153.54	4,097.44	7,000.00	7,000.00
52-40-550	DEPRECIATION	223,242.77	277,633.69	294,000.00	320,000.00
52-40-560	BAD DEBT	120.10	2,118.18	6,600.00	6,600.00
52-40-570	COLLECTION COSTS	.00	.00	200.00	200.00
52-40-690	SERVICES NOT CLASSIFIED	105.00	554.68	500.00	500.00
52-40-695	CREDIT CARD FEES	5,157.61	5,711.21	5,000.00	5,000.00
52-40-700	SMALL EQUIPMENT	450.00	11,227.10	.00	4,000.00
52-40-740	PURCHASE EQUIPMENT	.00	.00	85,000.00	85,000.00
52-40-755	CAPITAL PROJECTS	.00	.00	350,000.00	350,000.00
52-40-760	CAPITAL TO BALANCE SHEET	.00	.00	.00	435,000.00
52-40-800	TRANSFER TO OTHER FUNDS	.00	.00	3,950.00	.00
52-40-900	ADMIN FEE - GENERAL FUND	114,522.00	121,586.04	228,671.00	223,269.00

Account Number	Account Title	2017-18 Prior year 2 Actual	2018-19 Prior year Actual	2019-20 Approved Budget	2020-21 Proposed Budget
	Total EXPENDITURES:	1,819,287.42	1,956,658.49	2,582,650.00	2,139,930.00
	SEWER FUND Revenue Total:	2,222,105.43	2,684,024.98	2,582,650.00	2,255,793.00
	SEWER FUND Expenditure Total:	1,819,287.42	1,956,658.49	2,582,650.00	2,139,930.00
	Net Total SEWER FUND:	402,818.01	727,366.49	.00	115,863.00

Account Number	Account Title	2017-18 Prior year 2 Actual	2018-19 Prior year Actual	2019-20 Approved Budget	2020-21 Proposed Budget
STORM WATER UTILITY FUND					
MISCELLANEOUS					
53-36-100	INTEREST EARNED	19,005.62	14,329.11	16,733.00	16,733.00
53-36-130	DONATED REVENUE	.00	262,278.79	.00	.00
53-36-400	SALE OF ASSETS	.00	29,279.89	130,500.00	130,500.00
53-36-500	MISCELLANEOUS REVENUE	211.95	10.00	50,000.00	.00
53-36-560	GRANT REVENUE	.00	786,836.35	150,000.00	2,718,304.00
53-36-600	BUILDERS SYSTEM CONTRIBUTIONS	329,540.25	953,352.41	.00	.00
Total MISCELLANEOUS:		348,757.82	2,046,086.55	347,233.00	2,865,537.00
ENTERPRISE REVENUE					
53-37-110	UTILITY BILLING	730,645.04	843,081.08	757,212.00	855,435.00
53-37-111	Utility Billing R&R	58,602.40	184,244.16	220,914.00	224,780.00
Total ENTERPRISE REVENUE:		789,247.44	1,027,325.24	978,126.00	1,080,215.00
CONTRIBUTIONS & TRANSFERS					
53-38-120	TRANSFER FROM OTHER FUNDS	.00	61,222.11	.00	.00
Total CONTRIBUTIONS & TRANSFERS:		.00	61,222.11	.00	.00
SPECIAL REVENUE					
53-39-010	TRANSFER FROM STORM IMPACT FE	.00	.00	223,950.00	313,000.00
53-39-810	RETAINED EARNINGS	.00	.00	121,451.00	.00
53-39-811	UNFUNDED DEPRECIATION	.00	.00	60,000.00	.00
Total SPECIAL REVENUE:		.00	.00	405,401.00	313,000.00
EXPENDITURES					
53-40-110	SALARIES	162,724.56	204,022.04	148,100.00	125,494.00
53-40-115	Part-time Employee Wages	14,155.38	15,596.31	15,983.00	17,118.00
53-40-130	EMPLOYEE BENEFITS	74,418.36	160,592.76	95,695.00	60,411.00
53-40-135	COMPENSATED ABSENCES	689.80	1,709.37	2,300.00	2,300.00
53-40-140	UNIFORM	2,601.98	1,933.63	2,550.00	2,000.00
53-40-210	Subscriptions & Memberships	1,240.00	6,410.33	5,700.00	6,200.00
53-40-230	TRAVEL & TRAINING	3,304.71	3,675.85	3,000.00	1,500.00
53-40-240	OFFICE SUPPLIES	760.99	390.16	2,280.00	2,280.00
53-40-245	MAILING SERVICES	9,279.30	10,346.13	12,500.00	12,500.00
53-40-250	MOTOR POOL LEASE	128,317.92	122,172.00	39,558.00	39,498.00
53-40-251	FUEL & PARTS	.00	.00	16,800.00	16,800.00
53-40-255	COMPUTER SERVICES	1,036.48	1,830.00	9,100.00	8,200.00
53-40-281	TELEPHONE	3,229.59	4,591.73	2,100.00	3,000.00
53-40-310	PROFESSIONAL SERVICES	2,000.76	1,750.00	3,000.00	3,000.00
53-40-330	ENGINEER SERVICE	31,011.43	8,089.60	10,000.00	10,000.00
53-40-370	PINEVIEW WATER ASSESSMENT	3,231.94	3,667.41	2,600.00	4,500.00
53-40-372	NORTH OGDEN CANAL CO	.00	.00	20,000.00	20,000.00
53-40-375	STORM WATER CHARGES OGDEN CI	3,821.70	3,941.94	10,000.00	10,000.00
53-40-410	PREVENTATIVE MAINTENANCE	16,771.62	10,214.14	32,000.00	15,000.00
53-40-450	DEPARTMENT SUPPLIES	5,888.15	7,589.42	9,250.00	9,250.00
53-40-550	DEPRECIATION	279,577.21	324,245.38	310,000.00	350,000.00
53-40-560	BAD DEBT	42.99	824.23	2,200.00	2,200.00
53-40-690	SERVICES NOT CLASSIFIED	33,312.15	29,238.43	33,500.00	33,500.00
53-40-695	CREDIT CARD FEES	3,182.88	2,998.36	3,000.00	3,000.00
53-40-700	SMALL EQUIPMENT	.00	1,594.29	500.00	1,900.00

Account Number	Account Title	2017-18 Prior year 2 Actual	2018-19 Prior year Actual	2019-20 Approved Budget	2020-21 Proposed Budget
53-40-740	PURCHASE EQUIPMENT	.00	.00	217,000.00	132,000.00
53-40-750	CAPITAL PROJECTS	.00	.00	423,950.00	3,131,304.00
53-40-760	CAPITAL TO BALANCE SHEET	.00	.00	.00	3,263,304.00-
53-40-800	TRANSFER TO OTHER FUNDS	.00	.00	34,951.00	.00
53-40-820	INTEREST EXPENSE	1,779.58	.00	.00	.00
53-40-900	ADMIN FEE - GENERAL FUND	114,522.00	127,586.04	263,143.00	258,977.00
Total EXPENDITURES:		896,901.48	1,055,009.55	1,730,760.00	1,018,628.00
STORM WATER UTILITY FUND Revenue Total:		1,138,005.26	3,134,633.90	1,730,760.00	4,258,752.00
STORM WATER UTILITY FUND Expenditure Total:		896,901.48	1,055,009.55	1,730,760.00	1,018,628.00
Net Total STORM WATER UTILITY FUND:		241,103.78	2,079,624.35	.00	3,240,124.00

Account Number	Account Title	2017-18 Prior year 2 Actual	2018-19 Prior year Actual	2019-20 Approved Budget	2020-21 Proposed Budget
SOLID WASTE & DISPOSAL FUND					
MISCELLANEOUS					
58-36-100	INTEREST INCOME	6,145.84	8,904.79	7,363.00	7,362.00
58-36-400	SALE OF ASSETS	14,903.00	3,653.58	47,500.00	36,000.00
58-36-500	MISCELLANEOUS REVENUE	15,894.60	17,163.28	11,000.00	11,000.00
Total MISCELLANEOUS:		36,943.44	29,721.65	65,863.00	54,362.00
ENTERPRISE REVENUE					
58-37-110	UTILITY BILLING	923,037.59	1,022,217.98	1,098,730.00	1,051,632.00
58-37-111	UTILITY BILLING - R&R	89,105.74	62,401.62	.00	65,156.00
Total ENTERPRISE REVENUE:		1,012,143.33	1,084,619.60	1,098,730.00	1,116,788.00
SPECIAL REVENUE					
58-39-010	SPECIAL FEES BUILDERS	41,000.00	33,800.00	32,000.00	32,000.00
58-39-810	RETAINED EARNINGS	.00	.00	45,000.00	.00
Total SPECIAL REVENUE:		41,000.00	33,800.00	77,000.00	32,000.00
EXPENDITURES					
58-40-110	SALARIES	64,543.69	91,365.64	59,360.00	62,966.00
58-40-115	PART TIME EMPLOYEE WAGES	3,493.50	3,410.00	3,640.00	3,610.00
58-40-130	EMPLOYEE BENEFITS	24,200.20	48,962.09	21,398.00	18,932.00
58-40-135	COMPENSATED ABSENCES	1,433.24	2,883.69	2,834.00	2,834.00
58-40-140	UNIFORM ALLOWANCE	516.05	604.94	850.00	400.00
58-40-230	TRAVEL & TRAINING	1,332.15	1,131.49	1,200.00	1,000.00
58-40-240	OFFICE SUPPLIES	42.38	86.77	2,000.00	2,000.00
58-40-245	POSTAGE & MAILING SERVICES	9,278.77	10,346.02	12,500.00	12,500.00
58-40-250	MOTOR POOL LEASE	25,663.92	23,714.04	30,479.00	30,302.00
58-40-251	FUEL & PARTS	.00	.00	1,800.00	2,000.00
58-40-255	COMPUTER SERVICES	36.47	.00	.00	.00
58-40-280	TELEPHONE	1,225.41	1,618.24	900.00	2,100.00
58-40-310	PROFESSIONAL SERVICES	.00	.00	1,000.00	1,000.00
58-40-360	SPRING CLEANUP	7,416.28	10,955.71	12,000.00	12,000.00
58-40-370	TRANSFER STATION FEES	274,444.45	297,293.50	311,596.00	310,009.00
58-40-390	WASTE HAULING	418,179.75	436,097.84	457,970.00	577,720.00
58-40-391	RECYCLED WASTE TIPPING	25,226.42	37,676.92	45,900.00	74,639.00
58-40-395	MULCHING	5,056.60	1,287.27	10,000.00	10,000.00
58-40-400	GARBAGE CAN REPLACEMENT	.00	130.52	45,000.00	45,000.00
58-40-450	DEPARTMENT SUPPLIES	1,549.02	2,198.65	3,000.00	4,000.00
58-40-550	DEPRECIATION	29,076.84	42,039.69	33,034.00	45,000.00
58-40-560	BAD DEBT	102.51	1,785.02	4,400.00	4,400.00
58-40-690	SERVICES NOT CLASSIFIED	65.00	188.00	1,000.00	1,000.00
58-40-695	CREDIT CARD FEES	5,069.27	6,139.55	5,500.00	5,500.00
58-40-700	SMALL EQUIPMENT	2,314.75	366.81	.00	5,500.00
58-40-740	PURCHASE EQUIPMENT	.00	.00	36,000.00	36,000.00
58-40-760	CAPITAL TO BALANCE SHEET	.00	.00	.00	81,000.00
58-40-800	TRANSFER TO OTHER FUNDS	.00	.00	1,700.00	.00
58-40-810	RETAINED EARNINGS	.00	.00	11,500.00	.00
58-40-900	ADMIN FEE - GENERAL FUND	91,336.08	87,447.00	125,032.00	117,744.00
Total EXPENDITURES:		988,736.27	1,107,729.40	1,241,593.00	1,307,156.00
SOLID WASTE & DISPOSAL FUND Revenue Total:		1,090,086.77	1,148,141.25	1,241,593.00	1,203,150.00

Account Number	Account Title	2017-18 Prior year 2 Actual	2018-19 Prior year Actual	2019-20 Approved Budget	2020-21 Proposed Budget
	SOLID WASTE & DISPOSAL FUND Expenditure Total:	988,736.27	1,107,729.40	1,241,593.00	1,307,156.00
	Net Total SOLID WASTE & DISPOSAL FUND:	101,350.50	40,411.85	.00	104,006.00-

Report Criteria:

Accounts to include: With balances

Print Fund Titles

Page and Total by Fund

Print Source Titles

Total by Source

Print Department Titles

Total by Department

All Segments Tested for Total Breaks

[Report].Account Number = "2300000"-"3399999","4100000"-"5899999"



NORTH OGDEN CITY STAFF REPORT

TO: City Council
FROM: Jonathan Call, North Ogden City Attorney
DATE: 4/21/2020
RE: Extension of Lease to Family Promise

Family Promise has asked that we extend their contract for the lease of the Public Works Property until June 30, 2021. Under this contract we are allowed to renew it for up to 3 years through July 31, 2024. Staff recommends adopting this contract if the Council would like to extend this relationship.

Attached is the contract with the appropriate language tweaks included.

FACILITY USE AGREEMENT

This FACILITY USE AGREEMENT made as of this _____ day of _____, 2020, is between NORTH OGDEN CITY (“Owner”) and FAMILY PROMISE OF OGDEN (“User”), a Utah non-profit corporation.

Whereas, Owner and User desire to enter into this Use Agreement regarding the real property described herein (“Premises”)

Wherefore, in consideration of the mutual covenants contained herein, Owner and User agree as follows:

1. DESCRIPTION OF PREMISES: Owner and User acknowledge that Owner continues to use the building, associated parking, grounds, and easements known as the Old North Ogden Public Works Building, located at 332 E Pleasant View Drive, North Ogden, Utah (“Old Public Works Building”) specifically for storage of Weber County Search & Rescue Services and other municipal purposes. The parties also acknowledge that User’s use of the Premises will not interfere with Owner’s continued use of the Old Public Works Building.
2. PURPOSE: User intends to use the Premises as an overnight host facility for up to ~~14-20~~ guests currently enrolled in Family Promise of Ogden’s program. The host period is one week and the Premises will be used for no less than 2 weeks per year and no more than 12 weeks per year. Volunteers provide meals, bedding, supplies and supervision. This program assists families with children in securing housing, employment, benefits and other services with the goal of moving them from homelessness to independence. User agrees that it shall not use the Premises in such a manner as to interfere with the quiet enjoyment of the portions of the Premises that shall remain occupied by the Owner. User shall cooperate with Owner in the use of parking and other common facilities so as to not unreasonably interfere with Owner’s operations, guests, employees and invitees. User agrees to comply with all Federal, State and Local governmental laws, ordinances and regulations affecting the operation of the Premises during the term of this Facility Use Agreement.
 - a. ~~Family Promise may be allowed to utilize the facility more than 12 weeks per year in times of emergency, health crisis, or otherwise as approved by the Mayor. At the next regularly scheduled Council meeting the Mayor shall inform the Council of the change in facility usage, and confirmed by the Council at the request of any member of the Council during the next regularly scheduled meeting.~~
3. TERM: ~~The term of this Facility Use Agreement shall begin on July 1, 2020 and terminate on June 30, 2021. This agreement may be extended at the option of both parties for up to three (3) one year terms. year with no term longer than two (2) years.-(the “Term”).~~
4. RENT: There shall be no rent charged for the use of the Premises for the Term.
5. INSURANCE: User agrees to keep in force, at its sole cost and expense, a policy of public liability and property damage insurance with respect to the Premises and the activities operated

by User in the Premises, with a minimum of \$1,000,000 single limits and \$2,000,000 combined limits for personal or bodily injury and property damage. The policy shall name Owner and User as insured's, and shall contain a clause that the insurer will not cancel or change the insurance without first giving Owner and User ten (10) days prior written notice. User waives its right of subrogation against Owner for any reason whatsoever, and any insurance policies procured by User shall contain an express waiver of any right of subrogation by the insurer against Owner.

6. **DAMAGE:** In case the Premises shall be so damaged by fire, earthquake, the elements, or any other casualty as to be untenable, User's term of use herein shall be proportionately abated during any period necessary for Owner to restore said Premises. Owner shall not be liable nor responsible for any User personal property on the Premises. In the event the Premises are unable to be restored, within thirty (30) days of the event causing the damage, to the condition existing immediately prior to the event causing the damage, either Owner or User may provide ten (120) days written notice to the other party that this User Agreement is terminated.
7. **INSPECTION OF PREMISES:** User has made a physical inspection and examination of the Premises prior to execution of this Use Agreement and acknowledges that the Premises are in satisfactory condition and layout at the time User entered into occupancy. User acknowledges that User is not relying on any representation of Owner regarding the condition of the Premises except as specifically provided in this Use Agreement.
8. **SUBLETTING ASSIGNING AND USE:** User shall not sublease the Premises without the express prior written consent of Owner, which consent shall be at the sole discretion of the Owner.
9. **CONDITION OF PREMISES:** User hereby agrees that User is using the Premises in its as-is condition with the exception of the bathrooms. Owner has agreed to make bathrooms functional which includes but is not limited to toilet repair and shower door repair. User further agrees to maintain the Premises in good and reasonable condition and to return the Premises to Owner in substantially the same condition upon the termination of this Use Agreement, reasonable wear and tear accepted.
10. **RESERVATION BY OWNER:** Owner, its agents or assigns, shall have the right to enter the Premises at any reasonable hour to conduct its business or inspect the Premises to insure the proper and complete compliance by User to the terms and conditions of this Use Agreement. Owner shall have the right to enter the Premises to inspect the Premises and to make repairs, alterations, or modifications as required.
11. **INDEMNITY:**
 - a) User shall indemnify Owner and save it harmless from and against any and all suits, actions, damages, claims, liability and expense in connection with loss of life, bodily or personal injury, or property damage arising from or out of any occurrence in, upon, at or from the Premises, or the occupancy or use by User of the Premises or any part thereof, or occasioned wholly or in part by any act or omission of User, or their agents, contractors, employees, volunteers, invitees, guests, licensees, or concessionaires.

b) Owner shall not be responsible or liable at any time for any loss or damage to the personal property or business of User, including any loss or damage to either the person or property of User that may be occasioned by or through the acts or omissions of persons occupying adjacent, connecting or adjoining space. User shall use and enjoy the Premises at their own risk, and hereby release Owner, to the full extent permitted by law, from all claims of every kind resulting in loss of life, personal or bodily injury, or property damage.

12. MAINTENANCE, EXPENSES AND UTILITIES: Generally, Owner shall be responsible for the maintenance of all core and shell elements of the Premises, which include the base structure including foundation, beams, columns, floor slabs, and roof structure; building envelope, including exterior walls, exterior windows and glazing, and roof; any common areas, including entrance vestibule, fire egress stairways and corridors, mechanical rooms, electrical switchgear, communication equipment rooms and any public toilets; electrical and mechanical systems, including electrical, plumbing, and telecommunications; combination fire standpipe/sprinkler system and central fire alarm system.

User agrees that User will not perform any maintenance of the following without first obtaining the prior written approval of Owner, which consent shall be at the sole discretion of Owner: maintenance of interior partitioning and doors; internal surface finishes (including interior wall cladding, paint, ceilings, and flooring); installation of any window treatments, furnishing, and equipment; and the maintenance of hot water heaters, the central air, and HCAC system.

User shall have the duty of performing normal repair or replacement of light bulbs, HVAC filters, items damaged during User's occupancy of the Premises, and other wear and tear items common to the occupancy of the Premises by the User. Owner shall be responsible for snow removal along the sidewalks surrounding the building and in the parking lot of the premises. Owner shall be responsible for grounds maintenance of the premises, including tree and shrub maintenance, lawn mowing, pest control, weeding and concrete/asphalt maintenance and repair. User agrees to maintain the Premises in a neat and clean condition and shall not permit the accumulation of trash or other debris thereupon.

Owner shall be responsible for the payment of all of the public utilities/services to the Premises required for User's occupancy; including but not limited to, water, sewer, power, dumpster service and natural gas. Utility bills will remain in the name of Owner.

13. EVENT OF DEFAULT – REMEDIES OF OWNER: Upon the occurrence of any of the following events, Owner shall have the remedies set forth below:

a) User fails to perform any term, condition, or covenant to be performed by User pursuant to this Use Agreement within ten (10) days after written notice of such default.

14. REMEDIES: Upon the occurrence of the event(s) set forth above, Owner shall have the option to take any or all of the following actions, without further notice or demand of any kind to User or any other person:

- a) Immediately reenter and remove all persons and property from the used Premises, storing said property in a public place, warehouse, or elsewhere at the cost of, and for the account of, User.
- b) Collect by suit or otherwise any sum as it becomes due hereunder, or enforce, by suit or otherwise, any other term or provision hereof on the part of User required to be kept or performed.
- c) Terminate the User Agreement by written notice to User. In the event of such terminations, User agrees to immediately surrender possession of Premises
- d) Elect to pursue any remedy allowed by law.

15. **ATTORNEY’S FEES:** In the event of default, the defaulting party agrees to pay to the non-defaulting party all costs of enforcement hereof, including reasonable attorneys’ fees and court costs, whether incurred prior to and/or after court actions.

16. **NOTICES:** All notices required herein shall be given to the respective parties hereto in writing, mailed postage prepaid, by certified mail to:

<p>USER: Family Promise of Ogden Attn: Dave Broderick P.O. Box 13818 Ogden, UT 84412</p>	<p>OWNER: North Ogden City Corporation Attn: Annette Spendlove 505 E 2600 N N Ogden, UT 84414</p>
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Notice may be given by personal service.

17. **MODIFICATION TO PREMISES:** User agrees that User will be not permitted to make any modifications to the Premises without first obtaining the prior written approval of Owner, which consent shall be at the sole discretion of Owner.

18. **HEIRS AND ASSIGNS:** Each and all of the terms and conditions contained herein shall be binding upon the parties hereto and shall extend to, bind and inure to the benefit of their respective heirs, assigns, successors and personal representatives.

19. **SIGNS AND ADVERTISING:** User may place or suffer to be placed or maintained on any exterior door, wall or window of the Premises, or elsewhere in or on the property, any sign, awning, marquee, decoration, lettering, attachment or canopy, or advertising matter of any kind – as long as such advertising is in good condition and repair at all times and conforms with all relative N Ogden City ordinances.

20. **OUTSIDE STORAGE:** User agrees that there is to be no outside storage of supplies or materials.

IN WITNESS WHEREOF, the Parties have executed this Use Agreement at North Ogden, Weber County, Utah the day and year first above written.

USER:

Family Promise of Ogden

By: _____

Title: _____

Date: _____

OWNER:

NORTH OGDEN CITY

Date: _____

By: S. Neal Berube, Mayor

Date: _____

Attest: S. Annette Spendlove