

**NORTH OGDEN CITY COUNCIL  
MEETING MINUTES**

July 9, 2019

The North Ogden City Council convened in an open meeting on July 9, 2019 at 6 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 July 3, 2019. Notice of the annual meeting schedule was published in the Standard-Examiner on December 28, 2018.

PRESENT:	M. Brent Chugg	Mayor	
	Ryan Barker	Council Member	
	Blake Cevering	Council Member	(excused)
	Cheryl Stoker	Council Member	
	Phillip Swanson	Council Member	
	Carl Turner	Council Member	

STAFF PRESENT:	Jon Call	City Manager/Attorney
	Annette Spendlove	City Recorder/HR Director

VISITORS:	Kevin Burns	Leonard Looney	Julie Anderson
	Lynn Satterthwaite	John W. Hansen	Randy Winn
	Michael Anaya	Benj Becker	Stefanie Casey
	Susan Clements	Brenda Ashdown	Dale Anderson

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

**ACTIVE AGENDA**

**1. PUBLIC COMMENTS**

Lynn Satterthwaite, 1143 E. 2250 N., thanked the Mayor and Council for their service.

Julie Anderson, 940 E. 2600 N., thanked the City for the Cherry Days Celebration and she thanked those who cleaned the posse arena.

Leonard Looney, 2527 N. 525 E., echoed Ms. Anderson's gratitude for the Cherry Days Celebration. He then referenced the agenda item relating to the Police Department

providing officers in local schools; it appears that the School District will pay the salary of these Officers and he asked if that means the City will have funding available to hire additional officers to be assigned to other matters. Mayor Chugg answered no; there are no plans to hire additional Officers.

2. **MAJOR PROJECT: 2550 DETENTION BASIN PRESENTATION BY ZION'S PUBLIC FINANCE ON THE POTENTIAL IMPACT OF CONVERTING THE EXISTING BASIN TO COMMERCIAL USE.**

Benj Becker, Zions Bank Public Finance, used the aid of a PowerPoint presentation to discuss the potential impact of converting the existing basin on 2550 North to commercial use. To determine these impacts, it is important to consider the highest and best use of the property, any fiscal impacts, and the retail market trends. The definition of highest and best use is the reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that results in the highest value. The first consideration is what is physically possible, and Mr. Becker noted the site has desirable visibility and exposure characteristics, includes frontage on two rights-of-way, and is adequately configured for multiple use options. Neighboring uses do not present notable developmental barriers. Relative to what is legally permissible, the site is zoned RE-20, which is the City's suburban residential zone providing for single-family residential and agricultural uses. The City's ownership of the property allows for zoning flexibility. A change of use would be considered financially feasible if the anticipated value is greater than the expected cost of construction; feasibility is a reflection of current market conditions, which suggest the following:

- Residential – strong support for apartments, townhomes, and single-family homes;
  - Low vacancies, increasing rental rates, limited concessions, short rollover periods.
- Office – healthy employment growth leading to office demand in key areas.
  - Suburban office use primarily limited to professional users needing less than 5,000 square feet.
- Retail – healthy demand for specialty retail options in key locations.
  - Generally considered to be overbuilt with retail in most submarkets;
  - Retail would need to be flexible for a variety of users.

The maximally productive use is that which creates the greatest return to the land. This subject property has some unique characteristics that influence the maximally productive uses, including the desire/potential to maximize fiscal benefits to the City and the ability of the City to influence feasibility by providing land and/or tax increment financing.

Mr. Becker then provided a scenario for residential development of the property; this scenario called for 200 units consuming four acres or 220,000 square feet. There would



be two buildings, each three stories in height, with surface parking at 1.5 parking spaces per unit. The average unit size would be 1,000 square feet. The capitalization rate would be 6.0 to 6.5 percent with expected profit ranging between 18 and 28 percent. The fiscal impact to North Ogden would be approximately \$25,000 annually in property tax revenue and a population distribution of \$49,000. A second scenario entails an office space use; the property could accommodate two buildings of professional office space; the capitalization rate for this type of project is higher than residential and the expected profit would range between nine and 16 percent for a developer. The project would generate \$15,500 in property tax annually for the City. Scenario three is retail development, including multiple uses in 50,000 square feet. The capitalization rate would be 8.0 to 8.5 percent with an expected profit of 11 to 17.5 percent. The fiscal impact for the City would be \$15,000 in property tax and \$94,000 in sales tax revenue for a total of \$109,000 annually. He offered a comparison of the fiscal impacts for each of the three scenarios; developers would likely pursue residential development as the likely profit for them would be greater than for office or retail. He discussed other impacts of the potential projects, such as the increased population associated with a residential use and the impact of higher daytime population of the City if the professional office use were selected. Options available to the City relative to increasing profitability and investment desirability for the property include reducing the “cost of land” by lowering perceived value as portion of equity, making tax increment financing tools available to potential developers, providing financing options, and/or providing equity (in addition to the land).

Mr. Becker then briefly discussed the retail characteristics for properties on 2600 North; there are strong traffic counts on Washington Boulevard and 2600 North. Additionally, there is a significant population support within a three and five mile range; the average income of the population within the three-mile range is \$82,000 annually. This translates to strong ‘capture’ characteristics. The cons of a retail development include changing market trends, a decline in the demand for space as some areas have been overbuilt, and a focus on areas of major planned growth. He then expounded on retail conditions in Utah from 2017 to 2019 as well as the trends in retail development and what retailers are doing to adjust. Retailers want the following:

- Strong traffic counts – multiple points of access;
- Growing populations counts in 0.5, 1.0, 3.0-mile radii;
- Daytime populations – typically requires an office presence;
- Destination locations – customer draws (parks, stadiums, entertainment options, etc.);
- Retailers are looking more closely at which demographics are more likely to online shop, and are looking for areas which support traditional retail activity.

He discussed the top retailers and considerations that these retailers make before determining whether to locate in a community. Retailers are so different from one another and it is important for a City to consider the impact of various retailers and their average sales per square foot as this is what translates to the fiscal impact for the City.

Council Member Swanson inquired as to the total fiscal impact per square foot for existing commercial development in the City. Mr. Becker stated that would be good information for the City to have, but he did not calculate that information for his presentation. City Manager/Attorney Call stated that the major uses in the City are its grocery stores and the total per square foot fiscal impact is likely approximately \$20. Mr. Becker stated that number is derived by dividing the total amount of retail square footage by the City's population. However, it is also important to consider that residents from other communities shop in North Ogden.

Mr. Call stated that this information was pursued in order to aid the Council in making their decision regarding whether to proceed with relocating the 2550 North detention basin and repurposing the subject property.

3. **DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH WEBER SCHOOL DISTRICT FOR LAW ENFORCEMENT SERVICES**

A staff memo from City Manager/Attorney Call explained that for the past several years the City has contracted with Weber School District to provide an in-school resource officer. In order to accomplish this, the City must periodically execute a new agreement to provide for the administration over the position as well as reimbursement for the officer's time. The City's Officer spends a significant amount of time with the students assisting with everything from criminal complaints to basic social interaction. From the City's perspective, there are real benefits associated with having a uniformed officer in the schools. Staff recommends the adoption of this agreement.

Mr. Call reviewed his staff memo.

Council Member Turner inquired as to which school the Officer will be assigned. Mr. Call stated the North Ogden Officer will be assigned to North Ogden Junior High; other cities have assigned officers to Orion Junior High and Weber High School. He then briefly reviewed the terms of the agreement.

**Council Member Swanson motioned to approve Agreement A15-2019 with Weber School District for Law Enforcement Services. Council Member Barker seconded the motion.**

**Voting on the motion:**

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

**The motion passed unanimously.**



4. **DISCUSSION AND/OR ACTION TO CONSIDER MEMBERS FOR THE GENERAL PLAN COMMITTEE**

Mayor Chugg noted that during the last City Council meeting, he recommended appointments to the General Plan Committee. During that meeting, there were three individuals who indicated they would also like to be appointed to the Committee: Meg Sanders, Stefanie Casey, and Julie Anderson. He submitted their names to the Council for consideration of appointment to the Committee.

**Council Member Swanson motioned to approve members for the General Plan Committee. Council Member Stoker seconded the motion.**

**Voting on the motion:**

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

**The motion passed unanimously.**

Mr. Call noted the first meeting of the Committee is scheduled for July 31, 2019.

5. **MAJOR PROJECTS UPDATE**

A staff memo from City Manager/Attorney Call provided updates on several Major Projects coming up in the next few years in the City.

- Monroe Boulevard (2016- 2018): All Voluntary Purchases have been made – Final Report.
- 3100 Debris Basin (2018- 2019): This debris basin is 95% complete. All the excavation work is complete and all that is left is the reseeding of the new slopes with a natural seed mixture and the installation of a few silt fences further up the hill to catch as much debris flow further up the hill as we can to keep this facility clean.
- Street Projects (2018- 2019): Annually the City resurfaces, restripes, and reseals various roads across the City. The Council has approved roughly 500k of funds this coming year (summer 2019 – spring 2020) to maintain our current roads.
- Culinary Water Storage Facility (2018-2019): The City Council has approved a budget to begin the design of this project to increase the culinary water storage capacity by 1 million gallons. This project has been delayed based on some soil issues at the proposed site. Staff is now evaluating a different site near another

existing tank to see if the soils are better for the project, which we hope will keep the new tank on budget. We are exploring using the new tank site as a trailhead location for some future trails to help connect the various subdivisions in the City.

- Amphitheater (2018-2020): Construction has begun to finish the majority of the inside of the building. We expect to have almost everything completed by the beginning of August, though we do have a few long lead time items which may be installed as late as the end of August because they are being fabricated at the manufacturer. As identified earlier, this will complete all the plumbing, electrical, restrooms, changing rooms, green room, and office space. We plan on ordering and installing ourselves the curtains the Council had approved after Wadman is finished with their work. Our desire was to finish out all the construction invoices and then evaluate exactly the money left over for curtains to make sure we stay within the prescribed budget. As of June 30, 2019, we have spent \$153,263.02. We had originally planned to complete the entire project by June 30, 2019 but delays in budget approvals and things caused the project to span fiscal year 2019 and fiscal year 2020. We will need to bring back a budget amendment to show that the \$603,150.98 remaining to be spent for this phase will be spent in the 2020 budget year. The total for the two years will remain the same at \$756,414. Originally, we had only planned on carrying over \$378,207 from fiscal year 2019. That will be a future budget amendment in August.
- 2550 Detention Basin (2018 – 2020): The Council will be looking at this facility again based on a request from Pineview and the design engineer related to storm water capacity and irrigation water storage. This discussion is scheduled for July 23, 2019.
- 400/450 East Widening (2020-2021): The Council has selected a 92-foot right of way model with parking on both sides of the street and bike lanes for the project. The designer has been working with a few unique properties to come up with the best solutions for each of those properties. We should begin acquiring the right of way in the next couple months and still plan to start construction in the Spring of 2019.
- Other Projects without start dates, or funding approved: Police Station, Barker Park, Park Rehab projects, other street widenings.

#### Residential Project Requests

- Cooper's Towne: Approx. 1500 N. and Washington Blvd. – the City has been approached about the approval of an apartment complex on Washington Blvd. just south of the Walker Cinemas. The Planning Commission has done an initial review but has not scheduled any additional meetings as of yet while the landowner prepares his information for submittal.
- Village at Prominence Point: 1700 N. Washington Blvd. - We have received an initial request from the landowner for the next phase of townhomes which would go on the east side of the assisted living facility (The Lodge) and connect to 1700 North. This will be addressed at an upcoming Planning Commission meeting in the next month or so.



- The Ranches: 200 E. 2300 N. – We have received a request for a rezone to MPC for a townhome/twin home/apartment project just west of The Ranches townhome development. We have not scheduled a Planning Commission meeting yet.
- The North Cove: 800 E. 4400 N. – The Council was approached by this landowner with the idea of putting some twin homes and possibly town homes in some limited areas of the roughly 200 acres to be annexed into the City. The Council has not given any official review or approval of the proposed project and the landowner has not submitted anything firm as far as a proposal. The possibility was discussed of doing some connected units to preserve some additional open space.

Mr. Call reviewed his staff memo and facilitated brief high-level discussion among the Council regarding certain components and budgeting for various projects included in the report.

**6. DISCUSSION AND/OR ACTION TO CONSIDER APPROVING CHANGES TO THE NORTH OGDEN CITY ORGANIZATIONAL CHART**

A staff memo from City Manager/Attorney Call explained that Administration has been reviewing the organizational structure of the City and is recommending a few changes. Specifically, there are employees who have two job titles who report to different supervisors, or to the Council directly and Administration wants to clarify for those employees they do in fact have two supervisors. For example, Annette Spendlove is the Human Resources Director and City Recorder; the HR Director should report through the City Manager and Mayor to the Council, but the City Recorder should report directly to the Council for the respective job-related duties.

There is at least one significant change in that the City Treasurer will now be reporting directly to the Mayor/Council, though the day to day functions of that position will not change. The reasoning behind this is to have all the individuals appointed by the Mayor and Council under Utah statute report directly to the Mayor and Council.

With this change, Administration wants to emphasize that in no way does this require a City Council member to speak with the Mayor or City Manager prior to making direct contact with a Department Head or front-line employee. The only thing Administration asks is that all Council Members speak with the Department Heads with requests for work to be completed or process changes for front line employees. It can cause a significant amount of confusion for employees to be given direction from Council members because they have typically been given direction at the daily department meetings with specific goals outlined for the day. Administration wants any policy changes to go through the Department Head to avoid friction between employees or departments.

Mr. Call reviewed his staff memo and facilitated a high-level review of the City's organizational chart. Mayor Chugg asked that the Council review the chart and provide any feedback to him in order to work with Mr. Call to implement further changes.

7. **DISCUSSION AND/OR ACTION TO CONSIDER GIVING NORTH SHORE POOL PASSES TO INDIVIDUAL FAMILIES IN THE FAMILY PROMISE PROGRAM**

Council Member Swanson facilitated discussion among the Council regarding the concept of offering pool passes to families participating in the Family Promise program; this is an idea that was brought forth by Julie Anderson on Facebook and that idea was echoed by other residents. He stated he is supportive of the idea and asked if other Council Members feel the same.

Council Member Barker asked if the pass would be a one-time pass or a season pass. Council Member Swanson stated he initially thought it would be a one-time pass, but he indicated he was not opposed to a season pass. Council Member Barker stated he feels a season pass would be better.

**Council Member Swanson motioned to approve giving North Shore pool season passes to individual families in the Family Promise Program that are in our facility. Council Member Barker seconded the motion.**

**Voting on the motion:**

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

**The motion passed unanimously.**

8. **PUBLIC COMMENTS**

Julie Anderson, 940 E. 2600 N., reported the North Ogden Junior Posse won their competition on July 3 and they will compete again this coming Saturday.

Randy Winn, 2412 Barker Parkway, stated that he has concerns about allowing tall buildings that could be three to four stories in height and he asked that those concerns be considered as the Council proceeds with discussions about the Cooper's Towne project. These taller buildings may impact the profile of the City and the flavor of the suburban nature of the City.



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

Council Member Barker asked if the application period for the Events Coordinator position has closed. City Manager/Attorney Call answered yes and indicated there were 18 applicants.

Council Member Swanson asked that Mr. Call provide the City with data relative to population densities that was used to develop the Zion's Bank presentation. He then asked about the outcome of locating the parade entries with horses at the beginning of the Cherry Days parade. Ms. Anderson stated it was great and there were no problems at all. She expressed her gratitude for allowing the Posse to be at the beginning of the parade.

Council Member Stoker asked if anything has been done about the lighting on the assisted living facility at the Village at Prominence Point project. Mr. Call stated he has visited with the owner of the facility and he indicated that some shields could be added to the lights, but that would void the warranty. They feel that the brightness of the lights may be naturally mitigated by the construction of the cottage structures around it, but that the occupants of those structures may also complain about the lights. He concluded the lights comply with the ordinance so there is nothing the City can really do about them, but the owner has not indicated he is unwilling to work with the City to address the concerns that have been expressed by residents of the neighborhoods to the west. Council Member Stoker then thanked all City employees and volunteers who were involved in the Cherry Days events. Mayor Chugg stated that Council Member Stoker and her husband should also be commended for the role they play in making the annual Cherry Days event a success.

Mr. Call stated that he is working to develop a list of topics to be discussed relative to the successes or problems encountered throughout the Cherry Days celebration. This list will be used to inform adjustments to the schedule of events next year. He discussed some of the complaints that he has heard since the celebration concluded. He then reported on free community events that will be held in the City through the remainder of the summer and briefly discussed the most recent Movies in the Park event; the speaker system was not too loud and did not violate the sound ordinance, but the headphone program that was made available was not a great success and he will continue to work with Parks and Recreation Director Staheli to determine the best broadcasting options for future events.

Mayor Chugg reported that Lieutenant Bill Aeschlimann will retire at the end of the month and there will be an announcement forthcoming about the manner in which his position will be filled.

10. ADJOURNMENT

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


Voting on the motion:

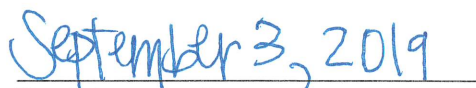
Council Member Barker	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

The meeting adjourned at 7:29 p.m.

  
M. Brent Chugg, Mayor

  
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Susan Nance  
Deputy City Recorder

  
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Date Approved