

**NORTH OGDEN CITY COUNCIL  
MEETING MINUTES**

September 24, 2019

The North Ogden City Council convened in an open meeting on September 24, 2019 at 7:01p.m. at the North Ogden City Office at 505 East 2600 North. Notice of time, place, and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on September 19, 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	
	Cheryl Stoker	Council Member	
	Phillip Swanson	Council Member	
	Carl Turner	Council Member	Excused

STAFF PRESENT:	Jon Call	City Manager/Attorney
	Rob Scott	Planning Director
	Lynne Bexell	Administrative Assistant
	Kai Johnsen	Planning Technician

VISITORS:		
Randy Winn	Freeman Robbins	Christina Watson
Vaughn Covender	James & Martha Hammon	Spencer Alexander
Frank Hare	Robert Bolar	Charlotte Ekstrom
Neal Berube	Toby Mileski	Susan Clements
Al Hollywood	Lynne Satterthwaite	Julie Anderson
Carin Chugg	Bob Buswell	Kirk Chugg

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

**CONSENT AGENDA**

**1. DISCUSSION AND/OR ACTION TO CONSIDER JULY 23, 2019 CITY COUNCIL MEETING MINUTES**

**Council Member Swanson motioned to approve July 23, 2019 City Council Meeting Minutes. Council Member Barker seconded the motion.**

**Voting on the motion:**

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

**The motion passed unanimously.**

**ACTIVE AGENDA**

**2. PUBLIC COMMENTS**

Meg Sanders, 2915 N. 875 E., stated she was called by a resident who was unable to attend the meeting tonight; she asked that she read the following question: “with every proposal and amendment that you approve today, please ask yourself this one questions: how does this make North Ogden better.”

James Ammon stated he is the father of Chief Petty Officer Jared Reeves who passed away recently; he wished to speak in favor of the Gold Star Families Monument and thanked the City for the way it embraced his family during a very trying time. He will probably never live anywhere else because of the City’s welcoming and patriotic nature for his and other families as they have experienced the passing of a family member. The monument will be a great tribute to those families and any visitor to the library will have a chance to view it and be reminded of what the ultimate sacrifice is.

Freeman Robbins, 330 E. Lomond View Drive, echoed Mr. Ammon’s comments; North Ogden is a great City that is very supportive of its residents serving in the military. He moved here in 2003 and has been amazed by things that have occurred here; he is supportive of the placement of the Gold Star Families Monument.

Kirk Chugg stated he is representing the Follow the Flag Non-Profit Organization, 2637 N. Washington Boulevard. He wished to express his support and the organization’s support for the Gold Star Families Monument. He believes the public gathering area that

has been recommended is the perfect place for the monument. Unlike the cemetery where people go to honor those that have passed, this is a monument dedicated to those families left behind. The Follow the Flag organization is prepared to support the fundraising campaign for the project and this means there will be no request for funding from the City, only authorization to use the ground owned by the City. There are three new Gold Star Families in North Ogden in just the last 12 months and he is unsure that can be said of any other community in the State; North Ogden is a Gold Star community and placing this monument is a way to communicate love and support for those families.

Al Hollywood, 2697 N. 400 E., stated that as a retired 24-year Navy Veteran, he wished to speak on behalf of all Veterans and say that this City has been phenomenal in its support of its military members; he believes North Ogden residents, and residents of other cities, would love to have the monument to visit and remember Gold Star Families.

Christina Watson, 1820 N. 100 E., stated the Village at Prominence Point project has been discussed several times over the years and she asked that the Council remember the initial justification for the project, which was to have something different in the City and something that would be high-end, attractive, and offering much open space and quality amenities. She asked that the Council remember the neighborhood in which the project is located and what attracted those residents to the area. She is aware of the request for a change in the number of townhomes and as the Council analyzes that request, she hopes they consider all implications of the change and the initial purpose of the project.

Mayor Chugg saluted those in the audience who are family members of military members who have made the ultimate sacrifice through their military service.

3. **DISCUSSION AND/OR ACTION TO CONSIDER PLACEMENT OF THE GOLD STAR FAMILIES MONUMENT AT CITY HALL**

Council Member Swanson referenced discussion that took place among the Council in an August meeting during which he recommended City support for the placement of a Gold Star Families Monument on City property in front of City Hall. Mr. Call stated this could be accomplished via a long-term easement or lease, which ever the Council prefers.

**Council Member Swanson motioned to approve the placement of the Gold Star Families Monument on City property at City Hall. Council Member Cevering seconded the motion.**

**Voting on the motion:**

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

**The motion passed unanimously.**

**\*\*Council Member Barker made a motion to move to item #7 in the agenda. Council Member Swanson seconded the motion; all voted in favor.\*\***

**7. DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH NORTH OGDEN CANAL COMPANY**

A staff memo from City Manager/Attorney Call explained North Ogden City has historically utilized the North Ogden Canal to help move storm water out of the City. In years past the canal company has also periodically utilized North Ogden storm detention basins for overflow capacity when their canal reached its capacity. The proposed Agreement would formalize the permission for both entities to utilize each other's systems each year for the next 10 years. Staff recommends this agreement in concept, though there are some possible provisions to be added or amended based on Council feedback.

Mr. Call reviewed his staff memo and indicated the agreement also provides for the City to pay an annual amount of \$20,000 that would be used for ongoing maintenance of the canal. The agreement has not yet been finalized, but upon receiving feedback from the Council, the two parties will complete final negotiations and present the agreement to the Council again in a future meeting for authorization.

Council Member Swanson noted the indemnification clause in the agreement is highlighted and he asked why. Mr. Call stated he highlighted it because he wishes to pursue some changes to that section to properly protect the City against liability for failures of the canal.

Council Member Swanson inquired as to the total annual maintenance costs paid by the canal. North Ogden Irrigation Company representative, Toby Mileski, indicated there is not a set amount for annual maintenance as it has been completed on an as-needed basis; over the last several years, the total amount spent has ranged between \$10,000 to \$30,000 per year for the portion of the canal in North Ogden. However, in the last 12-month period, the Company has spent \$15,000 in North Ogden alone in the area between 2100 North and 1800 North; there is still a section between 2100 North and 1900 North that is impassible. Due to increased water levels in the canal, some private properties have experienced erosion issues, and it is costly to address those issues.

Council Member Stoker asked amount of money the Canal Company will spend in comparison to the \$20,000 requested from the City. Mr. Mileski stated the Company will spend double what the City will be asked to contribute. However, from October 15 to April 15, all water in the canal is storm water from the City and no water is being put into the canal by the Irrigation Company. The water levels continue to increase as a result of increased development.

Council Member Barker asked if the Company is proposing a 10-year agreement. Mr. Mileski answered no; the sample agreement was taken from Ogden City and that entity has agreed to a 10-year contract term. However, for North Ogden City, the Canal Company would be open to a two to three-year contract. If improvements are completed on the canal, it may be possible to reduce the annual contribution from the City.

Mr. Call asked if the Council is supportive of continued negotiation of the agreement and for staff to present a finalized agreement to the Council for authorization in the future.

Council Member Stoker stated she would like to hear from Public Works Director Espinoza about the proposed arrangement. Mr. Espinoza stated he supports the statements made by Mr. Call and Mr. Mileski; if the City were to pursue a storm water management system that duplicates what is currently available via the North Ogden Canal Company's system, it would cost well over \$20,000 per year. This arrangement benefits both parties.

Council Member Barker asked if the \$20,000 request is included in the approved Fiscal Year budget, to which Mr. Espinoza answered yes.

The Council offered their support for continued negotiation of the agreement and consideration of final action in a future meeting.

4. **DISCUSSION AND/OR ACTION TO CONSIDER AMENDING THE VILLAGE AT PROMINENCE POINT AGREEMENT TO ADJUST NUMBER OF TOWNHOME UNITS**

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, land use text amendments, and development agreements. 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 Planning Commission granted preliminary approval to the Village at Prominence Point, Phase 3 Subdivision on September 4, 2019 located at approximately 1700 North 300 East. The subdivision has 54 lots with townhomes as the housing type.

### Development Agreement Amendment

The previous phase 1 and 2 adjusted the mix of townhomes and patio homes. There were additional townhomes allowed and 3 fewer cottages. The project development agreement specifies that the maximum number of townhomes is 107; 68 are already permitted and under construction. The request for this phase is 54 townhomes; this is 15 townhomes above the development agreement maximum.

A development agreement amendment is being requested to allow the 15 additional townhomes while reducing the number of future apartments and retain the total unit count of 607 units. The 3-unit cottage reduction is factored in.

Apartment Units 392

Townhomes 122

Cottages 25

Independent Living 68

Total 607

The proposed summary is as follows:

“The overall unit count of Apartment units in VAPP 1 and 2 will be decreased by the increased number of units per this application request to increase the overall unit count for the Town Homes units that were originally contemplated in the Development agreement.” The goal is to stay in keeping with the unit count of 607 total units on the project.

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

- Does the proposed subdivision meet the requirements of the applicable City subdivision, zoning ordinances, and development agreement?

## CONFORMANCE TO THE GENERAL PLAN

The proposed subdivision meets the requirements of the applicable North Ogden City ordinances and conforms to the North Ogden City General Plan. The General Plan map calls for this property to be developed as Mixed-use / Multi-family / Commercial.

Recommended conditions of approval include:

Obtain a development agreement amendment for the revised standards

The memo concluded the Planning Commission recommends on a 6-0 vote, approval of the development agreement. The site plan approval is forthcoming by the Mayor and Planning Director. The Planning Commission will be reviewing the landscape plan and lighting plan in a future meeting.

Mr. Scott reviewed his memo and reviewed the portions of the development agreement pertinent to this application.

Council Member Swanson asked how this proposal will impact the parking ratio. Mr. Scott stated there will be no changes whatsoever in the parking accommodations. Council Member Swanson asked if the applicant is requesting any reduced setbacks in conjunction with this application. Mr. Scott answered no; however, one building does not meet the setback by three-feet; it is his belief the developer is working to address this issue in their design, but if they are not able to, they will need to request a modification from the City. Council Member Swanson asked if the units will be owner-occupied for for-rent. Mr. Call stated the same developer is completing this phase of the project as completed the previous phase; the units in that phase were for-sale and it is his belief the same will be true for this phase. Council Member Swanson asked where these townhomes will be located within the overall project. Mr. Scott stated that this application is consistent with the overall concept plan and the area impacted is on the southerly extension of 300 East to 1700 North. Mr. Call reviewed the aerial image to identify the location. Council Member Swanson asked if the amendment will increase the amount of hardscape in the project. Mr. Scott stated that there is a requirement for a minimum of 20 percent landscape and staff will ensure that requirement is met during the site plan review process. Council Member Swanson asked if there will be a loss of green space by moving from apartments to townhomes. Mr. Scott oriented the Council to the actual changes being made; there will now be townhomes on the east side of 300 East; the amount of open space and hardscape will be evaluated during the site plan review process, though he does not believe additional hardscape will be added. Council Member Swanson asked if the storm water is being piped to another location rather than dumping into Coldwater Creek. City Engineer Gardner stated the storm water will flow to the Mud Creek detention basin; currently, the water is being detained on site, but phase two has an outlet into Coldwater Creek.

Council Member Stoker inquired as to the purpose for this requested change. Mr. Scott stated it is a result of the redesign of the project, which was to eliminate the townhomes that bordered the single-family homes on the north side of the project. Staff feels the design is much better, but resulted in additional property available for more townhomes in the project area. At the time that the redesign was approved, the applicant was told they would need to pursue a development agreement amendment. Mr. Call added that the applicant has been told that they could not add to the total number of townhomes without Council approval of the development agreement amendment; they agreed to reduce the number of apartments in order to get approval of an increased number of townhomes. He then reviewed the subdivision plat to orient the Council to the changes that resulted in elimination of the townhomes units that abutted single family homes to the north. Mr. Call added that the reason the Planning Commission recommended approval is that the total number of units in all categories is less than the amounts allowed in the development agreement.

Council Member Barker stated he has reviewed the updated plat in relation to his position as the Fire Marshall; he provided the most recent design to City staff for review with the Council.

**Council Member Barker motioned to approve Agreement A18-2019, The Seventh Amendment to the Village at Prominence Point Development Agreement. Council Member Cevering seconded the motion.**

Council Member Swanson asked if an additional action item will be presented to the Council to ensure the number of apartment units are reduced. Mr. Call stated the applicant will be required to follow the amended development agreement. Mr. Call stated that there is a provision in the code allowing for minor modifications that do not require Council action. He will determine if this will need to be presented to the Council.

Council Member Stoker stated that what is so upsetting to her is that the City has spent five to seven years on this project and it seems the applicant continues to pursue amendments after receiving approval of a previous design. Council Member Barker stated that he agrees and understands that perspective, but from his point of view, every time a developer applies for a large project that will be completed in phases, there seems to be changes to each phase. It is extreme to get something this large right the first time around. He stated he is appreciative that the applicant is working with the City rather than making changes to the plan without Council approval.

Council Member Swanson asked what would happen if this application is denied tonight. Mr. Call stated that if the Council votes to deny, the applicant would need to eliminate 15 townhomes from their third phase of development, but continue with the number of apartment units that were previously approved. He added there have been minor modifications in the past that have resulted in changes to other areas of the project, and that is the reason for this application.

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>no</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed 3-1.**



5. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE ON SETBACK STANDARDS FOR ACCESSORY BUILDINGS ON CORNER LOTS IN RESIDENTIAL ZONES

A staff memo from Planning Technician Kai Johnsen 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.

On September 4, 2019, the Planning Commission conducted a public hearing regarding this amendment. No one spoke at the public hearing.

On February 26, 2019 the North Ogden City Council amended the site development standards regarding accessory building height and setbacks. The new standards created a sliding scale for setbacks of accessory buildings, allowing for taller buildings at an increased setback. As permits have been processed under the new standards, staff has become aware of an oversight pertaining to the setback standard on the non-street side of a corner lot. The current standards would allow for an accessory building to be constructed 3' from the property line without consideration of height. The amendment includes corner lot (non-street side) in the table with interior lot.

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 for non-street side to be included with the sliding scale?
- Is the amendment consistent with the General Plan?

The memo concluded the Planning Commission recommends adoption of this amendment on a 6 to 0 vote. The Planning Commission found that this amendment is consistent with the General Plan.

**Council Member Cevering motioned to approve Ordinance 2019-20 to amend setback standards for accessory buildings on corner lots in residential zones. Council Member Swanson seconded the motion.**

**Voting on the motion:**

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

**The motion passed unanimously**

**6. DISCUSSION AND/OR ACTION TO CONSIDER THE NORTHWOOD HILLS SUBDIVISION STORM DRAIN AND SANITARY SEWER DESIGN CONCEPT**

North Ogden has been approached by the developers of the Northwood Hills development at 1125 E. 2600 N. about the potential of combining several storm and sewer facilities to benefit the City and developer as this area is subdivided. The potential for this agreement has been brought up in past months related to storm drain improvements along 2600 N. from approximately 1300 E.

The basic premise of this offer is for the developer to install larger sized storm water lines in exchange for detention capacity in the Oak Lawn Park detention basin as well as a sewer line main easement across a piece of property the City owns between this property and Barker Parkway.

Staff recommends the exploration of this agreement to see if a satisfactory resolution can be reached on how the project costs would be shared, and/or exchanged. The Council can make individual decisions about the sewer line easement and the storm drain discussion, and is under no obligation to approve both or any of the proposed projects.

Mr. Call reviewed his memo and used the aid of an aerial image to orient the Council to the location of the subject property and the storm drain and sewer proposal recommended by the developer.

Council Member Swanson asked if the sewer line would be located in the hollow of Barker Park. Mr. Call answered no; it would be kept on the northern edge of the hollow, which is owned by the City and is fairly flat in nature.

Mayor Chugg invited input from the developer.

Dallas Nichol, Visionary Homes, stated he has met with City Engineer Gardner several times as well as with Mr. Call; he feels all parties are in agreement with what is being proposed and he is seeking support of the Council before proceeding to the final design of the project. He has received preliminary approval from the Planning Commission with a condition that he secure approval from the Council about the concept of crossing City property with the storm water and sewer infrastructure.

Council Member Stoker asked if it will be necessary to disturb the road or other infrastructure in Barker Park to install the sewer line. Public Works Director Espinoza answered no; the sewer will be installed in the City's property referenced by Mr. Call and tied into the existing line in Barker Parkway. Mr. Call added there will also be a trail providing connectivity to the existing trails.

Council Member Barker stated he is supportive of the proposal as long as the sewer line stays on the north side of the property. Mr. Call stated that will be the case; he likened this action to other actions in the City whereby capacity of existing infrastructure is sold to developers when it makes sense for a development and for the City. The details of the cost sharing will be determined between the City and the developer; if the Council would like final cost approval to be made by them, he advised them to indicate such in their motion.

**Council Member Stoker motioned to proceed forward with the recommended storm drain and sanitary sewer design concept as presented by Rob Scott, with an official agreement to be presented to the Council for approval. Council Member Swanson seconded the motion.**

**Voting on the motion:**

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

**The motion passed unanimously**

8. **DISCUSSION AND/OR ACTION TO CONSIDER AMENDING AN ORDINANCE FOR THE NUMBER OF DOGS ALLOWED**

A staff memo from City Manager/Attorney Call explained that based on the previous discussion by the Council, staff has prepared an ordinance which increases the number of allowable dogs from two to three per home, with no changes to the total number of pets (four per home) or any modification to the therapy animal/service animal provisions which are still capped at five per home.

There may be additional considerations for the Council to review. The animal control ordinance is quite expansive and depending on if there are additional changes requested by the Council this decision may need to be tabled for a future review date.

Mr. Swanson reviewed Mr. Call's staff memo. Mr. Call stated that while the ordinance specifies the total number of pets allowed is four, it also specifies that a resident can have two dogs and two cats. If the total number of dogs allowed will be increased to three, the ordinance will either allow three dogs and two cats, or a modification is needed to continue to limit the total number of pets to four. Council Member Swanson stated his intent was to allow a maximum of three dogs; if the ordinance is written to indicate that a total number of four pets is allowed in any combination, that could result in someone having four dogs, which he would be concerned about. He stated he would prefer to say that a resident could have two dogs and two cats, or three dogs and one cat, but in no case shall a resident have more than three dogs regardless of whether they have any cats. He would like to maintain the total number of pets at four.

Council Member Barker stated he is troubled by the fact the City is changing the ordinance because people are not compliant; he would rather enforce the existing ordinance. He stated the same thing happens with speed limits; they are continually raised because it is easier to change a speed limit than to try to enforce it. He wondered where the changes will stop. Council Member Swanson agreed, but asked what good an ordinance is that no one follows, and that the City does not enforce. Council Member Barker stated he would rather take a step back and look at options for enforcing.

There was brief discussion about the implications of the ordinance amendments proposed by Council Member Swanson; upon the Council expressing their indifference to the ordinance amendment, Mr. Call suggested that the language in the ordinance indicate that a resident can have up to four pets, but no more than three dogs. Council Member Barker asked if a resident could have four cats if they had no dogs, to which Mr. Call answered yes. Discussion then shifted to kennel regulations for different zones in the City, with Mr. Call noting that a resident in an R-1-10 zone could not secure a kennel license.

**Council Member Swanson motioned to approve Ordinance 2019-21 for the number of dogs allowed. Council Member Cevering seconded the motion.**

**Voting on the motion:**

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

**The motion passed unanimously.**

Council Member Swanson noted that the Council has also discussed regulations for pigmy goats in the City with the option of expanding the areas in the City in which goats would be allowed. While that action was not part of this ordinance, there are still areas in the City where pigmy goats are allowed.

**9. PUBLIC COMMENTS**

Frank Hare, 1782 N. 225 W., noted that during the discussion of the Village at Prominence Point agenda item, Mr. Call provided two renderings of the project: one with the townhomes on the north end and one without. However, the latter included fewer patio homes than the former and he wondered if patio homes are being lost and replaced with townhomes as a result of this latest amendment. Council Member Swanson stated the number of apartment units is being reduced, the number of townhomes increased, and three cottages being lost, but the total number of units will not exceed 607. Mr. Call stated the patio homes that were in the center of the development have been moved to the northern border; in doing that, three cottages and 15 apartment units were eliminated and replaced with townhomes.

Randy Winn, 2412 Barker Parkway, stated that he wanted to affirm that he feels the Council made the right decisions on every agenda item tonight.

Susan Clements, 668 E. 3125 N., stated that she occasionally watches the Council's meetings on YouTube, but noted in the recent joint work session with the Planning Commission, it was very difficult to hear some of the speakers. She stated that it may be that the recording for the minutes of that meeting is not very good and she advised the Council to consider that for similar meetings in the future. She then noted the conversation about enforcing ordinances was very interesting to her; there are many ordinances that are not enforced unless someone files a complaint, but many people do not want to complain about their neighbors. She hopes the City can enforce the new animal ordinance and that people will license their dogs; she cannot imagine someone not licensing a dog because if they get away, they can be difficult to get back without a license.

Spencer Alexander, 1740 N. 150 E., stated that a number of people on 2100 North are concerned about development encroaching onto their backyards and he wanted to draw the Council's attention to that matter. He then discussed Coldwater Creek and noted that in talking with Paul Burnett from Trout Unlimited, they discussed many concerns about dumping occurring in the Creek. One day he saw many trout in the Creek and the next day he saw a construction crew dumping concrete there. One thing that Paul suggested was to maybe eliminate two of the townhomes that will be right next to the stream on the east and turn that area into a riparian vegetation to provide sufficient space to improve the area around the Creek. He understands that may not be a preferred option for the developer, but it would be a gesture to the community for those that care about the area. He would like to create an area near the bank of the stream where trees or flowers could be planted. He then addressed the Y2 Analytics survey that the Council has been discussing and asked if the results of the survey will carry more weight than residents who participate in public processes and provide their input. He concluded that he appreciated Council Member Stoker's recognition of the multiple amendments to the Village at Prominence Point project and how that can be frustrating to residents that live nearby.

Mr. Call stated that a Public Works Inspector will get in touch with Mr. Alexander to find out the location of the dumping in the Creek so that matter can be addressed.

#### 10. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Cevering stated he was provided with a photo taken by a resident of the intersection of Fruitland Drive and Mountain Road; he provided it to Mr. Espinoza for review and response. He then inquired as to the status of the project to install a sign for the crosswalk south of the Cannery. Mr. Call stated that UDOT has installed a sign, but people may not be observing it.

Council Member Barker reported the annual Fire Station Open House will be held October 7 from 5:30 p.m. to dark.

Council Member Stoker thanked City staff for the hard work they do on behalf of the City. She also thanked the citizens who take the time to attend meetings and provide their opinions.

Jon Call stated a City sponsored "Trunk or Treat" event will be held at the Aquatic Center this year; staff have requested that the Council and Mayor participate and sponsor a themed trunk. Members of the community can also sign up to sponsor a trunk. He then stated a group of residents delivered signs that advertise information about proper food items to feed to ducks rather than bread; the problem with placing the signs is that the Division of Wildlife Resources (DWR) does not support the placement of signs about feeding wildlife. This regulation is not regularly enforced, but staff would like direction

from the Council regarding whether to place the signs. He stated that people will feed the ducks regardless of whether there are signs, so it may be better to place the signs to inform people that it is not healthy for ducks to consume bread.

Stephanie Casey stated that she donated the signs, but was not aware of the DWR regulation; she will not take it personally if the City decides not to place the signs. Council Member Cevering stated he would support placement of the signs until DWR takes action. Council Member Swanson agreed.

11. **ADJOURNMENT**

**Council Member Cevering motioned to adjourn the meeting. Council Member Barker seconded the motion.**

**Voting on the motion:**

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

**The motion passed unanimously.**

**The meeting adjourned at 8:47 p.m.**

  
M. Brent Chugg, Mayor

  
S. Annette Spendlove, MMC  
City Recorder

22 Oct 2019  
Date Approved