

**NORTH OGDEN CITY COUNCIL
MEETING MINUTES**

January 12, 2021

The North Ogden City Council convened in a virtual meeting on January 12, 2021 at 6:01 p.m. at <https://us02web.zoom.us/j/84333740932> or by Telephone: US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or YouTube: <https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos>. 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 January 11, 2021. Notice of the annual meeting schedule was published in the Standard-Examiner on December 13, 2020.

PRESENT:	S. Neal Berube	Mayor
	Ryan Barker	Council Member
	Blake Covering	Council Member
	Charlotte Ekstrom	Council Member
	Cheryl Stoker	Council Member
	Phillip Swanson	Council Member

STAFF PRESENT:	Jon Call	City Manager/Attorney
	Susan Nance	Interim City Recorder
	Rob Scott	Planning Director
	Brandon Bell	Associate Planner
	Dirk Quinney	Chief of Police
	Evan Nelson	Finance Director
	Lorin Gardner	City Engineer
	Tiffany Staheli	Parks & Recreation Director

VISITORS:	Brenda Ashdown	Jed Barker	Chris
	Jennie Taylor	John Arrington	Stefanie Casey
	James Barker	Jed Barker	Rick Scadden
	Susan Clements	Brett Hamblin	John Hansen
	Danny Wall	Dave Hulme	Meg Sanders
	Robert Bolar	Lyman Barker	

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

CONSENT AGENDA

1. READING OF DETERMINATION REGARDING CONDUCTING CITY COUNCIL PUBLIC MEETING WITHOUT ANCHOR LOCATION

Mayor Berube provided a reading of the determination of substantial risk to health and safety associated with holding in-person meetings amidst the COVID-19 pandemic.

2. CALL FOR CONFLICT OF INTEREST DISCLOSURE

Mayor Berube asked if any Councilmember has any conflict of interest to disclose. Council Member Barker referenced item 11 on the agenda; the applicant for that item has the last name Barker as well but is not a member of his immediate family. Even though one of Councilmember Barker's family members was asked to recuse from participating in that discussion during the Planning Commission meeting, he does not feel that is necessary since he has disclosed the relationship and he does not stand to benefit – financially or otherwise, from the project.

3. DISCUSSION AND/OR ACTION TO CONSIDER NOVEMBER 24, 2020 CITY COUNCIL MEETING MINUTES.

4. DISCUSSION AND/OR ACTION TO CONSIDER DECEMBER 8, 2020 CITY COUNCIL MEETING MINUTES.

Council Member Cevering motioned to approve November 24, 2020 and December 8, 2020 City Council meeting minutes. 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.

5. DISCUSSION AND/OR ACTION TO CONSIDER APPROVING THE ECONOMIC DEVELOPMENT COMMITTEE (EDC) CHARTER

A staff memo from the City Manager/Attorney explained the Economic Development Committee met on November 17, 2020, and unanimously approved a charter to be a guiding document for the Committee. The Committee is now asking for official approval for this charter from the Mayor and City Council. The Charter reads as follows:

North Ogden Economic Development Committee Charter Mission: Promoting business activity in North Ogden City that increases sustainable economic growth and local tax base leading to maintaining and improving the livability and quality of life in the city.

Purpose of Committee:

- To increase public awareness of existing businesses and services within city boundaries through marketing and cross promotion.
- To propose and implement a marketing plan to city council that actively educates the public on the effects of shopping locally.
- To help actively promote the city as a desirable business choice to prospective businesses.
- To promote usage of city resources to help businesses grow and stay in North Ogden.
- To create a positive business atmosphere in North Ogden through recommending to council effective use of RDA and CDA funds.

Members of Committee: 7-8 Members rotating on a 2-year term, renewable once for a total of up to 4 years

Monthly Meeting Agenda:

1. Welcome (led by Chair or pre-assigned committee person).
2. Review and Approve Minutes.
3. Public Comments.
4. Review Action Items.
5. New Action Items to align with mission.

Measurements of Improvement:

Goals	Measurements	Current Data		Goal
		Current	2020 YTD	
	# businesses			
	Sales tax collected			
	Other			

Mr. Call reviewed his staff memo.

Council Member Swanson motioned to approve the Economic Development Committee (EDC) Charter. 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

6. PUBLIC COMMENTS

There were no public comments.

**7. DISCUSSION AND/OR ACTION REGARDING A RESOLUTION TO USE
CONDEMNATIONS TO PURCHASE PROPERTIES ALONG THE 400/450 EAST
PROJECT.**

A staff memo from City Manager/Attorney Call explained the 400/450 East widening project is getting ready to start. Administration has been working with the 26 property owners affected by the project and have been able to reach a solution which works for both parties for 25 of the 26. For one property, the City is at the point that it is necessary to instigate condemnation in order to make sure the project can proceed in the time frame allowed. The home is at the corner of 2850 North and 400 East. In order to proceed with the condemnation proceedings, the Council needs to adopt a resolution authorizing the use of condemnation for the 400/450 east project. The staff recommends the Council adopt the condemnation resolution as presented.

Mr. Call reviewed his staff memo.

Mayor Berube asked for Mr. Call's assurance that City staff has done everything possible to negotiate the sale of the land and accommodate the homeowner before moving in the direction of constitutional taking of the property. Mr. Call stated that he feels he and the City's acquisition agent have done everything they can to resolve this situation without pursuing legal action. The City has extended an offer to let the homeowners stay in the home as long as possible until the project commences, but he has not heard a response to that offer. He added that State Code requires that the City provide written notice of consideration of this matter to the property owner and that they be given a chance to speak; the resident was provided a notice via certified letter, regular mail, and email, but he does not see that they have joined the meeting.

Council Member Swanson asked if this is the Parley Bates home, to which Mr. Call answered yes. Council Member Swanson asked if all options have been clearly discussed with the owners. Mr. Call answered yes; the City has presented four options:

- Purchasing 100% of the property.
- Purchasing the portion needed for the road.
- Purchasing and reselling the property back to the resident so they could either relocate the home to another area of the property as part of this project; and/or
- Purchasing and reselling the property back to the resident and allowing them to keep the home in the same location with the understanding of a diminished value of the property due to the proximity of the home to the road.

Negotiations have been ongoing for three years and the homeowner has been unwilling to agree to a value for the home to facilitate the purchase. The City cannot wait any longer to proceed because the project will commence soon. Council Member Swanson asked if the resident will receive fair market value for the home and property once the condemnation action has been granted by the courts. Mr. Call stated that the value will be determined via an intense appraisal process that is more detailed than the typical appraisal for a real estate transaction; the value of this property has been in dispute given the size of the property and the ability to subdivide it into three lots. He is confident the resident will receive fair compensation for their property.

Mayor Berube asked if the City will still have the ability to negotiate options with the property owner even after the condemnation action has been approved. Mr. Call answered yes; if the resident decides to take one of the options mentioned above, the City will still accommodate that. He suggested that direction be included in a motion to approve the resolution.

Council Member Barker stated that he is torn on this issue; he recently moved into his grandparents old home on Fruitland Drive and could see something similar to this happening to him if that road were to be widened at some point in the future. He stated he is interested to hear how the rest of the Council feels. Mayor Berube stated that he understands that position; however, this is not a decision City Administration has made in haste; they have tried to negotiate with this property owner for over three years and it has been impossible to reach a resolution. He stated condemnation is a last resort, and the City has no other choice.

Council Member Ekstrom stated that she feels that the homeowner may be motivated to choose one of the options previously presented to them once they are aware that the City is proceeding with condemnation.

Council Member Swanson asked when the home was built. Mr. Call answered approximately 1910. Council Member Swanson stated that means it predates any of the actions that have been taken in North Ogden to reduce the right of way width of 400 East. Mr. Call stated that is correct. Council Member Swanson asked if there are any proposals the family has made that are contrary to the options presented by the City. Mr. Call stated that the family has indicated their desire to leave the home in its current location and stay in the home, but the amount they are asking for the property needed for the road exceeds the value the City is authorized to pay by about 40 percent. Council Member Swanson

inquired as to the appraised value of the property at present, to which Mr. Call answered approximately \$400,000. Council Member Swanson asked how much the City would sell the property back to the owners for after the amount needed for the road and sidewalk is deducted, to which Mr. Call answered between \$200,000 to \$220,000.

Council Member Swanson motioned to approve Resolution 01-2021 to use condemnations to purchase properties along the 400/450 East widening project with the option for the family to purchase the unused portion of the property back as undeveloped land. He also stated that we will continue to negotiate if possible, a resolution to this that avoids constitutional taking. Council Member Cevering seconded the motion.

Voting on the motion:

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

The motion passed 4-1.

Council Member Swanson stated he voted in favor because he recognizes the importance of proceeding with the project at this time. He stated he would not be opposed to continuing negotiations with the homeowners and possibly meet them in the middle between the City's offer and the amount that the homeowner was asking. Mayor Berube stated that he also supports continued negotiation, but he is concerned about using Weber Area Council of Governments (WACOG) funding and taxpayer dollars to pay so much more than market value for the property. Mr. Call then noted that if any Council Member wishes to talk to the family, they are welcome to do so, but they cannot without the City's acquisition agent being present. Mayor Berube stated that the City has empowered Mr. Call to perform this work on the City's behalf; while he is not opposed to Council Members talking to the homeowners, he would like for that communication to happen through Mr. Call.

8. DISCUSSION AND/OR ACTION APPROVING A REQUEST BY THE ARTS GUILD FOR A RAMP GRANT APPLICATION FOR A TWO-WEEK PERFORMING ARTS CAMP

Council Member Ekstrom stated the City is very lucky to have such a great amount of talent in the community in terms of arts and theatrical performing. She noted the City has the opportunity to submit for a RAMP grant to support a performing arts camp hosted by the Guild. The total proposed budget for the camp is \$10,000 and the City can apply for a \$5,000 RAMP grant that would cover half those costs. The City would then need to pay

the remaining \$5,000. She asked that the Council support this request to submit a RAMP grant application.

Council Member Barker asked if participants in the camp will be required to pay a registration fee. Council Member Ekstrom answered yes, but noted the fee amount has not been determined. There will also be a scholarship program where those who can demonstrate the need for assistance can apply to have their registration fee covered by the RAMP grant. Council Member Barker asked if the camp will be limited to North Ogden residents given the City will be contributing financially. Council Member Ekstrom stated it is her understanding that the camp would be open to North Ogden residents only.

Council Member Swanson asked if those interested in attending the camp will need to audition or fill out some sort of application. Council Member Ekstrom stated there has been some discussion about screening those interested in attending because the participation level may be limited to 50, but the camp will likely be open to participants on a first come, first serve basis. Council Member Swanson stated that if City funds are going to be used, he would prefer a 'first come, first serve' scenario; if people are going to be turned away because they are deemed undedicated or not talented enough, he would not want to support the event. Council Members Stoker and Ekstrom agreed. Council Member Swanson stated he would also like to make sure the event is limited to North Ogden residents only. Mr. Call stated that the only problem with that stipulation is that it may reduce the viability of the grant application.

Council Member Swanson motioned to suspend the rules and allow the public to speak regarding this topic. Council Member Stoker 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.

Jennie Taylor offered clarification on any type of screening process the Arts Guild would employ in relation to choosing who can attend the camp. She stated that in the past, camps have opened registration on a first come, first serve basis and they received 53 applications before the registration deadline. She stated she feels the participation may be less because of the COVID-19 pandemic. She stated the Guild is happy to iron out the details of the registration process and who the camp would be open to; they have not done that to this point because they were unsure whether they have the ability to do that or if those decisions must be made by the Parks and Recreation Department. She stated the Guild simply wants support from the Council to apply for the RAMP grant and is

happy to work with the Council or City staff to determine appropriate policies regarding registration. Mayor Berube stated that given the Council is the body that approves the grant application and matching funds, they will have control over the registration policies for the camp. He stated he would simply like for the Guild to consider the Council's comments tonight regarding their desires for registration policies.

Meg Sanders, 2915 N. 875 E., stated that her daughter participated in the camp in the past and absolutely loved it. She supports the idea of a first come, first serve process; otherwise, the process may become political or unfair. Mayor Berube stated he believes the Council is supportive of that as well as they want to pursue inclusionary policies and practices City-wide.

Council Member Swanson motioned to authorize the RAMP Grant application on behalf of the Arts Guild and to provide matching funds if the Grant is approved, with the condition of obtaining more details on the inclusionary tactics that are used by the Arts Guild, including how registration will take place, with the understanding that the City does not have to match the grant if the Guild fails to develop an application process accepted by the Council. 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.

9. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE TO REZONE PROPERTY LOCATED AT APPROXIMATELY 1550 NORTH WASHINGTON BOULEVARD FROM COMMERCIAL (CP-2) TO MASTER PLANNING COMMUNITY (MPC-CT)

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 decision making related to a legislative matter requires compatibility with the general plan and existing codes.

The Planning Commission conducted a public hearing on this application on January 22, 2020.

The City Council considered the application on February 11, 2020. The City Council was concerned with the project not being mixed-use, the excessive building heights, and denied the request.

A revised plan was submitted to the City Council on October 27, 2020. The City Council granted approval of the site plan and directed that an ordinance and development agreement be brought back for approval.

The applicant has worked with city staff to refine the development agreement and prepare an ordinance for consideration.

The following summary itemizing the City Council's agreement for provisions to be included in the development agreement is below:

Mixed-Use

The revised project includes a commercial component, a 4,500 square foot commercial building and apartment complex.

Building Orientation

The buildings along Washington Boulevard now front the street instead of having a side elevation.

Buildings and Density

The number of units and density are spelled out in the agreement. There are 152 dwelling units, a commercial building, clubhouse, and amenities. The density is 21.13 units per acre.

Building Height

The building height is 46 feet with a 6 / 12 roof pitch.

Building Elevations and Materials

The apartment building materials primarily consist of brick veneer and cement board siding. The commercial building design will be reviewed by the Planning Commission as part of a site plan review application.

Building Placement and Setbacks

The varied setback standard for Washington Boulevard was approved from 10 to 24 feet. The building setbacks on 1525 North were approved from 15 feet to 26 feet.

Landscape Plan

A landscape plan has been submitted. A final landscape plan that includes the streetscapes for Washington Boulevard and 1525 North will be approved by the Planning Commission.

Outdoor Lighting

Lighting details for buildings will be approved at the time of building permit review. The street lighting along Washington Boulevard will be reviewed in conjunction with the streetscape review. The applicant is responsible for the cost of lighting improvements.

Parking

The parking requirements are spelled out in the agreement in provision 16.

Boundary Line Adjustment with Ogden City

The two southern parcels located are within Ogden City; the development agreement identifies North Ogden's support for a boundary line adjustment.

1525 North

1525 North will be constructed as a public street and will be extended to Washington Boulevard with a 60 foot right of way. A provision to include the Walker Theater property in the proposed subdivision is included.

Land Use Impact and Buffering

The site plan shows a landscape buffer around the perimeter of the project. A provision to contact the Walker Theater owner regarding a gate access is included.

Signage

Signage will be approved through the building permit process. A welcome to North Ogden sign provision is included.

Subdivision

A subdivision application has been received and must be approved and recorded prior to any building construction.

The General Plan map calls for this property to be developed as Southtown Mixed-Use; the MPC zone is consistent with this designation.

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

- Is the proposal consistent with the General Plan?
- Does the proposal meet the North Ogden Zoning ordinance standards?
- Is the MPC request appropriate for this neighborhood?
- Does the application meet the October 27, 2020 City Council direction?

The memo concluded the Planning Commission is recommending approval of the requested zone change from CP-2 to MPC (CT) on a 6 -0 vote with one abstention due to a conflict of interest. The City Council can consider the rezone and development agreement for approval.

Mr. Scott reviewed his staff memo.

Council Member Swanson stated he is still confused about the timing of the commercial element of this project; it is obvious the commercial development must commence at the same time as phase one of the residential portion of the project, but there is no clear information about a deadline for project completion. Mr. Scott stated that he is unsure of the applicant's timeline, and though he is anxious to begin the project he understands that he cannot begin work in phase two of the residential element until the shell of the commercial building is complete.

Mayor Berube stated that he feels very strongly that the development agreement for the project should include a timeframe for the commercial component of the project. He would also like to ask the applicant to make a financial contribution towards the project to erect a new "Welcome to North Ogden" sign at the City's southern border. Additionally, he would like for the agreement to include a provision that requires Council approval for the project to be sold or reassigned to another party. Finally, in his private employment he has seen many projects fail due to a lack of financial strength of a developer; he feels the City has the duty to ensure that an applicant has the financial ability to complete the project for which they are seeking approval and he would like to include language to that end in the development agreement.

Council Member Cevering agreed with the points made about the importance of a timeline for the commercial component of this project. He also asked if the developer will be required to submit bonds that would cover the cost of public improvements in the case that the project stalls or is never completed.

Council Member Ekstrom stated she is still concerned about the parking plans for the project; she feels that the amount of parking spaces available directly impact the success of commercial enterprises and she feels it may be appropriate to increase the number of parking spaces in this project.

Mayor Berube invited input from the applicant and asked him to address the points that have been raised.

Rick Scadden, 188 Lomond View Drive, stated that he feels the concerns raised tonight can be easily overcome; he is willing to start the work on the commercial component at the onset of the rest of the project if the City desires. However, it will just be a shell until a tenant is secured and there is a clear understanding of their needs in terms of buildout of the building. He then expressed concern about the comments regarding his or his partner's financial stability; his partner is the developer/builder for the project, and he is

very financially stable. He stated that he is somewhat disappointed in the comments regarding the finances for the project as he has been ready and waiting for a year to proceed with this project. He then stated that the design of the project has been accepted and he has moved forward with continued work on the project based upon the opinions that were expressed at previous meetings. He stated that he feels there is sufficient parking for the commercial space; there are 25 parking stalls for 4,500 square feet of commercial space and he feels that is adequate. He identified the location of the commercial parking stalls – which are unassigned stalls – and indicated that on street parking will also be permitted adjacent to the commercial spaces.

Council Member Ekstrom stated that her only concern was relating to the commercial parking, but she believes the design of the rest of the project is lovely.

Mayor Berube apologized for the disappointment caused by his question relating to financial solvency of the project, but he has worked in the banking industry for enough time to see many developers who have not had the ability to complete a project they started. He then asked Mr. Scadden if he is willing to make a financial contribution towards the installation of a “Welcome to North Ogden” sign. Mr. Scadden stated he does not have enough information about that, and he asked if the City has determined an amount for him to contribute; he offered to contribute \$2,500 to the project. Mayor Berube then asked Mr. Scadden if he is willing to consider a provision in the agreement that would give the City approval authority over the sale or assignment of the project to another party. Mr. Scadden stated he and his partners plan to complete the project and see it through to the end. For that reason, he is not opposed to including a provision in the contract requiring Council approval of sale or transfer of the project to another party.

Council Member Ekstrom motioned to approve Ordinance 2021-01 to rezone property located at approximately 1550 North Washington Boulevard from Commercial (CP-2) to Master Planning Community (MPC-CT). 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	aye
Council Member Swanson	aye

The motion passed unanimously.

Council Member Barker suggested that the clubhouse building be constructed first, followed by the commercial building. Mayor Berube stated he can support that proposal and he asked the Council to include in their motion Mr. Scadden’s commitment to contribute \$2,500 to the “Welcome to North Ogden” sign. Council Member Swanson

stated he would like for the commercial building to be built in conjunction with the club house. Mr. Scadden stated that he is willing to accept verbiage in the agreement that states work on the commercial building will start simultaneously with building e – the club house building.

Mayor Berube then asked Mr. Scadden if he is comfortable providing financial data for the project for the City's review. Council Member Swanson suggested that the Mayor be the party to review the financial data rather than the sensitive information being provided to others in the City. Mr. Scadden stated he is comfortable with that.

Council Member Stoker motioned to approve Agreement A01-2021, a Development Agreement with the four amendments which were discussed; time frame of starting the commercial building, contribution of \$2,500 towards a welcome to North Ogden sign, a requirement for the City to approval the sale or assignment of the property to another party, and financial review to be completed by Mayor Berube. 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.

Council Member Barker motioned to amend agenda order and switch item number 11 and item number 10. 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.

11. **DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE TO REZONE PROPERTY LOCATED AT APPROXIMATELY 2175 NORTH 850 EAST FROM SUBURBAN RESIDENTIAL (RE-20) TO SINGLE-FAMILY RESIDENTIAL (R-1-12.5)**

A staff memo from Associate Planner Bell explained when the City is considering a legislative matter, the Planning Commission is acting as a recommending body to the City Council. The City 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 2175 North 850 East from Residential Estate (RE-20) to Residential (R-1-12.5). The request is part of the next phase of the Coldwater Meadows subdivisions, amending Phase 2 along with the new Phase 3. The rezone is a precursor to the subdivision consideration. The previous phases were approved with the R-1-12.5 zone designation.

The property is located at the east end of the 2175 North Stub Street. Phase 3 of the subdivision proposes to and extend this development to accommodate the proposed 3 lots. (See Exhibits A and B)

CONFORMANCE WITH GENERAL PLAN

The proposed subdivision meets the requirements of 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 low density residential and is within the Coldwater Neighborhood.

Zoning and Land-Use Policy

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

General Guidelines:

- A definite edge should be established between the types of uses to protect the integrity of each use, except where the mixing of uses is recommended in the General Plan.

Staff Comment: The low-density general plan designation calls for a variety of single-family zones including the R-1-12.5 zone. This rezone application will allow for the next phase of the Coldwater Meadows subdivision which will border upon agricultural lands to the north.

- 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: This parcel is the next phase of transitioning from agriculture to residential.

- 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: These proposed lots will be located on a local street and are proposed to have the same R-1-12.5 zone on both sides of the street.

- 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 will not cut across individual lots. The zone change is proposed to be effective only when the subdivision is recorded, in order to follow this guideline. The proposed ordinance has been adjusted from a prior version to be consistent with this guideline.

Residential Guidelines:

- Avoid isolating neighborhoods.

Staff Comment: The proposed zone change will not isolate the existing neighborhood.

- Require excellence in design.

Staff Comment: A building permit will be processed for the future home and accessory building meeting city standards. Applicable setbacks and other City ordinance requirements are verified as part of the approval process for building permits.

- Consider development agreements to assure higher quality development.

Staff Comment: No development agreement is proposed.

The memo offered a summary of City Council 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 voted 6-0 to recommend the property be rezoned to the R-1-12.5 zone, with one abstention. The City Council should consider the application, the General Plan rezoning guidelines, and determine if this application for a zone change from Suburban Residential RE-20 to Single-Family Residential R-1-12.5 meets these guidelines.

Mr. Scott reviewed his staff memo as well as an aerial image to orient the Council to the property subject to the requested zone change.

Council Member Ekstrom asked if this will be the final phase of the project or if it would be appropriate to wait to change the zoning of all property that will be part of future phases. Mayor Berube stated he had a similar question; he wondered if this action would commit

the City to change the zoning of the remainder of the property to the same zoning designation in the future. Mr. Bell answered no; the General Plan calls for low density residential zoning in this area, but there are several zoning designations that meet the definition of low density. He added that staff spoke with the applicant about their desires for changing the zoning of the remaining property that could be developed as future phases of this project, but they chose to pursue just the zone change of the subject property at this time. Mayor Berube stated his only concern is that approving this zone change would bind the hands of the City in the future as it would be obligated to grant the same zone to the remainder of large, undeveloped parcels in close proximity to this project. Mr. Bell stated that is not necessarily the case; this action would not be binding for future zoning applications and there are many areas in the City where there are different zoning designations located adjacent to one another.

Council Member Swanson asked Mr. Call to share with the rest of the Council the General Plan Steering Committee's proposal regarding updates to the General Plan map; he has commented in the past that he does not want to act on any zone changes until after the Council has formally heard and acted upon the Committee's recommendation. However, the current proposal identifies this area as low density residential and he is comfortable approving the zone change for these three lots.

Mayor Berube invited input from the applicant.

John Hansen, 1165 W. 4000 N., Pleasant View, stated he is representing the applicant. He noted that the applicant is asking for a zone change of just these three lots at this time because there is still some hesitation on the part of the property owner to develop a larger portion of their property because they want to continue farming it. However, they would like to provide residential lots for their children to build homes on. He indicated he feels the proposal is consistent with development that has occurred in the area surrounding the subject property.

Council Member Cevering motioned to approve Ordinance 2021-02 to rezone property located at approximately 2175 North 850 East from Suburban Residential (RE-20) to Single-Family Residential (R-1-12.5). 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.

10. **DISCUSSION TO CONSIDER OPTIONS FOR THE MPC ZONE, WITH DIRECTION REGARDING THE LAND USE CODE**

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, requires compatibility with the general plan and existing codes.

BACKGROUND The City Council and Planning Commission held a joint work session on April 7, 2020 to introduce the Land Use Code project and held a subsequent meeting on December 16, 2020. During that meeting the City Council requested that a further discussion be held regarding the MPC zone.

The MPC zone was adopted in 2015. The MPC zone has been applied to four projects: The Village at Prominence Point, Patriot Pointe, Cherry Springs Villas, and Coopers Towne.

Purpose Statement The purpose statement identifies the relationship of the MPC zone to the General Plan and its appropriateness.

11-7K-1: PURPOSE

The purpose of the Master Planned Community Zone is to provide opportunities for creative and unique developments within North Ogden City. This ordinance includes guidelines for creating neighborhood-oriented village projects that may include a mix of residential, commercial, recreational and/or public uses.

An integral part of this Zone is a multistep review process to assure compatibility of proposed land uses with existing, and proposed adjacent neighborhoods, as well as the vision of the General Plan. The desired goal is to move toward vibrant, sustainable, and walkable neighborhood centers, with integrated streets.

Proposed plans for development must follow or exceed design standards found within this ordinance. Specific plans shall be a reflection of a required development agreement.

Features of the MPC zone

Area Requirement. The MPC zone requires a minimum size of 5 acres. There is only one remaining property along Washington Boulevard that meets this size requirement. The property is located at approximately 1825 North Washington Boulevard and is best identified as the property with a silo.

There may be other properties that could combine parcels to meet the 5-acre minimum, e.g., the properties south of 1700 North that are yet to be annexed. The City Council will control the zoning at the time of annexation.

There is a provision that would allow the City Council to approve a smaller area requirement if the project will “fulfill the objectives of the City.” If the City Council wants only five acre projects or larger then this provision should be removed from the code.

Rezone Requirement. All zone changes are legislative decisions. The City Council has wide discretion in making rezone approvals. For example, if the City Council decided not to rezone further properties as MPC it is a legislative prerogative. The rezone criteria for the MPC zone are below:

11-7K-2: MASTER PLANNED COMMUNITY REZONE REQUIRED

Not all properties will be eligible for the Master Planned Community zone designation. Each proposed parcel shall be evaluated on its own merits and a rezone is required. All the following criteria shall be used to assess the suitability of the parcel to be considered for the Master Planned Community zone:

1. The proposed parcel shall encompass a minimum of five acres; however, projects on smaller parcels may be considered if they fulfill the objectives of the City.
2. The proposed parcel shall be located within or adjacent to the North Ogden Downtown, Southtown, between those nodes along Washington Boulevard, or to the west of Downtown, where more diverse and intense uses are anticipated in the General Plan.
3. The primary use shall be residential.
4. At least 5% of the total square footage of all buildings in the entire proposal shall be devoted to a secondary use, such as residential mixed with commercial uses or office uses. Greater mixes are encouraged.
5. Proposals shall demonstrate an excellence in architecture, site design, and walkability.
6. Proposers shall be willing to enter into a development agreement that runs with the land.
7. Proposals shall demonstrate how the potential project will address the specific goals and values found in the North Ogden General Plan and within the Downtown chapter.
8. The entire parcel shall be reflected in a specific site plan.

Non-conforming. There are four MPC zoned properties. Removing the MPC zone from the zoning ordinance would make those four projects non-conforming. It is recommended that the zone remain in the code to avoid this circumstance.

Density. The MPC ties density to the General Plan. For medium density designations the density is six to 18 units per acre and for high density designations the density range is 18 to 40 units per acre.

Building Height and Unit Size. The maximum building height is 36 feet. There are no restrictions on the number of units per building.

Conflicting Provisions. The required development agreement may modify the zoning ordinance standards. The provision provides flexibility for the Planning Commission and City Council to address the unique designs of each project.

CONFORMANCE WITH THE GENERAL PLAN

The North Ogden General Plan was adopted on September 22, 2015. A key component for implementing the General Plan is establishing codes that reflect the desired future for North Ogden. The Land Use Code's foundation is the Vision, Goals, Policies, and Strategies found in the General Plan.

The following excerpt is from the General Plan Vision statement.

The Vision for North Ogden

- North Ogden City will continue to be a community of beautiful homes and friendly people that capitalizes on the impressive setting beneath the slopes of Ben Lomond peak. North Ogden will strive to:
- Assure that North Ogden remains a beautiful place to live, work, and recreate.
- Create a unique downtown that complements the desires of the community with an improved appearance and public spaces.
- Promote housing variety with a broad spectrum of high-quality housing options along Washington Boulevard, 2700 North, and especially within and adjacent to the Downtown and Southtown.
- Assure improved visual quality for all types of development.
- Improve current and future streets in terms of appearance, connectivity, and by providing additional city-wide choices for travel in addition to Washington Boulevard and 2700 North.
- Continue to provide a variety of parks, trails with connections to the mountains and within the community, and open spaces for the community to enjoy.
- Recognize that the proximity to the mountains also results in many environmental issues that need to be proactively addressed through community policies, incentives, and ordinances.
- Engage and connect with the community through active governmental transparency, public WIFI systems, and places for people to gather.
- Strive to create a more balanced community that results in a better, more sustainable tax base, which anticipates and reflects the diversity of housing and services necessitated by changing population life cycles, norms and preferences.

- Preserve the essential characteristics of a family friendly community that assures an enduring legacy, small town feel, and high quality of life in North Ogden.

A key Strategy is found in the Housing Goals, “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.

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

- Is the City Council satisfied with the MPC zone?
- Should the existing zoned MPC properties retain the MPC zone designation?
- What direction does the City Council wish to give regarding the MPC zone?

The memo concluded staff recommends that the Council conduct a discussion regarding the future of the MPC zone; staff recommends the Council retain the MPC zone so as to not have the existing MPC projects become non-conforming. Staff also recommends any future rezone requests be reviewed on a case by case basis and give staff direction on desired modifications to the MPC zone.

Mr. Scott reviewed his staff memo.

Mayor Berube facilitated high level discussion among the Council regarding their desires for the MPC zone. There was a focus on the maximum building height of residential buildings allowed in the MPC zone and the Council communicated they would like to cap residential buildings at a height less than four-stories or 50-feet. Council Member Swanson stated he is not convinced that it is necessary to retain the MPC zone; there have been several problems associated with MPC projects and he is not concerned about creating non-conforming status for existing projects if the MPC zone is eliminated. Council Member Barker stated he is not a fan of most projects in the MPC zone, but in speaking with Mr. Scott yesterday, he learned the Cherry Springs project is an MPC project and it is a nice project. He agrees with Mr. Scott that it would be best for the City to retain the zone and make modifications to the zoning ordinance to address concerns that have arisen in association with other MPC projects in the City. Council Member Ekstrom agreed; there are some MPC projects that have not yet been completed and she would like for those projects to be completed before making a decision regarding whether the zone should be eliminated. Council Member Barker added that he would also like to discuss minimum acreage requirements for the MPC zone; he would prefer that nothing smaller than five acres be considered as a viable property size for a MPC project.

Mayor Berube stated that an owner of a large parcel of property on the City’s hillside has indicated a desire to develop; he asked if that parcel would qualify for the MPC zoning designation, to which Mr. Scott answered no and indicated the zoning designation is only available to properties along Washington Boulevard.

Mayor Berube asked Mr. Scott to draft an ordinance that would amend the MPC zone responsive to the feedback provided by the Council tonight and present it to the group at a future meeting.

12. REVIEW AND DISCUSSION OF THE 2020 LAND USE SURVEY

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, requires compatibility with the general plan and existing codes.

BACKGROUND

North Ogden City conducts periodic updates to the city's land base by conducting a land use survey. The survey identifies the amount of land that is transitioning between various land uses, e.g., since 2014 the city increased in size through annexations by 61 acres to approximately 4,811 acres (7.5 square miles) The survey divides the land base between urbanized and non-urbanized lands with sub-categories. These projections assist in monitoring needed services and the availability of land for future development.

The previous survey was completed in 2014. This survey will be compared to the 2020 Census in regards to tracking trends against the General Plan.

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

- What indications for North Ogden's future are contained in the 2021 Land Use Survey?

Mr. Scott reviewed his staff memo and indicated this item was included on the agenda to give staff the opportunity to introduce the Council to the survey; he asked that the Council review the document and noted he is willing to answer any questions the Council may have regarding its subject matter. The Survey is also available to the public on the City's website.

13. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING NORTH OGDEN CITY CODE FOR REGULATING ANIMAL CONTROL

A staff memo from City Manager/Attorney Call explained the Animal Control Officer identified some issues in the ordinance as her office has been working through a dangerous animal abatement. Administration proposes the following changes.

1. Make appropriate changes to language regarding requirements for the animal control officer to be a sworn officer or special functions officer.
 - a. We have occasionally had individuals who have various certifications; however, I do not believe it should be a requirement.

2. Make appropriate changes to change the individual who orders abatement of animals to the Administrative Law Judge/Administrative Hearing Officer as opposed to the justice court.
 - a. This change is recommended by the state through our Justice Court Judge. The state has concerns with judges handling any items which are not entirely criminal in nature. Abatement of animals is not a criminal offense.
3. Formalizing the City policy that if somebody has an unlicensed dog when they pay their fine a portion of that fine, if paid within 30 days, is applied to the license fee to bring the animal into compliance.
4. The final change is to eliminate all the ordinances which are regulating business activities which may no longer be needed or are covered under the City's business licensing and zoning provisions.
 - a. This is a large section, but is tied to the discussion related to breeding animals had by the Council at the meeting in December.

Mr. Call reviewed his staff memo and facilitated discussion among the Mayor and Council regarding the implications of the proposed ordinance amendments; Mayor Berube expressed concern about the policy by which the City would give someone in violation of the ordinance credit towards their license fee when their fine is paid. He likened this policy to a 'get out of jail free' card. Mr. Call stated that the policy is intended to incentivize compliance with the ordinance; however, the Council can opt for a different policy. The Council briefly discussed the matter and concluded they are comfortable with formalizing the policy as specified in the staff report.

Council Member Barker motioned to approve Ordinance 2021-03 amending North Ogden City Code for regulating animal control. 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	aye
Council Member Swanson	aye

The motion passed unanimously.

14. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING NORTH OGDEN CITY CODE FOR TRAFFIC VIOLATIONS AND PENALTIES

A staff memo from the City Manager/Attorney explained the current city ordinances have some moving violations as infractions and others as misdemeanors. With recent changes in the state code staff feels it is appropriate to downgrade some offenses to infractions to eliminate mandatory court appearances for these single violations. In situations where a

person is guilty of multiple violations they still may need to appear in court, but not on these violations alone.

- Safe and Proper Lookout
- Driving to Right

Mr. Call reviewed his staff memo and indicated staff recommends these changes be approved.

Council Member Ekstrom motioned to approve Ordinance 2021-04 amending North Ogden City Code for traffic violations and penalties. 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.

15. DISCUSSION ON CONDUCTING A RESIDENT SURVEY ON A PUBLIC SAFETY BUILDING AND OTHER ITEMS AS NEEDED

Council Member Swanson stated that over the past few years, the Council has had discussions about employing Y2 Analytics to perform a survey of City residents to gauge their feelings about critical issues; the Council can then base decisions on this information rather than anecdote. He stated he would like to use the tool in connection with the Public Safety Building project to get an understanding of how residents feel about a bond for the project. He noted that it would be necessary to publish a new RFP for the survey project and he asked that the Council vote to move in that direction tonight.

Mayor Berube noted that if the survey is used, the Council needs to be committed to abiding by the citizen feedback. Council Member Swanson agreed. Council Member Berube stated that if the majority of the citizens indicate they do not want a new Public Safety facility, the Council needs to follow that direction.

Council Member Cevering stated that he agrees with the importance of surveys for some issues, but he is not sure he feels a survey is needed for this project as he does not believe there is a group that would oppose the project. He would rather not spend \$13,000 to \$14,000 for this project. Council Member Swanson stated that while there may not be an objection to the project itself, there is a group who is opposed to bonding for the project.

He feels that the Council needs clear and reliable data about the financing of the project. Mayor Berube stated he is not sure how someone can be in favor of the project, but not in favor of bonding. The real question that should be posed to residents is whether they are willing to pay an increase in property taxes, and – if so – how much. Council Member Swanson stated it seems a rational thought that if someone supports the project, they would also support a bond, but that is not always the case; in the past, there has been a strong resistance to bonding or entering into debt for a City project. He stated that if the Council is confident that the City needs a new Public Safety facility and that residents should pay for it, the City should issue a revenue bond for the project rather than submitting a general obligation (GO) bond question to the residents on the next election ballot. Issuing a revenue bond will allow the City to accelerate the project by almost a year. Mayor Berube stated he is open to receiving input from the citizens as the City is spending their money; he is simply concerned about soliciting public feedback and then not adhering to that feedback.

Council Member Ekstrom stated that she feels the Public Safety building project is the highest priority for the City at this time and the City must invest in the project; there is such a thing as detrimental frugality and she wants to avoid that. While she is always open to hearing from the public, she does not think the City should pursue a survey for this project because it is clear that the project must move forward. She would, however, like to be educated on the differences between a GO bond and revenue bond. Mayor Berube stated that Mr. Call is prepared to provide that education tonight. He added that it has been his position that the City should allow the residents to vote on a GO bond during this year's municipal election. He understands Council Member Swanson's recommendation to pursue a survey is based upon his hope that the citizens will use the survey to communicate their support for bonding for the project and the Council can rely upon that support to issue a revenue bond and accelerate the project. However, if the results of the survey are that the residents do not support the project or going into debt for it, it would be very problematic to then proceed with issuing a revenue bond. Council Member Swanson agreed, but noted that it seems that those in opposition to an issue are typically most engaged and have some control over election outcomes; his greatest concern is that the entire population of North Ogden – 21,000 people – need a Public Safety building and it is important for the Council to gauge the public sentiment regarding the project with as little emotion as possible. Mayor Berube stated that he feels that the same group of people who are passionate in their opposition to a bond will also participate in a survey. He then facilitated philosophical discussion among the Council regarding the best way to proceed at this point; he polled each Council Member regarding their support for waiting for the November 2021 municipal election and a vote on a GO bond or publishing a public survey regarding the project now and proceeding with issuance of a revenue bond if there is support. Council Member Stoker stated she understands the desire to get public buy-in regarding the project, but noted she is very concerned about the impact that the current facility has on the safety of the community. She asked the Council to consider how they will feel if a life is lost due to the inadequacy of the current Public Safety facility. Mayor Berube echoed that sentiment and wondered what liability the City has associated with the condition of the current facility. Council

Member Barker then stated that he is also supportive of accepting public input, but he feels that a new Public Safety facility is desperately needed in North Ogden and he is supportive of moving forward with a bond for the project. Council Member Cevering referred to his comments earlier in the discussion, noting he does not want to publish a public survey regarding this project as he feels that there is consensus the project is needed.

Council Member Swanson stated it seems clear that the entire Council agrees the Public Safety project is a top priority; there is no other way to pay for it but to bond. He referenced his comments from the Council's last meeting that each City Council Member was elected to represent their constituents and make hard decisions. If the Council is confident a new Public Safety facility is needed, they should make the hard decision to issue a revenue bond and move forward with the project. The citizens always have the opportunity to circulate a petition and force the issue on the ballot, but the Council was elected to make these decisions and he is one-hundred percent confident that this Council will carefully evaluate the project scope and move forward with a project that is appropriate and responsible. He is willing to fulfill his responsibility to make decisions that are best for the entire community and is willing to deal with the outcome if residents choose to vote him out of office as a result.

Mayor Berube stated that he is also supportive of the building as he feels it is a 'need' rather than a 'want' for the community; however, the project cost will be the largest expenditure the City has ever made.

Council Member Stoker asked if the Council will be holding a work session in February to review the line item budget for the project and hear from Zion's Bank about the costs associated with different bonding options. Mayor Berube stated that has been planned, but it is his understanding that the costs for a revenue bond are very close to those for a GO bond, but that the City does not have clear information on project costs at this time. Mr. Call has asked Zion's Bank to prepare a debt service schedule based on a theoretical project cost of \$10 million and they have indicated annual payments would be approximately \$600,000.

Mayor Berube stated he feels everyone has voiced their opinion and understands there are pros and cons associated with the options available to the Council relative to funding the project; he asked the Council to consider the points that have been raised tonight in preparation for a vote on the matter in a future City Council business meeting.

Mayor Berube asked Council Member Swanson to report on a recent meeting between the two of them, Representative Wilcox, Judge Lambert, and staff of the Justice Court. Council Member Swanson stated that Representative Wilcox was invited to participate in the meeting because one of his assignments as a State Legislator is overseeing the Public Safety Committee. They toured the City's existing Public Safety facility and then toured the Kaysville Public Safety facility; the facility has two holding cells, but they are never used because anyone that needs to be held is transferred to the Davis County jail. This led

the group to believe that the holding cells could be removed from the North Ogden project for the same reason. Additionally, the North Ogden project includes a \$500,000 outbuilding that would be used for storage of vehicles or other items seized by the Police and in need of processing. A similar facility at Kaysville is underutilized and it may be possible to reduce the size of the outbuilding included in the North Ogden project scope or defer that component of the project until a later date. There appears to have been a misunderstanding among those reviewing the project scope regarding the difference between a holding cell and an interrogation room; Chief Quinney has indicated the interrogation room could be used as a holding cell and it is possible to remove the holding cells from the facility design. Chief Quinney feels that the outbuilding is needed, but Council Member Swanson feels that the size could be reduced or that it could be constructed at a later date. He added that the foyer area for the Kaysville facility is very large and grand but is likely not entirely necessary. The group felt that the foyer area in the North Ogden facility could be reduced. He added that Kaysville has offered to make the facility open for more tours to any representative from the City.

Mayor Berube added that during the meeting there was also a discussion about whether the City needs its own court and if it may be possible to pursue a regional court for North Ogden, Pleasant View, and Harrisville. Judge Lambert indicated that would be a very difficult project to pursue and would likely not receive support from the judiciary system at the State level. He added that another tough question that was asked was whether the City must have its own police force or if it is possible to ensure the safety of the City by pursuing a relationship with a public safety district. He stated he is relaying this information simply to communicate to the rest of the Council and to the public that very difficult questions are being asked. He added that the recording of the meeting can be provided to the entire Council and be made publicly available.

Council Member Stoker echoed the sentiment that it would be very difficult – nearly impossible – to gain approval of a regional court. She added that she wished that residents would take the time to tour the existing facility to get an understanding of its deficiencies and that, in its current state, it is not providing adequate protection for the City and its Police Officers. Council Member Covering agreed and noted that if a reasonable message communicating those facts along with the information about the manner in which the project scope has been adjusted in an attempt to save costs whenever possible, will be well received by the residents. Mayor Berube agreed, but noted that he wants to include information about the estimated bond amount and the associated increase in their property taxes. He then noted that he will include an item on an upcoming agenda to allow the Council to vote on whether to proceed with issuance of a revenue bond for the project.

16. PUBLIC COMMENTS

Susan Clements, 668 E. 3125 N., thanked the Council for the wonderful conversation on the Public Safety facility project. She was pleased to find a video on the City's YouTube Channel offering a tour of the current Public Safety facility; the video was enlightening to

her and she encouraged the City Council to share that video with as many people as possible so they can get an understanding of the condition of the facility.

Brenda Ashdown, 193 E. Pleasant View Drive, stated she also appreciates the conversation regarding the Public Safety facility project; the difference between this project and the Public Works project, which was publicly discussed in the past, is that the current City Council is willing to look carefully at the project scope and determine what is truly needed in the building. Citizens want to know what they are bonding for and she feels the discussion tonight shed some light on those details. She then addressed Council Member Swanson's comments about the City's representative form of government; it is true that Council Members were elected to make decisions on behalf of the public, but given that each Council Member is elected at large and not assigned to a specific area of the City, it is not possible for them to understand how the public want them to vote on an issue. She then inquired as to the difference between a GO bond and a revenue bond. Mayor Berube stated the City is preparing a frequently asked questions (FAQ) document regarding the project and that question will be addressed; he noted that a revenue bond is repaid using sales tax revenue and does not require a vote of the citizenry. A GO bond is repaid with property tax revenues and the residents would need to vote to approve an increase in the City property tax rate to provide that additional revenue. Ms. Ashdown then noted she recalls that some time ago the citizens were asked to vote on whether they wanted a new swimming pool in the City; the residents voted the project down, but the City proceeded with it anyway and she resents that. She feels many residents would also indicate resentment over that decision. If the Council is truly considering a vote, they should abide by what the residents say. She is supportive of the Public Safety building and thinks it is a necessity; she feels most people in the community will recognize it is a necessity, until it comes time to pay increased property taxes. When the City was first considering the Public Works facility project, the cost was estimated at \$10 million; citizens protested, and the project was put on hold. She was not paying attention to what was happening in the City at that time and she was surprised when the Public Works project commenced. When she asked about why she was not made aware of the project as she lives directly across the street from where the facility was constructed, she was told it was not her business and the facility was being built on Weber County property. She was told that the City had contracted with Weber County for the project and the citizens did not have a say in that project any longer; that was extremely offensive. She stated that transparency is very important and if the Mayor and Council can refer to public information about the project and efforts taken to determine what is truly needed in the project, they will understand the issue and likely support the project.

Brent Hamblin, 963 Deer Meadows Drive, stated that he is retired and on a fixed-income and he does not want his property taxes to increase; however, after hearing all the information tonight about the Public Safety building project, he agrees that it is needed. Even though he does not want his taxes to increase, that is what needs to happen and it must happen as soon as possible to increase the safety of the community. He is confident in the Council and their ability to determine that the project will be built to a scope that meets the City's needs, but not be excessive. He stated that the Barker Park Amphitheater

and transparency tonight. While the group may not always agree with one another, they respect one another and desire to serve the citizens and keep North Ogden a great place to live. Over the past year he has learned that public service is not always easy, but it is the right thing to do and it is important to be courageous in making the right decisions for the community. He is anxious for the pandemic to come to an end, so it is possible to meet with citizens again in person, but he hopes residents appreciate the efforts towards being more transparent and open with them.

Council Member Swanson thanked Mayor Berube for creating an environment where Council Members can speak freely and candidly during meetings; he runs the meetings exceptionally well and he is grateful for the leadership he has shown over the past year. Mayor Berube stated he is grateful for the opportunity he has been given and he thanked Mr. Call and other City employees for their assistance in conducting meetings properly. He stated that there was some real concern during the last municipal election that this group of officials would not get along and would operate based on their individual agendas; that has not been the case and he is happy they are able to work together for the better of North Ogden.

Council Member Stoker then asked Mr. Call if the City has been able to follow up with the owner of the duplex that she referenced in a previous meeting. Mr. Call stated the follow-up inspection has not been conducted, but he hopes it will be possible to move forward this week or next. Council Member Stoker then stated that there are many employees in the City and in the Police Department specifically who serve the City with no expectation of recognition or thanks. She wants to recognize them without mentioning names and hopes that they understand and believe that she is very grateful for them and the service they provide. Mayor Berube echoed that gratitude; he then briefly reported on agenda items that are forthcoming.

18. ADJOURNMENT


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

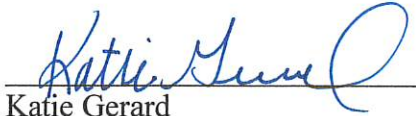
Voting on the motion:

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

The motion passed unanimously.

The meeting adjourned at 10:20 p.m.


S. Neal Berube, Mayor


Katie Gerard
City Recorder

2/23/21
Date Approved