

1 **NORTH OGDEN CITY COUNCIL MEETING MINUTES**

2
3 March 27, 2012

4
5 The North Ogden City Council convened in a regular meeting on March 27, 2012 at 6:30 pm in the North
6 Ogden City Council Chambers at 505 East 2600 North. Notice of time, place and agenda of the meeting
7 was delivered to each member of the City Council, posted on the bulletin board at the municipal office
8 and posted to the Utah State Website on March 22, 2012. Notice of the annual meeting schedule was
9 published in the Standard-Examiner on January 16, 2012.

10
11 **PRESENT:** Richard G. Harris Mayor
12 Kent Bailey Council Member
13 Justin Fawson Council Member
14 Dave Hulme Temporary Council Member
15 Cheryl Stoker Council Member

16
17 **EXCUSED:** Wade Bigler Council Member

18
19 **STAFF PRESENT:** Annette Spendlove City Recorder/HR Director
20 Debbie Cardenas Finance Director
21 Mel Blanchard Public Works Director
22 Craig Barker Community Development Director
23 Dave Nordquist Community Services Director
24 Polo Afuvai Police Chief

25
26 **VISITORS:** Gina Kochendorfer Doug Russell Linda Russell
27 Marlene Welling Blake Welling Clark Crowther
28 Jordan Bodily Lana Tolman Stacey Giatras
29 Don Mathewson Rachel Trotter Paul Mackley
30 Paul Huntsman Shannon Huntsman Lorraine Tennant
31 Matt Hartvigsen

32
33 Mayor Harris called the meeting to order at 6:30 pm and welcomed those in attendance. He offered the
34 invocation and led the Council and audience in the Pledge of Allegiance.

35
36 **CONSENT AGENDA**

37
38 **1. Consideration and/or action to approve the minutes of the February 28, 2012 City Council Meeting.**

39 **2. Consideration and/or action to approve Business Licenses**

40
41
42 **Council Member Fawson moved to approve the Consent Agenda. Council Member Hulme**
43 **seconded the motion.**

44
45 **Voting on the motion:**

46 **Council Member Bailey** yes
47 **Council Member Fawson** yes
48 **Council Member Hulme** yes
49 **Council Member Stoker** yes

50
51 **The motion passed unanimously.**

52 **ACTIVE AGENDA**

53
54 **3. PUBLIC COMMENTS**

55
56 Linda Russell, 1087 E 3200 N, introduced herself and stated she is an employee with Great Clips. She
57 said before the sign ordinance required you to put your signs on the inside of the sidewalk and not on the
58 park strip like it is now it was much more visible for customers to see. She said at their last haircut sale a
59 lot of our regulars came in and said they didn't know we had a haircut sale going on, even though it said
60 \$6.99 all around our area there. A lot of them didn't even see the signs. They didn't see how long the waits
61 were or what the price of a haircut was. She said she thinks that it's too far in and it's better for the
62 businesses if they could have the signs out on the road. She said she doesn't think it's visible enough,
63 especially with the shrubs and things like that, unless they're right there to look over. She feels it's better
64 for the business, for the customers to be able to see the signs and the wait times and things like that if it's
65 closer to the road.

66
67 **4. PRESENTATION ON THE CITY'S CULINARY WATER SYSTEM**

68
69 Matt Hartvigsen, Jones and Associates, thanked Mayor Harris for the opportunity to be here. He
70 explained some of the basics of the system and said they have been doing a lot of work on the water
71 system over the years. He passed around a handout, attachment A and said there is another document that
72 Annette Spendlove is passing out, attachment B. He explained a few concepts of the water system. The
73 City produces all of its water independently. Some cities purchase their water from a wholesaler such as
74 Weber Basin and then they turn around and sell the water to the individual customers. North Ogden is not
75 unique in the sense that they produce all their own water, because a lot of other communities do, but you
76 do produce all your own water which is used by your residents for culinary water and drinking purposes.
77 The sources for that water are springs and wells. There are several springs up the canyon on the East side
78 of the city and several wells throughout the city that produce that water. The water from the springs is
79 very useful because it comes straight out of the mountain and we can put it right to use because we don't
80 have to pump it. Wells usually require us to pump and distribute it to other places in the City.

81
82 He referred to the page titled Current Operating Conditions and said he explained how the water is
83 delivered to the residents. Based on the 2010 population census, we have a population of approximately
84 17,000 residents in the city and there are approximately 5,660 water connections that deliver water to
85 individual homes and businesses throughout the city.

86
87 He referred to Annual Supply and pointed out that we provide about 2,500 acre feet of water to the
88 residents every year. That is about 400 gallons per connection which is what you're required to provide
89 by the State. In the summer you provide more water than other times of the year. In the summer, you will
90 be reaching, a peak day demand, and the sources you use, the springs and wells, need to keep up with the
91 peak day demand. Right now your peak day demand is estimated to be at 2.84 million gallons of water a
92 day and that's what this graph will show you here.

93
94 He pointed out that on the bottom of the graph are the current sources, which are in red. We have three
95 springs: Rice Creek Spring, North Ogden Canyon Spring and Coldwater Spring that produce about 1.03
96 million gallons of water per peak day. That's about how much water we can expect to go down on a peak
97 day, usually in the summer. That is also usually when the springs are at their lowest, which is unfortunate.
98 Peak demand is when you're producing your highest demand, and the spring flow dies off. You also have
99 four wells which produce an additional 2.88 million gallons of water. So on a peak day you can produce
100 around 3.91 million gallons of water, and there are 2 lines: the red line which represents the actual usage
101 and the green line which represents the state requirement. The state oversees the water system, and the
102 requirement that you have the capacity to produce about 800 gallons per day, per connection.

103 Council Member Fawson asked him to explain the red and green lines again. Matt Hartvigsen said
104 regarding the red line, what he did is go back and ask typically what amount of water was used on a peak
105 day, and looked at the meter readings of the city and found that you use about 502 gallons per connection
106 on a peak day in the summer when the usage is up. You can see the black dots are actual data we have
107 collected and the hump in the middle shows a drop between 2005 and 2010 as the economy went down
108 and then it levels out. The usage didn't rise as much as we expected because our growth was down. The
109 green line represents what the State is requiring because you are a water supplier. They have asked that
110 you be able to provide about 800 gallons per connection of water per day, on a peak day.

111
112 Council Member Fawson asked if this is a requirement or a recommendation. Matt Hartvigsen said they
113 recommend it but it's more than that because they are overseeing your system. If you can't supply that
114 they begin to question whether you have the ability to serve the population. Council Member Fawson said
115 it looks like we are short. Matt Hartvigsen said that is correct, right now we are able to meet our peak day
116 demand with our current water sources; the springs and wells that we have.

117
118 Mayor Harris said he doesn't think that's an arbitrary number. That's based on usage data collected in
119 places for a lot of different reasons. It's not exactly arbitrary. Matt Hartvigsen said it's a guideline. The
120 State says if you're going to be a water supplier, you ought to be able to meet these requirements, and
121 these are the standards they've come up with. What we should be aiming for, our usage being low is kind
122 of a bonus which gives us a little bit of cushion, in case we lose one of our sources, so we try to meet
123 those State guidelines. They do look at those kinds of things as we send in water reports. If we add a big
124 water manufacturer and they need a million gallons of water usage per day for whatever their reason, we
125 must be able to show to the state that we have the capacity to serve them. We don't just add connections
126 or allow developments to come in whether they're residential or commercial without showing the State we
127 have the capacity to serve them.

128
129 Matt Hartvigsen said this sheet is a summary of those things we've been talking about. The first page
130 shows that we can deliver one million gallons roughly from the springs, about 3 million gallons from the
131 wells, and we have 4 million gallons that we can deliver on a peak day. He said as the City continues to
132 grow, as expected by the state guidelines, we'll need to be able to deliver about 8 million gallons per day
133 for future growth. We've got another figure that shows some colored areas throughout the city. That
134 represents the undeveloped ground that's in the city. A lot of it is on the north bench and there are other
135 colored areas down in town. Those areas show the undeveloped areas and where growth is likely to occur
136 as subdivisions and businesses come in. Based on those areas and the State guidelines we expect we may
137 need to be able to provide 8 million gallons of water on a peak day. Right now we have the capacity to
138 provide just less than 4 million gallons of water on a peak day.

139
140 Matt Hartvigsen said the anticipated build out population would be about 32,000 so we could almost
141 double in population. We have 5,600 connections. We expect to have about 10,000 connections on the
142 system at build out. Based on a 3% growth rate we would probably reach build out in about 2030,
143 following that graph line to year 2030, that's about where we would reach our maximum population and
144 connections to the culinary water system. So, we know that we need to provide additional water in order
145 for the City to grow. It's also nice to have water for other contingencies or as a buffer. We don't want to
146 lose any of our sources for even a short amount of time because that means that we won't be able to
147 provide enough water for the residents.

148
149 Matt Hartvigsen said they try to make sure that they have other contingencies in place or other facilities in
150 place to handle those contingencies. He said their recommendation would be to build an additional water
151 source at this time. As the graph shows we are pretty close to reaching our peak day demand already. If
152 we were to lose well #2, our biggest source on a peak day or the pump had to be repaired this is what it

153 could take to get it fixed. We would lose about 2.9 million of gallons of water that we need so it's nice to
154 have these additional sources.

155
156 Well #2 is on 2100 North at about 700 East just west of where the canal crosses the park. That's our
157 biggest source right now and that's at the very bottom of the system. He said they have to pump that water
158 to the top in order to feed the bench areas in the city. We have the springs that feed the bench but on a
159 peak day the spring loads die down so we have to pump water up the hillside.

160
161 Matt Hartvigsen said everyone has the same rate. Everyone shares the same pumping costs whether
162 they're at the top or bottom of the city. He said the recommendation is to pursue the development of a
163 minimum of a million gallons of water which would be 700 gallons a minute or 1,100 acre feet of water
164 per year for an entire year. He said to ensure an adequate back up supply and also provide for future
165 growth we're going to need a total of 4 million gallons of water on a peak day. We're pursuing the next
166 step, so we've been looking for water for years now. We started with the well site on 450 E; we drilled
167 that well and didn't find any water. It was based on scientific information. A hydrogeological study was
168 done, we look at different locations around the city, and we looked at the chances of finding water at
169 these locations. When we drill a well, we have to notify people that we intend to take water from that
170 location and it can affect another well in the area, so a lot of times we're unable to drill where we think
171 we'll find water, and we're left with areas that are riskier to find water. This was one of them; we would
172 have preferred to drill on the flats down lower, but those points of diversion that we were looking at,
173 those well locations, were protested and were not approved by the state, so we couldn't drill there. We
174 were able to negotiate the one on 450 E but we didn't find water there. We are currently looking at water
175 up North Ogden Canyon and it looks like we will be able to find some water there. We drilled a test hole,
176 a small test hole to explore for water and we found some water. We're down about 500 feet and water
177 that's coming out of that hole looks like really good quality water. We sent samples down to Salt Lake to
178 be tested to make sure it's good drinking water. It'll be a couple weeks before we get those samples back
179 but it looks promising. Mr. Hartvigsen said we don't necessarily have to drill a new hole to find water; we
180 can buy water at wholesale. Right now the nearest wholesale water would be Weber Basin. He explained
181 that water alternative #1 is that we can continue to drill a well. He said he assumes based on the way
182 things are going and the money we've spent looking elsewhere, we will spend about 1.4 million dollars to
183 develop a new well. That is assuming this new one will work out, and it looks promising. Then we have
184 other future sites that we can talk about.

185
186 Council Member Fawson said the well we just drilled, based on these calculations, will bring us up to the
187 2007 level. He said we are playing catch up according to where the State wants us to be. We still need 1
188 1/2 more wells which would be about \$1.5 million for project costs every year for this. Matt Hartvigsen
189 said we are able to meet our peak day demand but this still puts us lower than where the state wants us.
190 We still want to drill other places to find water. He said his point on alternative #1 is that by the time the
191 2nd well site is developed we could be at \$1.4 million to find that water, put it in use and use it as
192 drinking water. Our assumptions are based on the preliminary tests on this water. We pumped 200
193 gallons per minute for 24 hours and had about 150 feet of draw down. We can't get any more water out of
194 a hole that small so we put a pump down there and pumped for 24 hours. The water came up to within
195 about 20 feet of the surface and we were down about 180 feet by the time we were done pumping. When
196 we turned the pump the water came right back down in the hole. It grew 40 feet within the first minute
197 and looks like we'll be able to pump about 700 gallons per minute. There's no guarantee; we have to get
198 the water quality samples back and approved. He said he is confident on both cases but we don't know
199 until we actually finish the well and pump it.

200
201 Council Member Hulme said it's actually the second strongest well in the city. Matt Hartvigsen said it will
202 be as good as well #1 and better than well #2 but we don't know until we drill the full well and produce
203 the water. We had our budgets and set aside some money to develop this water, so we know there's

204 water there. We can design the well casing and we have the opening in the well, so we can collect the
205 water in the ground. We'll drill a larger bore hole and that will allow more water to enter the casing.
206 We did have a little bit of sand when we first started pumping but it cleaned up pretty quickly. There is a
207 possibility there might be some sand but we'll design the well based on the information that we have.
208 We'll make a large bore hole, we'll case it, perforate the casing to let the water into the casing, then we'll
209 insert a large pump and we'll be able to test it, even a thousand gallons a minute just to see how the well
210 responds. Once we have all that information about the well we can determine a permanent pump, so that's
211 the money we're requesting. The 5-year plan, the money that you'll see at the beginning of well, is to
212 install the development and well casing, strings and the pump and then to develop a well house over the
213 top of that; a permanent building.

214
215 Council Member Hulme asked how much was spent on the 450 E well. Matt Hartvigsen said we spent
216 \$70,000 on this new site and we used different methods on the two of them. There are a lot of different
217 ways to drill but we'll stick to the cheaper one. The interesting thing about what we've done, we drilled a
218 hole at the new site and found water but in essence we gambled with that \$70,000. He said if we were to
219 have gone straight for the well we'd be further along with the well development. It's a gamble, a tough
220 decision. Either we go down to look for water and the money you've spent is lost or you go with the
221 production well and it doesn't go and the money is lost. We've done it this way because water was more
222 likely to be in the canyon. We decided to do the cheaper method. We can't guarantee where the water is
223 but they look at the formations underground, the proximity to other wells and other sources. That one
224 was right on the boundary and it seemed like a logical place to drill, the infrastructure was set up, and we
225 drilled there. Based on the information we had it was more likely to encounter water. Council Member
226 Hulme referred to page 3 which talks about another alternative. Rather than drilling these holes and
227 paying the money, we can go to Weber Basin and purchase from them. Mr. Hartvigsen said Weber Basin
228 sells at wholesale and are running out of the district, which means that they'll have to go to other sources
229 and those will be much more expensive. He said when he talked with them the other day they couldn't say
230 when they'll run out of water, but it will be in the next few years; the 2015-2017 range. They'll probably
231 be out of district 2 water and they'll have to buy water from a different source to sell us water at that
232 point. The cost for that other source will be nearly double. Right now they charge \$339.11 per acre foot.
233 That 700 gallon per minute well we're hoping to get will produce 1,100 acre feet a year. The cost for
234 1,100 acre feet is \$373, 000. Weber Basin sources are down at the bottom and on 1700 N they have a
235 well. Because their sources are down low, we would have to pump it just to get it into our system, and
236 then pump it up the hill. It would cost roughly \$50,000 per year to pump it up to the bench areas. It would
237 cost \$423,000 to purchase water from a wholesaler like Weber Basin. He said there is an alternative #3
238 but that one is a long shot. Pleasant View is just about out of water and he doesn't think we can buy from
239 them. Ogden City has a source that they've talked about letting us use; that would be similar to Weber
240 Basin. We would have to be serious enough to approach them to get actual figures, but we suspect it
241 would be similar to Weber Basin. What we've done is compare the cost so far, plus the future cost of the
242 well would be \$1.4 million. We've done a 25 year annualized cost assuming a 5% rate of inflation. The
243 life of a well, the well itself, is at least 50 years. He said he has used 25 years here which is very
244 conservative. If he used a 50 year cost it would be spread over 50 years and the cost would be much
245 lower. There are some costs to maintaining the water; pumping charges and electrical costs. If you were
246 to annualize \$1.4 million for 25 years, it would be \$102,000 per year, plus \$95,000 in pumping costs, and
247 \$5,000 for a pump replacement. That leaves your yearly costs, personnel, upkeep on the building,
248 monitoring it and putting a new roof on it, with a total annual cost of \$212,000. The annual cost for
249 Weber Basin is \$423,000, so you can see, if we can get this well to work at 700 gallons, we've saved the
250 residents \$11,000 per year over purchasing water from Weber Basin. He added that they are regulated just
251 like every utility, they can't charge outrageous fees. We are thinking we can save the residents \$200,000
252 per year if we can develop a well. If we are saving \$200,000 per year we can develop a well that costs
253 \$1.4 million every five to seven years.
254

255 Council Member Bailey asked whether every well we develop needs to reside within our city's limits.
256 Council Member Hulme asked who we need to ask about permission on the water rights. Matt Hartvigsen
257 replied he doesn't think it would have to be but the problem is the infrastructure has to be within the
258 limits. The one in the canyon is owned by the city and we have water rights to build out from the city, we
259 don't need to acquire water rights to provide water to residents. They are under scrutiny, there are laws
260 that allow the city to hold water rights and the state is watching everybody's water rights. If we have
261 water rights that are not being used or are not going to be used then they can take them back. Maybe the
262 City Attorney can answer that. They have provisions within the law that allow us to hold them until we
263 can put the water to use but there is a 50 year limit. The water rights that we're working with are
264 associated with the Lakeview well that was built in the 60's. That initial water right was acquired in the
265 1960's, so the 50 year timeline is coming into play. Every two to three years they send the City a letter
266 and say "prove that you're going to use this water" then we have to make application, pay the fees and tell
267 them we are not ready to use this water but we are going to and they extend it for a couple of years. He
268 said he doesn't know how long they'll do that. If he asked for 10 years, they might give me a couple of
269 years. Ultimately it depends who's running the show in the state.
270

271 Council Member Fawson asked if we get 700 gallons out of the Lakeview well, will that satisfy. Matt
272 Hartvigsen replied no, that water right is the largest one that we have. That's why we have redeveloped
273 that well, we have taken equipment up, cleaned the casing, done the perforations, and we are swabbing
274 the well to clean out the formations around the casing, to try to draw more water into that. We've been
275 able to add additional capacity into the well by doing that. Now we need to add a new pump and building
276 around that well, because it's pretty old and run own. It hasn't been used for years, because the water
277 looks cloudy. Even though it's not contaminated it looks funny and people don't like to drink it. We were
278 able to seal off the area, and we think we've been able to solve the problem. We can put that well back in
279 to use with the new pump and a new building. He has shown that on the graph. That's the 300 gallons per
280 minute where previously it could only pump about 150 gallons. In order to keep that full water right we
281 need to keep drilling wells every 4-5 years, so the application can be sent to the state and we can show we
282 are making progress in that water right.
283

284 Council Member Fawson asked if this well pumps 700 gallons per minute does that take us up to the
285 2013-2014 level for the state requirement. Matt Hartvigsen replied that it would take us up to the 2014
286 level. 700 gallons per minute is one million gallons per day. If you add another million gallons on a peak
287 day it would put us in that time frame. It is critical to show that we are making progress and it's critical
288 that we keep that water because it's our biggest water right. If we don't we would have to go elsewhere
289 and try to buy. Mr. Hartvigsen said the City wants to be able to show the State there is progress on this
290 water right.
291

292 Matt Hartvigsen said the water rights come from multiple points of diversion, so what he's done is added
293 additional points of diversion. We can take water from the Lakeview well, we've added other points
294 around the City, and we have already submitted a change application to add the North Ogden Canyon
295 location. It will have to be well advertised, and people will have to be given the opportunity to protest it if
296 it will influence their water rights. We will want to have that in place before we go further.
297

298 Council Member Hulme said his concern is that rather than 2% growth per year and stopping when we get
299 to build out, what if we will spike and level off. We may actually see it curve above that instead of below.
300

301 Matt Hartvigsen said if you were to look at actual water usage you would be above it the red line, below
302 the red line and so forth. He is using 502 gallons of water per connection per day. Some years it's been
303 600, then 400 or less but it's been approximately 500 per year over the past 20 years when he has looked
304 at the data. That's another reason you would want to have a buffer there, if he were to throw in a 600
305 gallon per minute per connection it could put us right up against that peak day line.

306 Council Member Bailey asked whether there are any potential sources up high that would minimize
307 pumping. Matt Hartvigsen said as far as springs go there are not. The springs that are available for points
308 of diversion have already been developed. We've tried to redevelop North Ogden spring and get more
309 water from the spring. We have to do regular maintenance but we've tried to capitalize on the springs and
310 get as much water from them as we can. He said there is no other spring that he knows of that would
311 produce flows in the range 200-400 gallons per minute. There may be something that we could use at this
312 point; something that people use for their pasture. They have to be scrutinized though to make sure they
313 are in good quality and won't be influenced by surface water or contamination.
314

315 Council Member Bailey said in searching for new well sites to develop are there locations that are north
316 of the City and what are the requirements besides the data. Matt Hartvigsen said he could give the
317 Council a copy of the hydrogeological study that was done. We went out there and said what if we drill
318 over there and they gave us a rough idea if we were to encounter water based on the counter surface area
319 and proximity. We've looked everywhere, in the past 6 years I think we've had hydrogeological studies
320 done and looked all over.
321

322 Mayor Harris thanked Matt Hartvigsen for taking the time to be here tonight. He said what he wanted to
323 stress here is that the first goal we have... those who have gone before, had the foresight to secure the
324 right sources to provide enough water for our city, to purchase the water rights, that are benefitting us
325 today in a huge manner. Second of all, it behooves us to continue to develop water and as Matt has
326 explained we've been criticized for the well on 450 E because we drilled and didn't find water. He said
327 based on the figures, we can drill a lot of wells, with what we can purchase from Weber Basin. The
328 Mayor indicated that he would like to talk about how it tastes too; it would be a totally different type of
329 quality in the City than what we have now. There are many benefits that our residents are enjoying
330 because of the foresight of other folks. He said he wants the Council to understand all of that because it is
331 very complex. Water rights questions are different than water questions. It takes money to monitor, there
332 are many people looking at water rights now and there have been many protests. That's why we need to
333 show our progress. Our water sources are a precious commodity in the city; we are blessed to have the
334 system that we have. On top of all that, when you look at the operation of the maintenance requirements
335 we have to furnish water, it has to be tested, we have pressure reducers on the lines to keep the system
336 from breaking apart, we have pumps, we have equipment that operates valves automatically, automatic
337 equipment and that sort of thing. He said he wanted the Council to understand that just this one service
338 we provide to our residents is extremely complex. It's something that we can't live without, but it requires
339 an awful lot of money to keep things flowing, to furnish the water to our residents. He just wanted to
340 make those points tonight and he said he hopes they're all well taken. We do have a great system in our
341 city. We have a lot better system than other cities. Ogden City is in the process of taking care of their
342 infrastructure. They've let it go, they've had to raise their water rates, replace water valves that have worn
343 out, and they aren't working. We need to keep ahead of the game, that's one thing he wanted to
344 emphasize. We need to look at the future and provide services to our residents. It takes foresight and takes
345 guts to raise fees in order to do that.
346

347 Matt Hartvigsen said when we say we assume these other wells that were done were a risk for previous
348 councils and administrations, but at the end of the day they are saving us tons of money every year. It's a
349 good reminder, like the Mayor said, if we are criticized, most people forgot their criticism.
350

351 **5. DISCUSSION AND / OR ACTION TO CONSIDER AN ORDINANCE VACATING ALL**
352 **OF ROYLANCE FARMS PHASE II THIRD AMENDMENT EXCLUDING ALL**
353 **PUBLIC STREETS THEREON.**
354

355 Craig Barker referred to the staff report and reminded the Council of the previous discussion on the 3rd
356 amendment. This is the final installment of all the corrections that they wish to do at the Roylance Farms.

357 It's going to be called the 4th amendment and we have to vacate parts of the 3rd amendment where these
358 are going to fall. He reviewed the changes they want to make. Jordan Bodily is here from the
359 homeowner's association to answer any questions.

360
361 Council Member Bailey said the staff approves of this proposal as long as the families provide funding
362 for the development and maintenance of the area and basin adjacent to lot 58. He asked, given our
363 experience with homeowners associations and PRUD's in the past, what guarantee do we have as a city
364 that the homeowners association will follow through on this. Craig Barker replied that most associations
365 have a mandate, people are mandated to pay that, and if they don't the association may make an
366 assessment against the properties that don't pay and the law provides them to be collected in the same way
367 that taxes are. He said Mr. Bodily can explain how the association can do that. He said he doesn't see
368 this as a real issue. We want to ensure the things that remain with the homeowners association are
369 managed and cared for so we don't have to take over these things. Council Member Bailey said that is his
370 concern, and the staff's concern.

371
372 Council Member Hulme said that's only half the issue, getting the money to the homeowners association.
373 The other half is getting us the rest of what they promised. We have no control over their budget, nor
374 would we want. He agreed with Council Member Bailey and asked how we know that they are going to
375 take care of things they promised.

376
377 Council Member Bailey told Mr. Bodily that the Council is very supportive. He said they have had a
378 number of sessions on PRUD's and the nightmares and problems the city has run into to require to
379 develop and take care of. He said he would like to be able to stop this and not have this situation become
380 one of those. He said maybe Mr. Bodily can get the Council up to speed on how his organization is
381 organized and help us understand the water basin area. Jordan Bodily said the homeowners association is
382 managed by four members. Right now they are transitioning to 2-4 members, because their term is up. He
383 said they've agreed at the last meeting that their last board will stay on until this project is completed. The
384 HOA currently assesses each lot a fee of \$35 per month which goes into an account that covers
385 maintenance fees. He stated that is one of their biggest costs as well as attorney fees. It's the maintenance,
386 so if you're a member for the big common area at the south end of the PRUD we just developed last year
387 it was a big detention basin and swamp area. That was filled in and developed into a nice grass area. In
388 the meantime for the proposed future that's going to stay a grass lot and be maintained. We have contracts
389 for the maintenance and landscape architects to continue to maintain that piece. The far north end will be
390 a project, the detention basin on the northwest end is currently undeveloped and that's a proposed project
391 this year. We would put in sprinklers and grass and maintain that area just like the other areas we are
392 maintaining now. One of the reasons we chose to replace the common area in the 4th amendment, to let
393 the home owners take it over and maintain it for themselves is that it is inaccessible for the HOA and it
394 was too small to do anything with. It was almost a nuisance so we decided to add more property to those
395 lots to get rid of those pieces that were irrelevant.

396
397 Council Member Bailey asked what the access is to the one developed park area; is there a plan for
398 parking or anything like that, once we have access into there. Jordan Bodily said there's a small access
399 road at the bottom of 150 W that comes over to the canyon area and is wide enough for a vehicle. There is
400 currently access to that area. Right now there are no plans for parking because there isn't any structure for
401 that area. There's nothing between the lots. He said they have their own irrigation in that area, as in the
402 case for the NW basin and they have contractual obligations with landscape companies to keep those
403 areas maintained. He indicated that this has been a mess from the beginning so with the 3rd amendment
404 they broke up the whole common area and deeded each lot to each home. With the 4th amendment, all
405 they're doing is dissolving a little park here that we're adding to these lots, and there was an easement on
406 these lots that will be extended about 5 feet.

407

408 Council Member Bailey asked Craig if there is any concern that the HOA will be able to provide for the
409 funding and maintenance in park care. Craig Barker said he doesn't have that strong a concern. The need
410 to establish those kinds of rules themselves and the weakness we have in the PRUD that was previously
411 mentioned is that the HOA has not been a very strong entity. If we have any future ones they need to be
412 very strong and the ownership needs to take those over when they are developed or leased. We need to
413 see that the developer keeps all those things until they leave; part of his responsibility is to develop that
414 and ensure there is an association that is there. He said he happens to live in one of those developments
415 and it is 45 years old and going very strong. They can work very well but the management system has to
416 be as strong as we can make it.

417
418 Council Member Bailey said it seems like as a city we end up with some responsibility that we don't
419 really have. We don't seem to have the authority to mandate that the things are done; they are promised
420 that they are going to get done. Craig Barker said we are working with the city attorney. The Planning
421 Commission came up with a number of ideas that we wanted to put into our PRUD ordinance and we
422 made a rough draft. We will have to create a system that if they fail, the city can make that assessment
423 and collect that money in the same way that taxes are done. We may need to hire staff or use city staff to
424 get it done. We're really trying to straighten out those issues, the responsibility among the homeowners
425 but also to strengthen the issues of getting on with the PRUD as the developer said he was going to put it
426 in. The Planning Commission will actually sign this, but the Council taking on the responsibility of
427 approving the vacating ordinance, so this can be recorded.

428
429 Council Member Fawson said now that the developer is in the equation it minimizes his concern. He said
430 he is ready to make the motion.

431
432 Mayor Harris asked Craig Barker what steps remain now. Craig Barker replied that this is the 4th
433 amendment; this is the last one. We vacated part of the 3rd amendment and we're going to record the 4th
434 which achieves what they wanted. Mayor Harris said this is the final action that is required. Annette
435 Spendlove indicated this will be ordinance 2012-9.

436
437 **Council Member Fawson moved to approve Ordinance 2012-9 vacating a part of Roylance Farms**
438 **Phase II third amendment excluding all public streets thereon. Council Member Hulme seconded**
439 **the motion.**

440
441 **Voting on the motion:**
442 **Council Member Bailey** **yes**
443 **Council Member Stoker** **yes**
444 **Council Member Hulme** **yes**
445 **Council Member Fawson** **yes**

446
447 **Motion passed unanimously.**

448
449 **6. DISCUSSION AND OR ACTION TO CONSIDER AMENDMENTS TO SECTION 11-7A-**
450 **2 IN THE CITY ZONING ORDINANCE TO ALLOW THE KEEPING OF SWINE.**

451
452 Craig Barker reminded the Council that they had a 4-H member who asked to be allowed to keep a single
453 pig at her residence for her 4-H project. Staff was directed to look at this. He said this home is in our
454 residential RE-20 zone, which is closest to an agricultural zone. Most agricultural activities take place in
455 the RE-20 zone, and are not permitted in our single family zones. You can keep horses, sheep, goats,
456 rabbits in our RE-20 zone, but not in our single family zones. We looked at this and asked how we could
457 manage this on a temporary basis, what we've determined is to allow this in the RE-20 zone. Section 11-
458 7A-2, permitted uses, states "the keeping of swine of any species, including pigs, is not permitted within

459 the corporate limits of the city." We added an exception to that, "except two pigs may be kept on a
460 temporary basis on a 1 acre or larger for up to 6 months for a 4-H project." We added that as an
461 exception.

462
463 Council Member Bailey said the 11-7A-2 only applies to RE-20 zones. Craig replied yes, we have to have
464 a public hearing on this, so tonight if Council decides to, we'll set that date for that hearing.

465 Mayor Harris said this has been through the Planning Commission. Craig Barker replied yes, this was the
466 recommendation.

467
468 Council Member Fawson asked if there was any reason they limited this to 4-H projects rather than
469 educational purposes or something? Craig Barker said he thinks that was only a request. We tend to get
470 people who read some of those broader definitions but we can amend it. Council Member Fawson said he
471 had two other quick comments. He wondered if we should say "up to two pigs". He said he thought the
472 request was for 3 months and asked for clarification on that. Craig Barker said actually, it's longer than
473 that. They run the 4-H project in conjunction with the county fair; we just rounded it off to 6 months.
474

475 Council Member Hulme said the thing he like about the 4-H, and we can expand it, is that if there is a
476 problem, he feels like we can go to the project coordinator, explain that we're having a little bit of a
477 problem and ask them to deal with it. This creates additional responsibility besides the homeowner in
478 making sure that this is functional with other residents.

479
480 **Council Member Bailey moved to set the public hearing for April 24, 2012. Council Member**
481 **Fawson seconded the motion.**

482
483 **Voting on the motion:**

484 **Council Member Hulme: yes**

485 **Council Member Bailey yes**

486 **Council Member Stoker yes**

487 **Council Member Fawson yes**

488
489 **The motion passed unanimously.**

490
491 Council Member Hulme said normally we don't vote on the night of a public hearing. He asked if the
492 Council can kind of agree that that would be ok in this case, if everything goes well, for time purposes.
493 Mayor Harris said he has agreed that the city will not enforce the existing ordinance with respect to the 4-
494 H project until this issue is decided. He doesn't think that's an issue.

495
496 **7. DISCUSSION REGARDING RENTAL PROPERTY FEES**

497
498 This item was pulled.

499
500 **8. DISCUSSION REGARDING REAL ESTATE SIGNS**

501
502 Council Member Stoker stated that real estate signs have been brought to her attention. She said she
503 would like to disclose that the person presenting is Doug Russell, who is her cousin. She is letting this be
504 known up front so there won't be a conflict of interest.

505
506 Doug Russell, 1087 E 3200 N, thanked Council Member Stoker. He introduced himself and explained
507 that he has been a real estate broker for over 23 years in this community and has done quite a bit of
508 business here. He is also a broker with Coldwell Banker, up and down the Wasatch Front. He said he
509 represents over 700 broker offices and sits on the Board of Wasatch Brokers, representing over 1,200

510 brokers. Many of them do business here in North Ogden as well. He also chairs government affairs, and
511 sits on the board of trustees. He said there are committee members on our committee that attend and
512 monitor the city council meetings in every city in Weber and Davis counties and then they report back to
513 their committee on issues that affect us as realtors and they deal primarily with private property rights and
514 premier price issues. Signs are one of the big issues that they've been involved in in every city in Weber
515 and Davis counties and they've assisted each city in drafting their sign ordinance and enforcing their sign
516 ordinance. He said he himself has abused the sign ordinances in certain cities, even in North Ogden.
517 They try to self-police and reach out to those people who are abusing the sign ordinance and let them
518 know what they're doing isn't acceptable, what they're doing is going to cause problems for all of us in
519 this business, and instead of directing people to open houses, what we like to do with signs, is place them
520 on the property. He said they study those ordinances, and teach the ordinances to their members. Their
521 members understand those and adhere to those ordinances as they pertain in every city. They're trying to
522 get all the cities on the Wasatch Front to standardize these ordinances so that makes it a lot easier to do
523 business. The biggest issue is temporary signs, or directional arrows on the corners, where agents are
524 trying to direct people into a certain property that might be having an open house, or a house that might
525 be difficult to find. The ordinance in North Ogden City previously, was similar to all the other cities; on a
526 temporary basis where you were having an open house or special event you can put a sign in the park
527 strip. He said his wife mentioned that these could also include sale signs, or no waiting signs during the
528 day, Smiths would use them occasionally and other businesses within the city. They would utilize that
529 park strip with temporary signs for whatever event they might be having. We tried to use it for open house
530 signs directing people to our open house. It acts as a service to a member of our committee for the seller,
531 and for the family moving in. We liked it a lot when the ordinance allowed us temporary use for the day,
532 as long as it didn't last overnight, and use that park strip to display your open house. Because of the abuse
533 by just a very few people North Ogden changed that ordinance and took away the right for us to use that
534 park strip and at any time for any amount of time for any event. And there may be some confusion within
535 the North Ogden staff themselves. He said a couple weekends ago, he was having an open house up off
536 450 E and 3300 N on a Saturday morning. He was putting signs out on the corners; this was the main
537 corner of Washington Blvd., directing people to the open house. He knew he wasn't allowed to put signs
538 in the park strips. He put signs on the business. Typically he won't ask them permission, because they are
539 closed. He said they've never had a problem with businesses. If they are going to be on private property
540 then they typically go to the resident that lives there, and say, "I am having an open house, do you mind if
541 I place this sign here?" He said he was working his way up Washington Blvd on 450 E, and I was putting
542 a sign up by the church on Elberta Dr., and a nice gentlemen in a North Ogden City truck came, and said
543 "you can't put that sign up." I replied "I think I can." and he said, "No, you can't. The sign ordinance
544 prohibits you from doing that." We got into a friendly discussion; it wasn't heated in any way. It may
545 have looked heated to a bystander, but it wasn't. I understood his confusion, and indicated to him that I
546 was very aware of the North Ogden sign ordinance and what it was in the past, and knew what it is now.
547 So, he said "Ok, that was the way I understood the sign ordinance. You can only put the sign up only in
548 front of the house." And I said, "I don't think that's the case. I'm pretty sure, as long as it's in front of the
549 park strip; I can put temporary signs up." So, we'd like to work with the city on making the sign ordinance
550 the way that it was that it's a benefit of your residents and new people coming into the community who
551 can find the open houses. We'd like to use the park strips on a temporary basis, and not overnights. We'd
552 like to help reinforce that ordinance. Maybe coming up with some type of levee against, there are times
553 when there is no name or contact info on the sign. Maybe we can put something in the ordinance that
554 requires us to have our business card taped to the sign or contact information of who's putting it up there.
555 I was told, I asked one time, why the city has a sign on the park strip advertising for signups for
556 recreational leagues, but I'm not allowed to put my signs on the park strips. I was told the city had a
557 permit. Maybe we need some type of permitting process. What I am here to do is offer our services, and
558 the services of our members who've been involved in the sign ordinances in every city in Weber and
559 Davis counties to assist North Ogden in coming up with an ordinance that is fair and equitable to
560 everyone.

561 Council Member Stoker thanked Doug Russell and said she is glad he came so the Council could hear his
562 views. She wanted the Council to listen and hear and then propose that this be able to go back to the
563 Planning Commission with your committee or whoever could talk about this issue, and come up with a
564 workable plan with everybody, with the Planning Commission and staff and such.

565
566 Council Member Fawson said he would be happy to sit down with planning and zoning and work on the
567 issue and come up with something to take back to the council. Council Member Bailey asked Mr. Russell
568 if North Ogden is more restrictive than Ogden City or Pleasant View. Mr. Russell replied yes. They allow
569 us a temporary use of park strip. It has to be a temporary sign and used only during the day, it can't be left
570 overnight. He said they had an issue with all the cities, a number of realtors putting directional arrows and
571 leaving them up for weeks, and maybe months at a time. He said he took a picture over at the Pleasant
572 View City offices and sent it to their Executive Officer, and one realtor put a directional arrow on the
573 corner of 500 W, and within a couple of weeks there were 15 directional arrows all stacked around the
574 stop sign at the bottom of the hill, right in front of the Pleasant View City offices. He sent it to their
575 Executive Officers, and said "Do you think this will cause Pleasant View to put up a restriction of their
576 sign ordinance?" What can we do within our organization to not abuse the sign ordinance? You need to
577 work with the cities, understand the ordinance and abide by them.

578
579 Council Member Fawson thanked Mr. Russell for coming. He said he just doesn't want to see our city
580 layered with signs. However, the city uses the park strip, and as somebody who goes to Great Clips, he
581 would love to see the sale. He said what he is getting at is that he wants North Ogden to be a family
582 business city. He said he would definitely support easing up on the restrictions on the signs. He liked the
583 suggestion to track down offenders but thinks it needs to be something that's enforceable, something that
584 doesn't trash the city. He said he definitely wants to see increased traffic to our businesses here and get
585 use of those signs.

586
587 Mr. Russell said grand opening signs for new businesses coming to town are very beneficial to the
588 business. This is not just for realtors.

589
590 Council Member Bailey asked Craig Barker if he could give the Council some history to how we arrived
591 where we are at. Craig Barker said unfortunately, he cannot. Since he has been here, we've always
592 prohibited those, the action that Mr. Russell is talking about he is not aware of. He said he would like to
593 inform Mr. Russell that the City official was correct. We do prohibit the use of off-premise signs; they are
594 not allowed. The fact that the placing of a temporary sign on private property is not allowed has been in
595 effect since 2008. That's what our ordinance says. He said he is not supporting it one way or another.

596
597 Mayor Harris said it is restrictive and there are reasons for that. There was a time when our city was
598 cluttered with signs and we actually had the business community come and ask us for the current
599 ordinance. They said they didn't want the temporary signs, because they clutter up our city and make it
600 look junky. This came as a request from the business community. He said he doesn't disagree with
601 having an open house sign, he thinks that's it's a good thing, the problem comes from everybody else;
602 they have to have their signs. It becomes a real problem, so that's one of the reasons, over the years, we've
603 gone back and forth, and it's been a real problem with us. We recognize that there are some businesses
604 and professions who are hurt by this situation. It's not cut and dry, and it's not simple. If we want to have
605 further discussion, he is open to that as well.

606
607 Dave Carlson said he is not sure of any changes, the sign ordinance in the city has never allowed any sign
608 on the park strip. He said he just looked at Ogden's ordinances and theirs prohibits placing any kind of
609 sign. That's pretty standard for cities; there are some problems it creates. The city is liable for anything
610 that is placed in the park strip. It doesn't matter how careless someone else was, if it was in the right of
611 way, and we know, and we allow it, we are responsible for it. The other issue we run into is with the 1st

612 amendment. Once we let a kind of sign come in we can't restrict other signs. So, you can't just draft an
613 ordinance and say we're going to allow only real estate signs into the park strip. You then have to allow
614 the garage sale signs too. Then you have to allow the construction signs. Then you have to allow the snipe
615 signs, signs that someone has a grudge and they want to make a statement. So you kind of open the door,
616 and that's why the city has been restrictive on the right of way, because of the liability issues. We did
617 liberalize the parking strip provisions recently. We allowed a community event sign to be put on the
618 parking strip and we defined community event as an event that sponsored by the city. We made an
619 exception because it was the city's property. We allowed the city to advertise its own events on its
620 property. There's no state law restriction saying you can't do it. You could do that by ordinance. But those
621 are the concerns. It's a 1st amendment issue. You are opening doors. It's the liability issue, if someone
622 trips on the sign or it gets blown away. It doesn't matter how reputable the person is who put the sign up,
623 the city is going to be liable for it. Those are the concerns.

624
625 Council Member Fawson asked what about the off-premise signs. Council Member Hulme replied that
626 off-premise is kind of another issue too. Signs are kind of complicated because of the 1st amendment.
627 Once you start making exceptions, which you can't. The biggest problem with off-premise signs,
628 billboards is the mother of all off-premise signs. And the strongest position for the city is to not allow off
629 premise signs, but once we start making exceptions it becomes much more difficult to enforce. People do
630 it the one time, people put up their garage sale signs, and realtors put up their open house signs. If a City
631 officer goes around the city, they'll do something about it but they only catch a few of them, and that's
632 probably true in all cities. There may be another ordinance I'm not aware of.

633
634 Mayor Harris thanked Mr. Russell and suggested we give this some thought. We can have the planning
635 commission begin looking. He said he thinks you can see that this isn't a simple matter. There has been a
636 lot of thought and action over the years that have brought us to our current situation, that's all he is saying.
637 Is there any other discussion on this item? We can always bring it back.

638
639 Council Member Stoker said she thinks we have thought about it and it doesn't have to be all or nothing.
640 She thinks there can be some things to look at in other cities and come up with some provisions or
641 wording may help our businesses and others operating in the City.

642
643 Council Member Fawson said he appreciates the comments. In some ways we're creating ordinances for
644 the worst case scenario, and what he really would like, is to have a successful business environment.
645 That's all he wanted to say, he hopes the Planning Commission can help up with some options.

646
647 Council Member Hulme said unfortunately there's always going to be that element. We don't create laws
648 that deal with that, he doesn't know how we can make the laws for the best case scenario. It's frustrating
649 for everybody; realtors, among other residents, when people abuse the trust by going and getting in and
650 getting out, that's when laws get made, because of people who are willing to abuse the system that we
651 have in place. It's frustrating for everybody. We would like to leave people alone, and trust they have
652 everyone's interest in mind. He said he doesn't think it's in everybody's interest to have a massive trailer
653 with advertising parked in the city's streets, and that's what happened. He doesn't know what to do with
654 people who have taken advantage of any loose regulations. Whatever we do, he said he agrees that signs
655 need to have contact information on the back, because it's ridiculous, you can just put a sign out, and you
656 get mad when someone pulls it off. He said he doesn't think people should be putting signs on private
657 property without permission. If someone did that on his property, no matter if it were a business or home,
658 make sure we are protecting property rights. When he hears people complaining about it and when he
659 talks to them about it, they are rude to him. That's why laws get made, it's unfortunate, but what are you
660 going to do? I don't know.

661

662 Council Member Bailey asked who we have to study it, to look and see what other communities are
663 doing; if they are doing something differently that addresses general concerns. Craig Barker said if you
664 refer to the planning commission, before it goes on the agenda, the city staff are going to consult the
665 zoning ordinances around the state, to see what people are doing in their area. We also have some
666 connections with some of the planning agencies to see what they are doing. We can try and get an idea to
667 see what's happening so we have a pretty good picture of what's happening in Northern Utah and
668 surrounding states and wherever we can create those things. He said there is a lot of information on signs.
669

670 Mayor Harris said it is the desire of the Council to go ahead with that. He said he thinks Mr. Russell
671 would be a resource on that. We'll begin that process; we'll just ask you not to draw any conclusions until
672 we have all the results in. He said he appreciates Mr. Russell and thanked him for the discussion.
673

674 **9. PUBLIC COMMENTS**

675
676 Linda Russell said she wants a bike path. She commutes on her bike from where she lives to where she
677 works. She thinks it would be really nice to have a lane. Mayor Harris asked if she is asking for a bike
678 lane on our major roads. She replied just give cyclists some room. Mayor Harris said they have a
679 program, called Complete Streets, which we need to be looking at. It's part of the regional growth
680 scenarios. Complete streets are not just roads to drive on.
681

682 **10. COUNCIL COMMENTS**

683
684 Council Member Fawson said it is good to have Chief Afuvai here.

685
686 Council Member Hulme said he just wanted to point out to the public that the question that came up
687 afterwards about whether or not we want to raise our park employees' wages has been resolved. We had a
688 little back and forth by email but it was less than a discussion. He said he just wanted to bring it up, so
689 it's all public.
690

691 Mayor Harris said there was a question whether the Council had agreed to \$7.25 per hour versus \$7.50
692 per hour for the park maintenance workers. The consensus by email was \$7.25, so that's what we're going
693 with. Council Member Hulme said Dave Nordquist has a different opinion but he left before it got
694 brought up so that may be why. Mayor Harris said we all had a different opinion, so that's why he polled
695 the city council, to get their recollection.
696

697 Council Member Hulme said the other thing, the transparency study; Council Member Fawson had some
698 good suggestions. He said he started wondering what the limitation would be for us to have some of the
699 information available on our website. Things like the audit report, why wouldn't we put that on our
700 website?
701

702 Mayor Harris said he guesses we can bring this up. He thinks our city's website needs to be redesigned
703 because it's getting kind of cluttered, in his opinion. Because of all these links, we've got to have it
704 simplified. We have a myriad of information available. He would like to be able to get to that without the
705 home page being so cluttered. Our webmaster has taken another job; we don't even have a webmaster at
706 this point. So we're going to have to decide how to do that and it's going to take funding. We are well
707 aware of this letter grade that was given to the website to transparency. We have a lot of information on
708 our website. We certainly aren't hiding or keeping any information from anybody. He wondered who
709 would possibly be interested in our audit and asked how many times it has been looked at.
710

711 Council Member Hulme said his question is why wouldn't we if it takes 15 minutes if there's plenty of
712 room. Nobody may want it. He knows that as a resident there's been information that he couldn't find on

713 the website. He always has known that he could come down and the staff would get that information for
714 him but it's more convenient to get it from the website. He said he would love to see the website
715 everything being equal. If we move towards designing it, he would like us to consider some of those
716 things. He thinks we've never really had the budget for the website, and he is glad we have it now. He
717 thinks that it's important to show that we have nothing to hide. It may save the city a lot of money. He
718 said one year we had utility information sent out in the mail and it was wrong. He noticed it, and it could
719 have saved us a lot of hassle. He'd like to think there are some residents out there that are noticing things
720 too. If it's a concern, instead of festering, the residents can come to us and we can correct it.

721
722 Mayor Harris said those points are well taken and he agrees 100%.

723
724 Council Member Bailey asked who the organizer is of that. Who put that website together, the grades of
725 everybody's cities website?

726
727 Council Member Hulme said that particular website, I don't know. The Utah grades came from the
728 Sutherland Institute in 2010. As far as he knows that's the last time somebody has done them. He said he
729 is not at all concerned about it. He thought it was possible that someone had the same question. Even as
730 just a resident, he thought of what they thought of us. If it represents a short coming it's fairly easy to
731 correct.

732
733 Council Member Bailey said he thinks that's true. It takes time to scan it and then show it.

734
735 Annette Spendlove said it actually is on our website. It's on our homepage if you scroll down to the
736 bottom. The 2009-2010 audit is there. We haven't put a new one on; it's just a matter of getting it done.

737
738 Council Member Hulme said he wouldn't mind putting a tab labeled "Transparency," for the residents.
739 We don't have anything to hide. The other thing is if anyone sends us a study, can we get it in PDF form.
740 Mayor Harris replied yes and added that we can make that part of our auditor's contract. It's just a matter
741 of remembering. Those are good points; he thinks we need to work on them.

742
743 Council Member Bailey said he sent out an email that he received from a citizen regarding ATVs and
744 ATV noise and Mayor Harris responded there is some history that we can discuss. He said he didn't know
745 what all the issues are, and he doesn't know if this is the time to talk about it. Mayor Harris said Chief
746 Afuvai may want to handle this. What you can do on your private property is one issue, the other is noise.
747 We can't prohibit people from using ATVs on their own private property. They are prohibited on city
748 streets. 4-wheelers and motorcycles are allowed if they're street licensed. The other thing is that the noise
749 ordinance is very nebulous. You can have an ordinance you could reinforce, you would need to have a
750 decibel measurement. You'd have to measure the sound which is impractical to enforce. Our ordinance
751 reads to the effect that if you're inside with your windows closed and you can still hear the noise so many
752 feet away, then that's too much noise. What typically happens is if the police department gets a complaint,
753 we are more than happy to send them out there and have the folks tone it down, but that's about all we can
754 do. I don't have much to say unless the Chief wants to add anything.

755
756 Chief Afuvai said they try to work with people as much as we can, and the Council also needs to realize
757 who are offended by the violent noise that they create. We try to make people understand that we have to
758 remain neutral on these things, for all parties involved. We warn them once or twice.

759
760 Council Member Bailey asked what they use on the basis of the warning. Mayor Harris just suggested if
761 you were inside and you still hear the noise; somehow we have to have a subjective base. Chief Afuvai
762 said there's a time frame also; after certain hours, we reinforce that also.

763

764 Dave Carlson said there's actually a law, after you have warned them if the noise continues, it might be
765 under disorderly conduct.

766
767 Chief Afuvai said he is just happy to be here. He said we have some of the best employees in the State
768 and he appreciates all they do.

769
770 Mayor Harris said we are going to be reviewing applicants for our Finance Director position. We will
771 start that tomorrow morning.

772
773 **11. ADJOURNMENT**

774
775 **Council Member Hulme moved to adjourn. Council Member Stoker seconded the motion.**

776
777 **Voting on the motion:**
778 **Council Member Hulme: yes**
779 **Council Member Bailey yes**
780 **Council Member Stoker yes**
781 **Council Member Fawson yes**

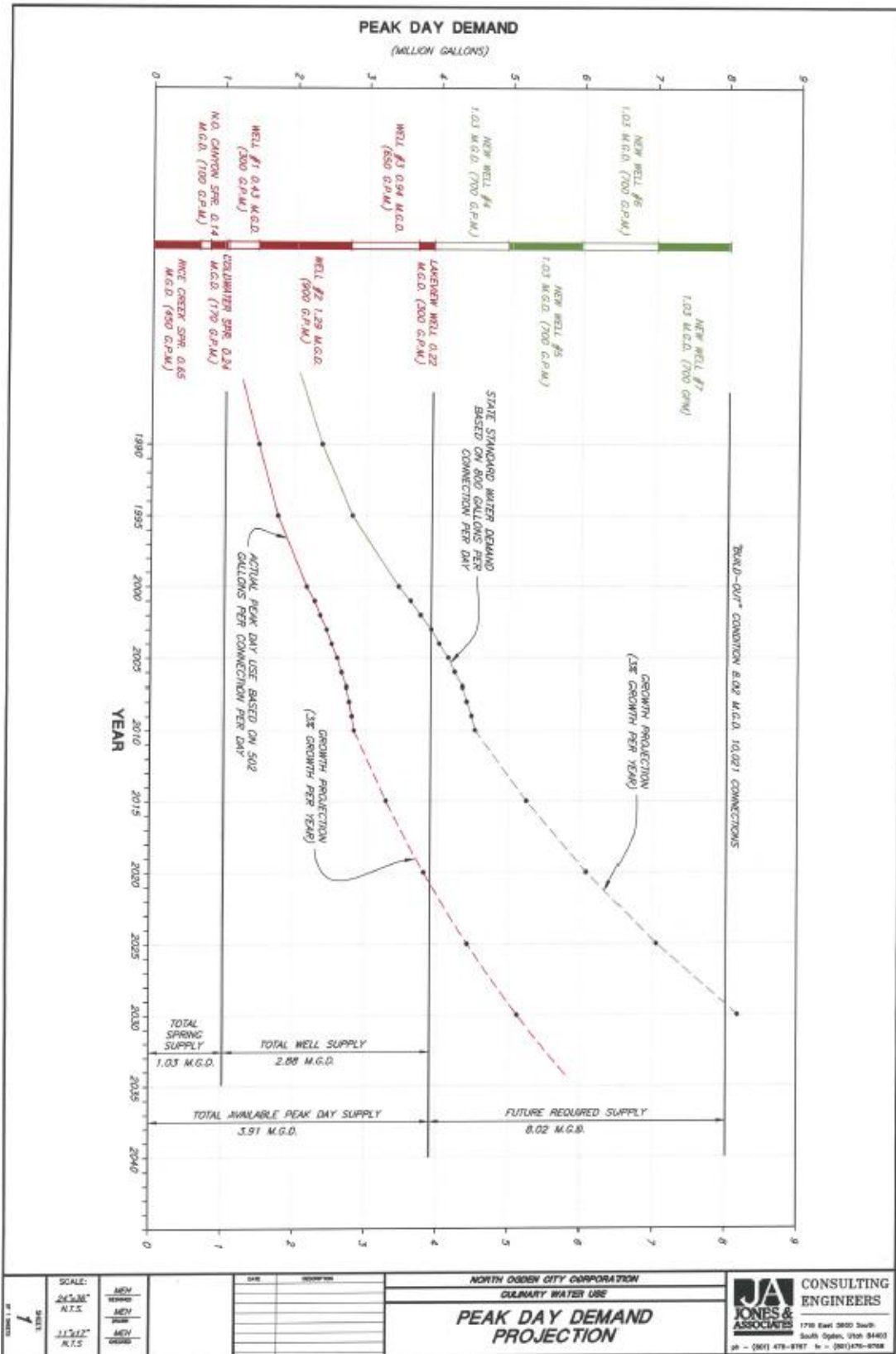
782
783 **The motion passed unanimously.**

784
785 The meeting adjourned at 8:32 pm.

786
787
788 _____
789 Richard G. Harris, Mayor

790
791
792
793 _____
794 S. Annette Spendlove, MMC
795 City Recorder

796
797
798
799 _____
800 Date approved



<p>SCALE: 2" = 1' A.T.S. 1" = 1' A.T.S.</p>	<p>REV 1 2 3 4 5 6 7 8 9 10</p>	<p>DATE DESCRIPTION</p>	<p>NORTH OGDEN CITY CORPORATION DOMESTIC WATER USE PEAK DAY DEMAND PROJECTION</p>	<p>JONES & ASSOCIATES CONSULTING ENGINEERS 1750 East 5800 South South Ogden, Utah 84403 ph - (801) 478-8187 fax - (801) 478-8768</p>
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NORTH OGDEN CITY CORPORATION

**Water Supply Review
March, 2012**

Current Operating Conditions:

Population:	17,357 (2010 Census)
Water system connections:	5,660 (2010 Water Right Report)
Average persons/connection:	3.25 (2010 Census)
Peak Day Water Demand:	2.84 MGD
Requires all springs, Well #1 and Well #2	
Peak Day Use:	502 gal/connection/day
Estimated average annual use:	250 gal/connection/day
Total Estimated annual use:	1,600 acre feet

State Recommended Water Supply: (for current conditions)

Peak Day Demand:	800 gallons/ connection 4.53 MGD
Annual supply:	400 gallons/ connection 2,500 acre feet

Note: City's actual use is about 63% of State Required Annual Supply

Current City Water Supply Capacities:

Total Spring Supplies:	1.03 MGD
Total Well Supplies:	2.88 MGD
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Total Water Supply:	3.91 MGD (4,400 acre feet/yr)

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Future Water Supply Estimates:

Anticipated population at "build out"	32,000
Future total Water System Connections:	10,021
Total Future Peak Day Demand (using past historic use):	5.03 MGD
Total Future Peak Day Demand (State Requirements):	8.02 MGD

RECOMMENDATION:

Pursue purchase or development of a minimum 1.0 MGD (700 gpm, 1100 acre feet per year) of additional water supply source to insure adequate "backup supply" and to support future growth and development.

WATER SUPPLY EXPANSION ALTERNATIVES:

Alternative #1: Develop a new well(s) within the North Ogden system.

A. Now: Complete well project at North Ogden Canyon:

Exploratory cost 450 East:	\$ 370,000
Exploratory cost North Ogden Canyon	\$ 70,000
Construct production well project:	\$ 400,000
Construct well house:	\$ 600,000

Estimated Total Project Cost: \$1,440,000

B. Future: Explore additional well sites.

- Site A: Near Mountain Road and 1050 East (need to acquire property)
- Site B: Adjacent to the upper reservoir (City has small parcel which may be adequate)
- Site C-D: Undetermined

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Alternative #2: Water supply purchase from Weber Basin Water

District 2 Water*
(2012 cost will be \$ 339.11 per acre foot)

Estimated annual cost	
1100 acre feet/yr	\$ 373,021
Electrical cost to pump/yr	\$ 50,000

Total Annual Cost \$ 423,021

Note: Purchase from Weber Basin will require pumping into the North Ogden system. It will also require working with Bona Vista Water on coordination of supply sources, etc.

Alternative #3: Water supply purchase from Ogden City on Mountain Road.

Enter a contract with Ogden City. The contract would be an annual "block purchase" where North Ogden City would pay Ogden City an annual fee for water supply independent of the actual quantity used. Use over the block volume would require payment of a increased "premium". The details of this alternative could only be worked out if the City were to seriously pursue it. We suspect that the cost would be similar to Weber Basin water.

Note: Delivery will not require pumping

*Note: District 2 water is only expected to be available for a few more years. After about 2015-2017 new water is expected to come from the Bear River Project and the cost per acre-foot is expected to nearly double.

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Estimated "Cost of Water Delivery" for Alternative #1:

1.	Capital cost: New Well	\$ 1,440,000	
	25 year annualize cost (5% inflation)		\$ 102,000
2.	Annual Electrical Pumping Cost		\$ 95,000
3.	Equipment replacement fund (\$ 5,000 per year)		\$ 5,000
4.	Personnel and equipment		\$ 10,000
			<hr/>
	Total Annual Cost of 1100 acre-feet from new well:		\$ 212,000
	Total Annual Cost of 1100 acre-feet from Weber Basin:		\$ 423,021
			<hr/>
	Yearly Savings to City:		\$ 211,021

City Well Estimated Cost per acre foot: \$ 192.72
Weber Basin Water Cost per acre-foot: \$ 339.11 + O&M*

*Note: O&M (operation and maintenance) costs are to deliver water to the upper zones through existing or proposed pump/transmission facilities.