

**NORTH OGDEN CITY COUNCIL MINUTES  
WORK SESSION**

October 2, 2012

The North Ogden City Council convened in a special meeting on October 2, 2012 at 6:33 pm in the North Ogden City Council Chambers at 505 East 2600 North. Notice of time, place and agenda of the meeting was delivered to each member of the City Council, posted on the bulletin board at the municipal office and posted to the Utah State Website on September 28, 2012. Notice of the annual meeting schedule was published in the Standard-Examiner on January 16, 2012.

PRESENT:	Richard G. Harris	Mayor
	Kent Bailey	Council Member
	Wade Bigler	Council Member (arrived 6:35pm)
	Justin Fawson	Council Member
	Cheryl Stoker	Council Member
	Brent Taylor	Council Member
	Ken Kiser	Planning Chairman
	Allan Dalpiaz	Planning Vice-Chairman
	Joan Brown	Planning Commissioner
	Larry Residori	Planning Commissioner

STAFF PRESENT:	Annette Spendlove	HR Director/City Recorder
	Ron Chandler	City Manager
	Jon Call	City Attorney
	Craig Barker	Community Development Director
	Gary Kerr	Building Official

VISITORS:	Shawn Maynard
	Art Stowers
	Pegge Stowers
	Ray Coleman

Mayor Harris welcomed those in attendance, offered the invocation, and led the audience in the Pledge of Allegiance.

Mayor Harris stated the City Council will need to make a motion to elect a Mayor Pro-Temp because he needs to leave early.

**Council Member Taylor made a motion to elect Council Member Bailey as Mayor Pro-Temp. Council Member Bigler seconded the motion.**

<b>Voting on the motion:</b>	
<b>Council Member Fawson</b>	<b>aye</b>
<b>Council Member Bigler</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Taylor</b>	<b>aye</b>
<b>Council Member Bailey</b>	<b>aye</b>

**The motion passed unanimously.**

## ACTIVE AGENDA

### 1. DISCUSSION ON LEGALIZING NON-CONFORMING STRUCTURES.

Craig Barker, Community Development Director, stated the City Council requested the Planning Commission to review this item. He said Dave Carlson drafted a proposal to adopt an ordinance. The Planning Commission read the minutes and felt they needed to discuss the issue with the City Council. Staff provided the City Council with a set of minutes. He said he turns this discussion over to the Planning Commissioners because there was question regarding the motivation of the requests.

Craig Barker referred to the map that Gary Kerr prepared. Council Member Bailey asked for a reminder of the map. Craig Barker showed him the one he brought and explained all of the red dots are those locations that have buildings built in the side yards that do not meet the present regulations. Council Member Bailey asked if the side yard setbacks vary. Craig Barker said yes, the side yard setbacks vary by zone. He said the side yard is the distance from the front face of the building to the rear face of the home, except on corner lots where there is a minimum 20 feet required to the street in all zones. He said some side yard setbacks are a minimum of 10 feet and a total of 24 feet. He said some side yards are larger. He said there is a difference between the required side yard and the total side yard.

Council Member Bailey said they are addressing structures that have been built in the side yards and are non-conforming. Craig Barker replied that is correct. Council Member Bailey asked if those structures were built during a time in which they would have been conforming. Craig Barker replied they do not know. He said most of the violations are small sheds and sheds under 200 square feet do not require a building permit. He said most people do not know where they can put it. He said most people are ignorant about the regulations. Council Member Fawson asked if this includes the temporary sheds or the Rubbermaid sheds. Gary Kerr, Building Official, replied yes.

Council Member Bigler said there are two basic issues being discussed, the non-conforming structures and the distance from the property line that was mentioned in the meeting last week. Mayor Harris said that can be a discussion item as part of this. He said that item will be on the City Council agenda next week. Craig Barker said he didn't write a report for this meeting because the minutes were not available. Council Member Bigler said there was a misunderstanding because he asked if it would be on the agenda tonight. He said there are residents here which that item pertains to. Mayor Harris said discussing changing setbacks for accessory buildings is a different item and will be discussed next week.

Commissioner Kiser said it is all discussed in the minutes. He said Gary Kerr indicated there were 13 garages, 15 carports, and 74 sheds all built in the required side yards. He said the dilemma is how to enforce this and require residents to get permits when they have 100 plus violations now. He said that was their starting point when they were trying to come up with a solution. He said some of the violations can be acceptable legal non-conforming cases, but there are others that are grossly unacceptable. He said the problem is not necessarily the ordinance, but how this has evolved from the past. He said in many cases the owners could have bought the home with the illegal structure in place. He said many Planning Commissioners had suggestions and most of them agreed that we really need to enforce our ordinance. He said if we do that we have to deal with these non-conforming structures and that will stir up a hornets nest. He said if they don't make it consistent they will have people bringing up the illegal structures. He said some of us are afraid of what it will stir up. He said they are not concerned about the ordinance, but how to enforce the request from this point forward. He said they did not know where to go. He said there were some suggestions to grandfather in the existing structures, but he is unsure how that will go. He said there were some suggestions to revise the ordinance and simplify the building permit process. He said there will still be people who buy and put up a shed without checking with the City and they may never find out about it. He said that is why they wanted to discuss it.

Council Member Bailey asked if we are attempting to get these homeowners to comply. Gary Kerr replied no. Council Member Fawson said if there has been a complaint then they have. Craig Barker said generally it is complaint driven. He said about two or three years ago they had a zoning compliance person on staff. He said when you are staffed as we are you generally do it on a complaint basis. He said the issue that happens is they get a complaint about one person and that person points out three others. Commissioner Kiser said there are problems with taking no action as well.

Mayor Harris said one suggestion is to make all these non-conforming structures legal to this point and from this point forward enforce the ordinance. Commission Kiser said that is how they started, but things started unraveling. He said you will still have people requesting a structure that does not comply and they will point out all the non-conforming structures. Craig Barker said they also discussed that they would end up with the same problem 15 years from now.

Commissioner Dalpiaz said some of those structures may have been acceptable at the time, but standards have changed. He said you can't force everyone to comply. Council Member Fawson agreed and added that they do not have a compliance person. He said even moving forward they will not be able to enforce it. Commissioner Dalpiaz said they will have the same problem 10 years from now.

Commissioner Residori said they recently had a resident tear down the side of his carport because he was not in compliance. He said if that was him he would be upset. He said there was also a lady that couldn't build a garage because it was two feet too close to the property line. He said if it required a permit and they didn't get one there should be some action taken and they should get rid of it. He said if it is a shed that is movable then they should ask them to move it and probably a large number of people would do that.

Council Member Taylor said he likes the idea of the permit being the dividing line. He said he personally wouldn't get a shed because he knows it is not necessary. He said he got one for his basement and his deck and he always checks. He said they should probably relax the rules for the small sheds because their concern is mostly about visibility for the neighbors. He said they should give people more options as to where they can put the shed. He asked why the shed has to be six feet from the house. He said he can see six feet from their neighbor's house. He suggested changing the rules to allow the sheds to be closer to the home. He said that would eliminate 70% of the issues. He said he would like to see more flexibility to the ordinance so these can be brought into compliance rather than grandfather them in.

Commissioner Kiser asked what if the shed is stick built rather than one you can buy at the store. Council Member Taylor asked if anything stick built requires a permit. Gary Kerr stated anything less than 200 square feet is exempt but they still have to meet the code. Craig Barker said you can get a finished building.

Council Member Bailey said it seems they have multiple classifications of issues. He said if a building is movable and is non-compliant is there a problem in asking it to be moved.

Ron Chandler, City Manager, said the biggest challenge is in every case the resident claims someone in the City told them they could do it. He said he is dealing with one right now that dates back to 1980. He said the garage is actually overhanging across the property line. He said he found the building permit that was issued. He said in the case of a garage there is no certificate of occupancy so he can't determine whether the City signed off on it. He said that is the hardest part in enforcing something this far back.

Council Member Fawson said he knows there are some residents who feel they cannot move it anywhere else and have it be aesthetically acceptable. He said his neighbor across the street is a good example, he

is right up against the mountain and he has rock walls and has a Rubber Maid shed on the side of his house. He said he would rather him store his stuff in his shed.

Council Member Bigler thanked Ron Chandler for what he said. He said that is the issue at hand that brought this whole issue up to the Planning Commission because there has been multiple people in different parts of the City that don't know each and they have the same story. He said they were told they do not need a building permit when they contacted the City. He said if it was one or two but when you hear more people in different parts of the City you begin to wonder. He said that is what brought this up in the beginning. He said they were wondering if there is some way to be fair with these people. He said if somehow they can take care of the past and from this time forward they keep records on everything. He said every time someone calls or every time a City employee goes to a site there is a record. He said from this day forward they do it right and do not have these types of headaches. He said they started coming forward when residents started getting non-compliance tickets. He asked if there is a way they can take care of what happened in the past and do it right from now on.

Council Member Bailey asked if Gary Kerr's inventory is complete. Gary Kerr replied no, it is about 80% correct. He said the aerial map he was using is two years old and he found five or six that were not on the aerial. Mayor Harris said they will need a good record and then do some sort of inventory.

Council Member Fawson said without requiring everyone to come in for a permit he doesn't see how this proposal will work. Commissioner Kiser agreed. He said on the small shed it wouldn't have to be a standard building permit. Mayor Harris said they may need to require a permit for everything. Commissioner Kiser said it wouldn't have to be expensive. Gary Kerr said right now when people call about a permit and they tell them it is not required they take their name, phone number, date they called, and they record what they tell them. He said they put it into BMI, their electronic file. Council Member Bigler said that is great and a step further would be to have a signature or something they submit. He said you have to have both sides.

Council Member Bailey asked the reasons why anything under 200 square feet is exempt. Craig Barker said it is nationwide; anyone who adopts the building code accepts that. Gary Kerr said there are not many problems with the smaller structures. He said placement is a zoning thing and that is to allow distance from the neighbors. He said the City receives many calls complaining about the neighbors. He said most of the time there is nothing he can do, but sometimes it is structures.

Council Member Taylor asked the rationale with the distance from the neighbors. He said if you get rid of the six feet that will put many people into compliance. Gary Kerr said he thinks it is a fire code. Council Member Bigler said they were told that before but he cannot find it in the code. He asked Ron Chandler to look into that for them.

Council Member Taylor said that is an easy way to bring a lot of these into compliance without giving up their ordinance because he would rather see the reasonable ones be brought into compliance. Gary Kerr said he did not document any of the sheds that were too close to the house. Council Member Bigler said residents have received letters stating the shed is too close to their house. He said it seems a little ridiculous. Commissioner Residori said a resident may qualify for a variance because of the mountain and the land.

Gary Kerr said the building code states if the structure is closer to the property line than three feet then it would need to be fire treated. He said on zero lot lines the wall along the property line must be fire treated. Craig Barker stated on new subdivisions they require a fire hydrant water pressure check. He said in some areas they require an indoor sprinkler system if the home is too big.

Council Member Bailey asked the downside or the resistance they would run into if they were to come up with a simplified permitting process. He said it would be something that allows them to have a definite record. He said he thinks that is really the only way to solve this. Craig Barker said it takes time for staff to see how many structures are out there. Council Member Bailey said it could be cheap, a nominal \$5 permit fee. He said that would give us the documentation we need to move forward.

Ron Chandler said they would need to educate the people because it is a big change that affects every house in North Ogden. He said the other issue is enforcement. He said staff may never see the sheds in the backyards. He said to avoid what they are going through now; they would need to be more assertive in driving around looking for those things.

Council Member Fawson said he would rather spend the resources on having a code enforcement person to visit those homes than get into the tiny details of a hundred people putting up Tuff Sheds. He said he can see a registration process for small sheds.

Council Member Bailey said they have a large education problem. He said whether they have a permit or not, the education problem remains the same. He said the only reason they implement a permitting process is so they can document these things. He said they would still have to educate people on where a shed can be placed on a lot.

Ron Chandler said if they were to exempt the smaller structures they could go with a more aggressive education process. They just need to know that in time people are infringing on setbacks. He said the hardest problem with the smaller sheds is that they are in the backyard and are harder to see.

Council Member Fawson asked his height restriction for a fence. Gary Kerr replied fences in the rear yard can be up to six feet high. He said you can put up a 42 inch fence in the front yard. He said the regulations are different for corner lots; there is a 40 foot site triangle in which nothing over two feet can be placed. He said on corner lots it also depends on the neighbor's driveway.

Council Member Fawson said he likes Council Member Taylor's suggestion regarding the height. He said if you can keep the structure within a reasonable height it is not as big of an issue.

Craig Barker said they have 35 illegal structures that are not sheds. He said in the last 20 years only six of those sheds have been put up. He said about 30 of them were put up prior to 1990. He said that kind of building is not a real issue. Council Member Bailey said those are all required to have permits. Craig Barker agreed and added that they did not get permits.

Council Member Bailey asked what the regulations for sheds are. Craig Barker explained if the shed is in the back yard it can be up to three feet from the property lines. Council Member Bailey said there was a change in the code because in the past the setbacks were one foot from the property lines. Gary Kerr said the shed would need to be fire rated as a shed if it is within three feet from the property line.

Council Member Taylor asked what the majority of the problems with the storage shed are. Gary Kerr replied the storage sheds are located in the required side yard.

Council Member Bailey asked how they move forward. He said it seems that if they do not do something then everything will be grandfathered again within 10 years. Craig Barker said maybe they need to prepare some sort of educational or enforcement program.

Council Member Bailey said he hates to see us in the positions where they are always reacting. He said it seems like a poor way of governing the community. He said they ought to be more proactive.

Council Member Bigler said he would like us to take care of those ones from the past. He said ignorance is no excuse to break the law. He said the biggest issue is the point that there was not good records kept and people were told something different. He said in moving forward they need to prevent this by keeping records. He said if someone is noncompliant, them saying they did not know is not an excuse. He said a legitimate excuse is when multiple people said they were told something incorrect. He said if they take care of that and keep good records. He said they need to make sure we educate people and keep a record of everything.

Council Member Bailey agreed with Council Member Bigler. He said they need to resolve the non-compliance issues. Commission Kiser asked how they are going to bring them into compliance. Council Member Bailey said Council Member Taylor had a good suggestion they can tweak their code and bring them into compliance.

Council Member Bigler said the hard ones are the permanent structures. He said there were three residents who had non-compliant permanent structures who all said they contacted the City first. He said one had paper work and it was approved.

Ron Chandler summarized their discussion; first they need to look at what they have to see if they can adjust the language to take care of them and check into the fire code, second would be an educational program, and the third would be their enforcement policies.

Council Member Bailey said as part of the first step in modifying the language if they cannot do that can they accept some of these structures as noncompliant. Ron Chandler said they probably want to get their City Attorney involved with that to ensure they do not cause any problems for themselves.

Jon Call said in making the distinction between permanent structures and non-permanent structures, the City could make those legal nonconforming structures. He said they do not want to legalize everything. He said he would not want to legalize the temporary structures. He said as a policy the City could choose not to enforce the structures that have been here for more than two years. He said as a policy decision they could not enforce the ones that have been here for a long time, but in moving forward they can enforce the new ones that come in.

Council Member Taylor said they discussed allowing them closer to the house, what about allowing them to be closer to the property line. He asked if the shed can be three feet from the property line. Gary Kerr said if it is in the back yard it is. He said the side yard requirements are different. Ron Chandler said the minimum side yard they require is eight feet. Council Member Taylor asked if that is standard for other cities. Jon Call said it is an aesthetic issue to help make the lots look wider and less compact. He added that it also helps to protect the neighbors.

Council Member Fawson asked about temporary structures. Council Member Taylor said he is talking about small sheds and it surprises him that it has to be that far away from the property line. He said that is probably where most of the violations are. Gary Kerr replied yes. Council Member Taylor asked if they can look at reducing that for shorter sheds. Craig Barker said the City can adopt different standards; there is nothing sacred about the eight or 10 side yard requirement. He said part of the side yard requirements are fire issues and being able to get around to the back part of the house.

Council Member Bailey asked about the six foot side yard requirement and if there had to be a total of 12 feet between homes, was that based on a fire code. Craig Barker said it could have been, but it is in our ordinance that they require 12 feet between the homes. Gary Kerr said as far as the fire code the minimal required distance between buildings is six feet.

Council Member Bailey asked how they deal with the sheds on property that were allowed to be one foot from the property line. Craig Barker replied they are legal nonconforming.

Council Member Bailey asked if the bulk of the problems the side yard issue. Gary Kerr replied yes. Council Member Bailey asked if they should protect that side yard requirement. Gary Kerr stated he thinks the City needs to maintain that buffer between the neighbors and doesn't recommend modifying it to bring people into compliance.

Council Member Taylor said if they eliminated the six foot requirement then people would still be able to put it in the side yard.

Council Member Bigler clarified that different zones have different side yard requirements. Craig Barker stated there are different side yard requirements for houses with a double car garage. It allows a reduction.

Council Member Bailey asked if the code requires a double car garage. Gary Kerr said the code requires two off-street parking, but it doesn't have to be a garage.

Ron Chandler said they will put some notes together and send them out to everyone. He said they will need to take a look at these individually. One property crosses over the property line and it should not be a legal nonconforming structure.

Craig Barker said there are issues with the breezeway carports because they do not have adequate snow load.

Council Member Taylor asked if they have inspected the ones that did not get a permit. Craig Barker replied no, they have only documented them. Council Member Taylor asked if the City is liable for any of those.

Ron Chandler said the one he is dealing with, they first thought it was a civil manner, the more they began researching it the more they found that the City does have responsibility to it. He said he is unsure about the level and extent of the responsibility. He said at this point they are trying to make a deal to make everyone happy. He said the frustrating part is that he cannot find a final inspection.

Craig Barker said another enforcement issue is the storage of multiple rv's on agriculture land. He said there are some parcels that store eight rv's. He asked what is allowed on vacant ground. Council Member Fawson asked if it makes a difference if there is a structure. Craig Barker said he doesn't know if it makes a difference. He said they do allow other types of main buildings in the agriculture zones, which have different side yard requirements than homes. Council Member Fawson asked if that would just be a code enforcement issue. Craig Barker replied yes and asked if there are any qualms about enforcing those regulations. He said there is some resistant population and the City Council will hear about it. Commissioner Brown stated this particular property is located on 2100 North and the property owner does not live in North Ogden and is storing multiple things. She said she brought it to Craig Barker's attention because it is tacky. She said there are several others. She said there is a point they need to hire a code enforcement person and they need to enforce the ordinances.

Council Member Fawson said if they are not going to follow the ordinance then they need to change it. He said he understood code enforcement was a budgetary issue and that is why it does not exist anymore. Ron Chandler stated there is two parts; the budgetary issue and they have one of Gary Kerr's employees doing both code enforcement and building inspector. He said the other issue is the philosophy that they

will not be aggressive code enforcers; they will deal with things as complaints come in. He said code enforcers end up being called Nazis because they are telling people what they can and cannot do with their property. He said most cities handle code enforcement when they receive complaints.

Council Member Fawson said if they are backing away from all these issues shouldn't they consider changing the ordinances or is it a matter of convenience that they have the ordinance if they choose to enforce it.

Council Member Bailey said most people will live by the ordinance. He said there is the other 20% that will thumb their nose at anything anyway. He said they pass ordinances with the hope that the 80% will comply with it.

Ron Chandler said they also need to be aware that with complaints the process can be very slow. He said the most common complaint is weeds. He said the process to get someone to correct requires notification and providing a timeframe in which the person must comply and then notification again. He said code enforcement is never a quick solution it can take at least a month. Craig Barker added that Gary Kerr's crew tries to work with the residents as well.

Gary Kerr said 80% of the residents will comply when they talk with them. He said it is that 20% that take a month or two months to comply.

Council Member Bailey said it makes sense for us to continue to have zoning rules and regulations that most of us will abide by. He asked if they run into a problem of unequal protection where they don't deal with difficult people. Ron Chandler replied that is usually when it falls into Jon Call's hands. He said if someone does not comply they will take them to the court and that takes even longer.

Council Member Bigler said he would like to see them focus on these ones that Commissioner Brown mentioned instead of nitpicking the small ones. He said that is something that really affects their City. He said they should be very proactive on those ones. He said some of the smaller issues might be complex with their limited resource. He said he would like to see them do something about the dumping ground sites and that should be an easy fix.

Council Member Taylor said that goes along with the complaint process. A resident brought it up and they should enforce it even with limited staff. Gary Kerr said once someone brings it to his attention he must do something about it, if he ignores it he will get in trouble. He said he has the City Attorney tell him that once he knows something and he ignores it even if it is simple he must do something about.

Council Member Taylor said he would like them permitting the illegal structures so they receive a proper inspection.

Commissioner Brown asked if a home is older it does not have to comply with ordinances, like they do not have to have a driveway. Craig Barker replied it is called legal nonconforming. Council Member Bigler asked if they know what year driveways were required. Craig Barker replied they can find out. Jon Call said several loan companies will not loan money on a nonconforming use. He said there are several houses on Washington Boulevard that people cannot buy the homes because it is zoned commercial and a home is a nonconforming use. Council Member Bigler asked if the homes that are nonconforming are not an issue unless they try to sell it. Jon Call said it depends on who the appraiser is.

Council Member Bigler said they need to address the bigger issues.

Council Member Bigler said some of the issues that come before the City Council are tough and some are black and white. He said he does not know if the Planning Commission ever gets a black and white deal. He said the Planning Commission really has to think hard and he thanked them for all the work they do. Commissioner Brown said can see that they can understand why we struggled with this.

Commissioner Brown complimented Blackburn and Jones. She said Carson Jones received a phone call from one of the residents complaining about the weeds and they were gone within one day. She said she thinks he is representing the company very well.

**The Planning Commission was excused at 7:55pm.**

**2. DISCUSSION REGARDING INFORMATION LEARNED AT THE UTAH LEAGUES OF CITIES & TOWNS ANNUAL CONFERENCE.**

Commissioner Stoker stated she wants to discuss a task force with Ogden City Crime Center. She said she thinks some of the crime is filtering out of Ogden into our City. She said she thinks Ogden City has some things that would be beneficial to our City. She said they have the ability to put up a map that shows all of the crimes in that area. Council Member Bailey added that Ogden City has put together a state of the art crime center. Annette Spendlove stated they have used Ogden City's Crime Center in the past. Council Member Bailey said he thinks it would be wise to schedule a work session with Ogden City to discuss what they are doing. He stated there are some great things Ogden City Crime Center is doing and they are making it available to us. He said they are using existing technologies and merging them together to come up with some cost effective tools. Council Member Fawson said he believes our Police Department reports crimes to Crime Reports. He said they have the ability to go to crimereports.com and see the maps, so they have some of those things already. Council Member Bailey said Ogden City is taking it one step further and they are doing it in a way as to not break the budget. Annette Spendlove stated Ron Chandler can get with the Police Chief and ask him to look into it. Council Member Bigler said he would like the forces to get together to see what the differences are. Council Member Stoker stated she did hear Ogden City Crime Center would come out and work with our officers. Council Member Bigler said he would like them to do that before it comes to us.

Jon Call said they may need to review LED signs. He stated he went to a presentation that discussed brightness and making it work for everyone. He said an actual sign company presented the topic. Council Member Bailey asked what type of signs he referring to. Jon Call stated any type of LED free-standing sign. He said they have components in the sign that can adjust the brightness. Council Member Bailey said there is legislation regarding the LED signs on the State level.

Council Member Fawson said Annette Spendlove stated the City does not have radios for emergency situations. He said it is something that is low cost that would allow them to communicate. Annette Spendlove stated they had radios in the past. Ron Chandler stated the State is changing their megahertz requirements as well. Council Member Bailey asked Ron Chandler to look into that.

Council Member Fawson said he would like to make an AED available for first response. Annette Spendlove stated they have one at the pool and they are the only ones who have been trained. She said Sandy City has a large program. She said if they have one in the building it could save a life. She said Sandy City has one in every building and every school. There was discussion regarding putting one in the Senior Center. Annette Spendlove said it would be a great to train our employees on how to use them.

Council Member Taylor stated he attended the Strong Cities Strong Towns and the biggest take away for him was the suburban development model has some long-term infrastructure costs that are different from

the past. He said the homes are spread out and there are less households paying for the roads. He said there is not enough property tax being paid to pay for the infrastructure over time. Many cities are starting to see this. He said there were some ideas regarding how to get more people contributing toward the infrastructure. He said there were a lot of comparisons on how tax dollars are used with mix-use developments versus single-family area. He said he plans on bringing that up at the next Economic Development Committee meeting.

Council Member Taylor said he also liked the presentation regarding HOA's and cities. He said they have had issues in the past with HOAs. He said he wanted to make sure they are requiring all infrastructures be built to City standards. He said in the event the City has to take that over they would not want smaller pipes or smaller roads. He said there was some interesting information from Layton City. They are involved in the development for the CCRs and become a party to the CCRs. He said that may be worth looking at to allow the City more involvement to help prevent the defaults in the HOAs. He suggested creating an inventory of all HOAs and keeping a file on each of them. Council Member Bailey commented that sounds like a great idea especially with the way they are looking at changing the ordinances.

Council Member Fawson discussed the citizen reporting tools he previously bought up. He stated the group is called Code for America. He said they have many apps that are built for citizen reporting on things like street lights, pot holes, etc. He said the app is called cclickfix. He said there is also civiccommons.org has 576 apps. They can report on everything on capacity at the pool to sales at local stores. He said one recommendation is their PIO should be a Desert Connect Contributor.

Council Member Bailey said he went to an emergency preparedness presentation. He said most people who died in Hurricane Katrina were elder, sick, or poor. He said one issue is those people tend to live in the at risk areas. He said most people prosecuted for shooting were police officers. He said they were ordered to shoot looters. He said during the evacuations many people wouldn't leave because they could not take their pets. It was suggested they look at these issues.

Council Member Bailey said he thinks they can do a much better job as a City in communication and social media. He said as part as Ron Chandler's responsibilities as the PIO is to look beyond being reactive. He said public records do not equal public information. He said he would like them to look forward with communicating better with their community. He said the newspaper miss what happens with a meeting in order to grab a headline. He said they are really not letting people know what is happening during a Council meeting. He said they have done some really neat things for the community that no one knows about. He said he thinks they can do a much better job.

Council Member Fawson said it would be nice to see a bullet after meeting summary or a brief summary and the result. He said he thinks they should be asking residents for current emails if we do not have that on file. He said Utah League of Cities and Towns has offered to create a three minute video. Ron Chandler stated the Mayor has done that. He said it was regarding Recycle Bank. Council Member Fawson said he is referring to Utah League of Cities and Towns featuring the City. He said it would be nice to have a video on their website.

Council Member Bailey said they if they could collect emails that would help get information out there. He said they could enhance the website to allow residents to provide us with their cell phone so we can get a hold of them in the event of an emergency. Council Member Bigler said they would need to make it clear what they are using it for. He said the LDS Church has data that is password protected and not used for sales. Council Member Fawson said there should always be an option to opt out. Council Member Taylor said they could have it on a document they fill out such as on the new resident applications. He

said they could get an intern from Weber State to help with that and help come up with better ways to communicate with residents.

Council Member Bigler asked who is doing their social media. Annette Spendlove said she monitors that. Ron Chandler said Community Services does most of the social media. Annette Spendlove added the Police Department has a Twitter page to provide information. She added that they do not have the staff to do one for the City. Council Member Bigler said they passed an ordinance to have an official City social media page. Annette Spendlove said they have not had the staff to do that right now. Council Member Bailey suggested they start moving forward with that.

Annette Spendlove gave an update on the City's website. She stated the layout is ready. They need to make some minor changes and have Ron Chandler look at it. She said there will be drop down tab, such as the contact list. She said if there is a problem they can fill out a form and if it is a Public Works issue it will go to that department. Council Member Bailey asked if a person would fill out a form rather than have to send an email. Annette Spendlove replied yes. She said they will have all the forms online and email them to the designated department.

Council Member Fawson said one of the complaints he has heard about our website is that it is not searchable. Annette Spendlove replied she will email what they have so far to him. Council Member Fawson asked if a firm is doing the website for us. Annette Spendlove replied we are fixing it and letting Parker Spendlove what we want. She said it is a lot cheaper to do it this way.

Ron Chandler said they met with one vendor called Road Smoothy. He explained that when they overlay a street they have to cut the street out where the manholes are. He said this vendor has an alternative, which is significantly cheaper. He said they compact and compress recycled rubber tires that get glued right on top of that so they will not have to buy the rings that go around the manholes. He said they will probably buy a couple of them. He said they are also working on using pervious concrete as a way of doing storm drains. He said the LDS church is using a lot of these in the parking lot with great success. He said it has the potential of being a huge savings for commercial development because you would not set aside property for storm drain or installing drains.

### **3. DISCUSSION REGARDING EMAILS ON THE CITY WEBSITE.**

Council Member Taylor made a motion they table this item until the next City Council Meeting.

Council Member Bailey said there was some discussion of making their emails part of the public record. He said there would be some discussion on having an online forum. He said they can use that to discuss issues rather than emails. He said it would be available for everyone. Council Member Bigler asked why they cannot just put the emails on the website. Ron Chandler said one of the issues of putting the emails on the website would be the time it takes for staff to review the emails. Council Member Bigler said if they use a forum they can choose to have a discussion either through email. Ron Chandler said he like the forum idea. He said if they put the emails on the website they would still need to review all the emails like they do with a GRAMA request. Council Member Bigler said he is talking about the Council putting it on the website themselves. Annette Spendlove said it is still a public record and they would need to review it. Council Member Bigler replied it does not have to be reviewed because they can send an email to whomever without it being reviewed. Council Member Bailey said there would still need some redactions. Council Member Bigler said this is not a GRAMA request. Ron Chandler said the forum style is a better idea. Council Member Bailey explained Council Member Bigler is proposing they cc the website when they send out emails. Ron Chandler said however the process to get it on the forum is great. He said that is better than just putting all the emails on the website. Council Member Bailey said he is not talking about an open forum. He suggested they do some research on how to handle this

situation. He said he doesn't want the newspaper to take half-thoughts into concepts and turning them into a headline. Ron Chandler said he will research that along with different ways to get the City's message out. Council Member Fawson recommended they look at a service called basecamp.com. He said he uses it regularly as a project management tool. He said it allows you to respond to an email but also all the emails are connected under a topic similar to a forum and can be posted on to a website easily. He said if you are looking for an integration tool that seems to be the best one.

**4. ADJOURNMENT.**

**Council Member Fawson moved to adjourn the meeting. Council Member Taylor seconded the meeting.**

**Voting on the motion:**

<b>Council Member Fawson</b>	<b>aye</b>
<b>Council Member Bigler</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Taylor</b>	<b>aye</b>
<b>Council Member Bailey</b>	<b>aye</b>

**The motion passed unanimously.**

**The meeting adjourned at 8:36pm.**

---

Richard G. Harris, Mayor

---

S. Annette Spendlove, MMC  
City Recorder

---

Date Approved