

NORTH OGDEN CITY COUNCIL WORK SESSION MEETING MINUTES

July 07, 2015

The North Ogden City Council convened in an open meeting on July 07, 2015 at 7:06 p.m. at 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 July 2, 2015. Notice of the annual meeting schedule was published in the Standard-Examiner on December 21, 2014.

- PRESENT:**
- | | |
|--------------------|----------------|
| Brent Taylor | Mayor |
| Kent Bailey | Council Member |
| Lynn Satterthwaite | Council Member |
| Cheryl Stoker | Council Member |
| Phillip Swanson | Council Member |
| James Urry | Council Member |
- STAFF PRESENT:**
- | | |
|-------------------|-------------------------------------|
| Bryan Steele | City Administrator/Finance Director |
| Annette Spendlove | City Recorder |
| Jon Call | City Attorney |
| Dave Espinoza | Public Works Director |
| Gary Kerr | Building Official |
| Dirk Quinney | Police Lieutenant |
- VISITORS:**
- | | | |
|---------------|--------------|----------------|
| Blake Welling | Will Gunther | Rachel Trotter |
| Mick Gunther | Josh Porter | |

WORK SESSION – 6:30 P.M.

Mayor Taylor welcomed those in attendance.

Council Member Bailey offered the invocation and led the audience in the Pledge of Allegiance.

CONSENT AGENDA

- 1. CONSIDERATION TO APPROVE THE MAY 5, 2015 CITY COUNCIL MINUTES**
- 2. CONSIDERATION TO APPROVE THE MAY 12, 2015 CITY COUNCIL MINUTES**
- 3. CONSIDERATION TO APPROVE THE MAY 26, 2015 CITY COUNCIL MINUTES**

Council Member Bailey noted that the May 26 minutes indicate that he was excused, but also include him as voting on items of business. He stated he was present at the meeting and asked that the error be corrected.

Council Member Bailey motioned to approve the consent agenda with the correction to the May 26 minutes to reflect that he was in attendance at that meeting. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Bailey	aye
Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Urry	aye

The motion passed unanimously.

AGENDA

1. PUBLIC COMMENTS

Boy Scout Mick Gunther stated he is a member of Troop 99 and they are working on their Citizenship in the Community merit badge.

*Mayor Taylor rearranged the agenda by moving the discussions regarding the restriping of 2600 North and flood risk planning ahead of item 2.

4. DISCUSSION ON THE WIDENING AND RESTRIPIING OF 2600 NORTH

A memo from Mayor Taylor explained City Administration has been discussing possible plans to re-stripe 2600 North, similar to what we did last year on 3100 North. The objective is to improve the flow of traffic on this very busy road.

There are two primary concerns I see with 2600 North: first, that there is not a turn lane to facilitate left turns. This results in people stopping traffic in order to wait for an opportunity to turn left. Impatient drivers behind them pass the car waiting to turn left on the shoulder, a dangerous and illegal move. A second problem is cars trying to turn left onto 2600 North. Because there is not a center turn lane, cars must wait for both travel lanes to clear long enough to make a left turn onto 2600 North. At busy times of the day this can require a significant wait, and increasingly we see motorists “punching the gap” and turning left in very short pauses of traffic. Both of these trends present safety hazards.

2600 North will certainly need to be widened at some point, but that is many years in the future and will take a large amount of money to purchase properties and political will. We are looking at options short of widening the road, but that would still positively affect traffic flow. One idea is to restripe 2600 North to eliminate parking on the south side of the road. The 2 “extra” spaces saved from the parking/shoulder would be used to create a center turn lane and/or left turn pockets at each street crossing.

We believe there are upsides from this idea, but also downsides, in particular for those who live directly on the street and occasionally have visitors who park directly on 2600 North.

We would like to have a discussion during the upcoming work session about options for improving traffic flow on 2600 North. Time is of the essence for a decision on the re-striping, because 2600 North is set to receive a slurry seal coat later this month. All existing stripes will be covered by the slurry and this presents the perfect opportunity to re-stripe the road. It is very hard to remove old lane striping, so this is our best opportunity to re-stripe 2600 North within the next few years. I have asked Lt. Quinney (NOPD Patrol Division), Public Works Director Dave Espinoza, and City Engineer Matt Hartvigsen to all be present for the discussion.

Mayor Taylor reviewed his memo and discussed some of the traffic safety issues he is trying to address with this project. He asked Mr. Hartvigsen to first review the option for restriping 2600 North from City Hall eastward to Washington Boulevard. Mr. Hartvigsen used the aid of an aerial photograph to illustrate the first option. He noted some of the causes of traffic issues on 2600 North is that on-street parking is allowed on the street as several of the intersections on the street are off-set. He stated he is recommending a two way left-hand turn lane or dedicated left hand turn lanes to allow for thru traffic to be uninterrupted. In order to create the additional lane, he is proposing to eliminate on-street parking on the south side of the road; the parking line must remain intact on the north side of the road to accommodate bus routes.

Council Member Bailey stated he has heard rumors that the Utah Transit Authority (UTA) is planning to realign several bus routes in North Ogden and he wondered if the bus route on 2600 North may eventually be eliminated making it possible to do away with on-street parking on the north side of the road as well. Mayor Taylor stated the City can coordinate with UTA on that issue. Mr. Hartvigsen stated that he would like to know if those rumors are true because he would definitely recommend eliminating on-street parking on the north side to improve east bound traffic, pedestrian, and bicycle safety on the road. Discussion regarding the traffic issues on 2600 North continued, with the Council concluding they would like to better understand UTA’s future plans for the street in order to determine whether on-street parking can be eliminated on both sides of the street.

Mr. Hartvigsen then reviewed an additional option for improving the section of the roadway between Fruitland Drive and 550 East. Council Member Swanson stated he has heard feedback from users of the new dog park about traffic issues in the area of the park and he suggested adding a turn lane from 2600 North onto 850 East. Mr. Hartvigsen stated that would be tight, but possible. He then stated that he will leave the road striping plan with the City for continued review or discussion and indicated that he will reach out to UTA to try to get additional information regarding their future plans for 2600 North. Mayor Taylor encouraged the Council

to reach a consensus regarding the striping option they would like to see. The Council indicated they would prefer the option that would eliminate on-street parking on both sides of 2600 North to create bike lanes and mini-shoulders on both sides of the street, contingent upon receiving additional input from UTA. Mayor Taylor stated he feels the option selected by the Council is the best option for delaying the widening of 2600 North, which will be needed in the future.

Council Member Stoker emphasized that in all plans for the road and other roads in the City, it is necessary to consider walkers and bikers because they are not going away and vehicles do not share the lane. Council Member Bailey stated there may be options for encouraging bikers and walkers to use other routes with less vehicular traffic. Discussion then centered on traffic counts on various roads throughout the City, with Mayor Taylor noting that 2600 North has the second highest traffic count, second only to Washington Boulevard. He then stated that he would like to have more discussion about the restriping plan for the road during the meeting scheduled for July 14 and the residents living along 2600 North will be invited to participate in those discussions. He stated he and Mr. Hartvigsen will follow-up with UTA regarding their future plans for the road.

Mayor Taylor then addressed another issue on 2600 North near the intersection with Washington Boulevard. He and Mr. Hartvigsen have investigated options for widening the road in that area, noting the biggest problem in the area is the fact that there are several business accesses: three on the north side, two on the south side, and a street just a half-block east of the intersection. Mr. Hartvigsen reviewed a map of the area to highlight the options for widening the road. The Council had a high level discussion of the options for widening the road, ultimately concluding to pursue the widening option by conferring with the Utah Department of Transportation (UDOT) to solicit their participation in the project by way of relocation of the traffic signal at the intersection; this would facilitate the widening of the road to the south.

3. DISCUSSION ON FLOOD RISK PLANNING

A memo from Mayor Taylor explained the North Ogden City Engineer has proposed a discussion about Flood Plain Planning; he sent the following message to the City regarding the issue:

“I think it would be beneficial for Gary Kerr, Dave Smith, and myself to hold a training session with the Council on flood risk planning. I think it would be helpful to bring in an overall map of the city that shows the properties in the established flood plain and then discuss the challenges and risks associated with developing in these areas. We may even be able to refine our current plan with the feedback we get from the council and staff. The article talks about the increasing flood insurance rates that residents are now facing. These rates may be quite extreme in some cases making it difficult for property owners to afford to own property in flood hazard areas. So far, I think we have handled developments in the flood plain well enough. I am just thinking that it is important to keep council members informed about flood insurance changes at the federal level and the effects that they will have on the community. This is only a suggestion, not a reaction to anything in particular. More than anything, I am curious to learn what the council thinks the city's role should be when property develops that contains flood constraints or needs large storm drain utility lines. We have been working cooperatively with past and recent

development to participate (by using city funds) in the construction of storm drain utility lines and basins. I like this collaborative effort because it allows us to follow the overall storm drain plan to build larger outfall lines and basins even though they are not needed now. To be able to continue with this planning effort, I believe we will need significant funding because we have high cost projects planned that may need to be addressed in the near future. Feedback from the council and staff will help me give better direction to developers as they come looking for guidance. At times developers actually ignore the flood and storm water constraints and then react adversely to the direction they are given. In such cases it would be helpful to have backup and support from each other as we face determined developers.”

Mr. Hartvigsen summarized the documentation he provided to the City. Discussion centered on the measures the City can take to adjust the flood plain maps for the City to assist homeowners with waiving flood insurance for their properties. Building Official Kerr indicated that he has begun working with the Federal Emergency Management Agency (FEMA) to address inconsistencies in the flood plain maps for the City, noting that in order to update the map a study must be commissioned and submitted to FEMA to prove that the flood plain has changed and many areas of the City, such as the Green Acres area, are no longer in a flood plain.

Council Member Swanson asked how many homes are impacted by the inconsistencies on the flood plain map. Mayor Taylor stated that there are nearly 50 homes and he noted that the cost for flood insurance is slated to increase by approximately \$1,200 per month for home owners.

Council Member Urry discussed the history of development in the Green Acres area of the City, noting many homes experienced flooding because of a high water table and the fact that the builder of the homes did not install footing drains. He stated that it would be his guess that due to that flooding, many lenders likely required a study on the area to determine if flood insurance should be required for the properties. Mr. Kerr stated that there is no connection between flood plains and irrigation water, ground water, or storm water; rather, flood plains are connected to creeks or other waterways. Council Member Urry stated he understands that and noted that many of the homes in the area drained into Cold Water Creek or Mud Creek to the north.

Mr. Hartvigsen concluded that he simply wanted to discuss this issue with the Council in response to many calls and complaints that he and other members of City staff receive regarding the issue of increasing flood insurance premiums. He clarified that this is a private property issue and the City does not necessarily need to become involved by way of commissioning a flood plain study, but the City is responsible for enforcing FEMA guidelines relative to flood plains. Council Member Satterthwaite stated he feels it may be appropriate for the City to participate in addressing the issue of inaccuracies in the flood plain map because failure to do so could result in further reduction of home values in the area, which could be problematic for the City. Mr. Hartvigsen agreed and stated further deterioration of an area resulting in blight could be a more difficult issue for the City to address. The Council engaged in a high level discussion about the issue and concluded they would like to proceed with scheduling a community meeting with all 50 of the affected homeowners, the Ogden FEMA representative and State Representatives. Council Member Bailey stated he does not believe the City should ‘take over the project’, but whatever can be done to facilitate discussions that may lead to a resolution of the issue should be done by the City. Mayor Taylor agreed and noted that FEMA representatives

can be asked to visit the area on their own and see that there is no stream or other waterway. Mr. Hartvigsen stated a similar approach has been taken in the past, but FEMA has still responded that a study must be commissioned and paid for by someone besides FEMA; the study results must be submitted to FEMA, who will also be paid to review them. He then noted that the flood plain map was updated in 2005 and he was not notified of that process as he should have been. He indicated that after the flood plain map was updated, people began receiving notification that their property was located in a flood plain and that they were required to purchase flood insurance. Council Member Urry suggested that the City bring it to the attention of Representative Lee and Representative Bishop that the public involvement process for updating a flood plain map was not followed and ask for recourse. Mayor Taylor stated that issue could be discussed at the recommended public meeting. He noted he will work to coordinate the meeting sometime in the month of August.

*Mayor Taylor then moved item five ahead of item two on the agenda.

5. DISCUSSION ON CITY CLEAN UP (BUILDINGS, WEEDS, ETC.)

A memo from Mayor Taylor explained he would like to discuss possible clean-up ordinances needed in the City. These are related to weed clean up and demolition of abandoned homes. City Administration is looking for a way to clean weeds on properties after a certain number of notices, and then attach a lien on the house against the owners. Ogden City found a way to demo old, abandoned houses and attach a lien on the house. There are some abandoned houses along Washington Boulevard that have all the copper stripped, are condemned by the Health Department for meth, and simply have become houses for homeless and transients. City Administration wants to explore some ways to demolish these abandoned homes and charge the owners. Also, it is necessary to discuss responsibility for weeds in City streets without curb, gutter, and sidewalk. This has come up along certain properties like 2100 North where there is no park strip. Discussion is needed regarding how to approach these properties. As the City is being more aggressive with code enforcement and clean up, these properties are standing out because they are somewhat in a gray area as to responsibility.

Mayor Taylor reviewed his staff memo as well as a few photographs to illustrate the types of problems causing great concern in the City. City Attorney Call expounded on the proposal to adopt an ordinance to address abandoned homes; State Code offers the City a significant amount of flexibility and if a structure is determined to be a nuisance, a hazard to the community, or even unsightly, it can be demolished and the owner can be charged for that demolition. He stated that the City's current ordinance on the matter requires a hearing before the City's administrative law judge. He noted that if the Council would like to implement a more streamlined process, it would be necessary to amend the City's ordinance to more closely mirror State Code. Discussion then centered on the process the City would need to follow to amend the ordinance to permit the demolition of abandoned structures. The Council offered their support for proceeding with amending the ordinance.

Mr. Call then discussed the issue of addressing properties with weed nuisances. He noted the City's Code permits abatement of injurious and noxious weeds following a hearing with the administrative law judge. He added that the State of Utah has a defined list of injurious and

noxious weeds and many of the types of weeds found on residential properties with a weed nuisance do not fall within that list. He stated the best approach in addressing weeds and overgrowth would be to determine the standards that the City is able to meet on City property and then adopt an ordinance holding the citizens to the same standard. He added that the City Code requires property owners to maintain the right-of-way abutting their property and it is necessary to determine who owns a property in order to work on compliance. He added that code enforcement in the City is currently complaint driven and it is important that the measures are taken to prevent the perception that the City is selectively enforcing ordinances. He suggested that the City proceed with considering ordinance amendments that provide specific direction regarding yard maintenance; the Council supported this recommendation, after which they engaged in a discussion regarding various nuisance properties throughout the City. Mr. Call stated he will review ordinances used in other cities and consider the feedback from the City Council in proceeding with drafting ordinance amendments relative to abandoned structures and weed nuisances.

2. DISCUSSION ON NORTH VIEW SENIOR CENTER

A memo from Mayor Taylor explained he would like to have a discussion about the City's support for and relationship with the North View Senior Center. In recent months some members of the Senior Center staff and Board have expressed concerns about the City's use of the NVSC building for City events. Additionally, some concerns have arisen relative to the City's rental of the building, including cleanliness of the building and availability of the building for rentals. The North Ogden City/Weber County interlocal agreement governing the NVSC has expired, and this is a good opportunity to discuss this agreement and re-negotiate the terms. City Administration wants to maintain a healthy and positive working relationship with the NVSC, while also ensuring that citizen's tax dollars are spent in a judicious and wise manner. To that end, Mayor Taylor proposes discussion of the following:

- City's financial support of the NVSC
- City expectations of the NVSC
- Rental of the building
- Relationship with the NVSC
- City use of the building

Mayor Taylor reviewed his memo and provided the Council with copies of past agreements governing the use of the NVSC; he reviewed various sections of the agreements and summarized the responsibilities of each party of the agreement. He suggested the City negotiate a new agreement with Weber Human Services that will provide a clear set of expectations to keep the relationship between all parties healthy. Council discussion then centered on shared use of the facility, with Council Member Bailey indicating it is necessary to communicate to the Senior Center staff and board that the center is owned by the City and its taxpayers and autonomy in managing the facility is of utmost importance. The Council also indicated that investigation needs to be conducted to determine the City's financial contribution to the City between salaries, maintenance, and operation of the facility. Mayor Taylor indicated it is his understanding that

the City contributes over \$60,000 to the center annually. Council Member Swanson stated that the City should be given more generous consideration relative to scheduling to allow more residents to use the facility on dedicated days, nights, or time slots. Mayor Taylor agreed and added that he would like to have further discussion regarding the rental fee as well as the fee to pay for a parks employee to monitor the facility when it is in use.

Continued discussion centered on control of the building. Mr. Call noted that the City has 100 percent ownership and control of the building. The Council concluded it is necessary to confer with the NVSC board and staff regarding the control of the building, with Council Member Bailey indicating that it is necessary to negotiate amendments to the agreement that specify how use of the building will be monitored, controlled, and facilitated. Mr. Call stated that he would like to review the grant agreements or any ordinance or resolution that was adopted relative to the ownership and operation of the building to determine if there is anything restricting the City from proceeding in the manner that has been discussed this evening. The Council supported Mr. Call's proposal regarding necessary research to be conducted.

Mayor Taylor summarized the way forward, including, Mr. Call researching grant documentation regarding operation of the facility, scheduling a meeting with Weber Human Services to discuss a new agreement, and consideration of a separate agreement with the NVSC relative to the use of the facility and control of scheduling. Council Member Bailey stated he would like City Administration to discuss the accountability of the NVSC Director; he understands she may need to be a Weber County employee, but she should also interface better with City Administration and staff and perhaps attend the City staff meeting. Council Member Swanson indicated he feels it is important to establish that the NVSC Board can do whatever they want with their organization, but the facility belongs to the City and the Board may only be one of multiple users of the building. Mr. Call agreed and added that he would like to create a generic enough agreement that any non-profit organization can sign it. The Council supported that idea. Mayor Taylor likened the proposed agreement to the agreement that the City has executed with the Museum Committee; the City owns the museum, but has contracted with the Committee to provide certain services at the facility. He stated that clear roles, duties, and boundaries are needed for all such situations to make things run smoother.

Council Member Urry referenced a previous request made during a Council meeting to erect signage on Fruitland Drive memorializing the Randall family; he noted he was told the Museum Committee has denied the request. He stated he was told by the Museum Committee that the main reason they denied the request is that the City's Public Works Department has indicated that they are no longer able to install the sign. City Recorder Spendlove stated she was told some members of the Committee grew up on Fruitland Drive and they never knew that it was called Randall Road. Council Member Urry stated the Museum Committee should not be making a decision regarding the issue; the road is not being renamed. Council Member Swanson agreed, but added that erecting the sign would be honoring one of the founding families of the area. Council Member Bailey added that there should be some legitimacy to the sign; many streets in the City have historical names that differ from their present day names. Council Member Urry stated that his concern is the Museum Committee acting on behalf of the City Council; if the Council wants to put up a sign it should not need the permission of the Museum Committee. High level discussion regarding the history of various street names in the City ensued, with the

Council ultimately concluding it is necessary to define a specific set of parameters that must be met in order for the renaming of a street to be approved by the City. Mayor Taylor stated he will add a discussion item to a future agenda to further address historic road names.

Council Member Bailey refocused on the issue of agreements regarding NVSC, noting he would like to review drafts of the agreements before they are presented to the respective groups that will be party to the agreement.

6. DISCUSSION ABOUT NORTH OGDEN CITY MASTER PLAN CONCERNING COMMERCIAL/MIXED USE ZONE

This item was not discussed.

7. PUBLIC COMMENTS

There were no public comments.

8. COUNCIL/MAYOR/STAFF COMMENTS

The Council and Mayor discussed a meeting held earlier in the evening regarding the North Ogden Library Branch project. Mayor Taylor stated the issue will continue to be discussed and it is important to make the case to the Weber County Commission that they need to hear the voices of the people of northern Weber County and the unified voice of all three cities in the area. He stated he would like for the Council to consider a resolution expressing the City's position to the Weber County Commission. The Council stated they will support such a resolution on a future agenda.

Council Member Urry stated that the Cherry Days celebration was very well produced and was a success.

9. ADJOURNMENT

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

Voting on the motion:

Council Member Bailey	aye
Council Member Satterthwaite	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Urry	aye

The motion passed unanimously.

The meeting adjourned at 9:58 p.m.

Brent Taylor, Mayor

S. Annette Spendlove, MMC
City Recorder

Date Approved