

NORTH OGDEN CITY COUNCIL TOWN HALL MEETING MINUTES

June 9, 2015

The North Ogden City Council convened in an open meeting on June 9, 2015 at 6:30 p.m. at the North Ogden Senior Center at 505 East 2550 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 June 5, 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
 Phillip Swanson Council Member
 James Urry Council Member
 Cheryl Stoker Council Member

STAFF PRESENT: Bryan Steele City Administrator/Finance Director
 Annette Spendlove City Recorder/HR Director
 Jon Call City Attorney
 Dave Espinoza Public Works Director
 Kevin Warren Police Chief
 Gary Kerr Building Official
 Rob Scott City Planner
 Tiffany Staheli Parks & Recreation Director

VISITORS: Bob Buswell Dwane Parker Margaret Schvaneveldt
 Noel Schvaneveldt Leonard Looney Steven Rasmussen
 Justin Stowers Luke Stowers Jake Stowers
 Cody Hull Haden Smith Kurt Illum
 Kim Carter Dan Carter Mary Settlemire
 Ginger Heaton Kaye Wilson Guy Thornock
 Jay Thornock Joy Thornock John Arrington
 Julee Smith Gordon Robson Christian George
 John Hansen

PRESENTATIONS BY DEPARTMENTS – 6:30 P.M. – 7:20 P.M.

AGENDA

1. PUBLIC COMMENTS

There were no public comments.

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

4. DISCUSSION ON FISCAL YEAR 2015 - 2016

Mayor Taylor used the aid of a PowerPoint presentation to provide those in attendance with information about the process to prepare the annual North Ogden City budget. The Budget Year runs from July 1 to June 30 of each year. Development of the budget is a collaborative process between Mayor, City Council, and Staff during multiple meetings from January to June. The City Council is the approving authority for the budget. The City budget must be adopted before June 20. The highlights of the 2014-2015 budget include, but are not limited to:

- Re-introduced the printed newsletter with utility bills
- Cherry Days community involvement (volunteer co-chairs leading)
- Smith's Marketplace and Café Rio opened
- Logo contest leads to a new City logo
- Walking path completed on 2550 North w/strong community support
- 3100 North re-striping project to improve school safety
- Parks & Rec events: Glow Run, Half Marathon, Luau
- Excellent police work: North Ogden named in Top 10 Safest Cities in Utah
- Nativity display discussion and positive resolution
- 5.5 miles of new trails along the Bonneville Shoreline (27 continuous miles)
- Former Councilman Justin Fawson elected to the Utah Legislature
- Re-financed the Aquatic Center bonds; interest rate dropped from 4% to 2.2% (\$230k in total savings)
- Purchased 3 new snow plows to improve snow plow service
- Purchased Chevy Silverado police vehicles, saving money versus an SUV
- Obtained \$2.2 million in grants for the future widening of 400 E/450 E
- Constructed major road repairs on 450 E and 1875 N
- Increase in sales tax generated in North Ogden
- Nearly \$1 million in upgrades to Water, Storm Water and Sewer systems
- First permanent raises for our hard working employees in 4 years
- We have the lowest utility rates of the 5 largest Weber County cities
- North Ogden has not had a property tax increase since 2009
- Public Works facility: on time and in budget; approximately \$3.3 million
- Monroe Blvd. land acquisition underway (construction is years away)
- Began transition to LED streetlights: bulbs save 75% electricity
- Purchased crack seal machine to perform road maintenance "in-house"
- NOPD obtained grants to purchase body cameras for all officers
- Reduced cost of 2nd recycling can to increase recycling efforts
- Shop Local campaign to raise awareness of the power of shopping local
- LED Christmas Lights at Bicentennial Park (thank you Civic League)
- Monthly City Council work sessions to generate discussion
- Transitioned temporarily from a City Manager to a full-time Mayor
- Future streetlight at 300 E and 2700 N to facilitate commercial growth
- Began installation of a new, cutting-edge utility meter reading system

- Library upgrade and expansion being planned with Weber County Library System
- Completed a new Dog Park (850 E 2600 N) for under \$6,000

Mayor Taylor then provided an overview of the condition of the City's General Fund. The General Fund is used to receive general tax dollars (sales and property tax, etc.) and to pay for general government operations, including police, planning, parks & recreation, and administration. He reviewed the revenues in the General Fund, noting the largest revenue source is sales tax. He also reviewed General Fund expenditures, noting the largest expense is to fund the Police Department. He then reviewed the budget highlights for the proposed 2015-2016 budget:

- Police: Four new patrol trucks; Cross training Animal Control Officer as a Police Officer; Implement Youth Court, beginning process for future K-9 program
- Parks & Recreation: Completing trail on Pleasant View Drive; Renovating restroom at Oaklawn Park; completing trail connection between IHC and Smith's; Kubota Tractor; trailers for lawn mowers
- Planning: Adoption of updated General Plan, implement Form-Based Code ordinances; Review & Update of zoning & subdivision fees
- Streets: \$417,000 budgeted for street repairs; analyze and prioritize future street maintenance projects
- Motor Pool: Lift for new public works shop building; replacement truck for streets department;
- Overall City-Wide: 12% growth in sales tax revenues (*please remember to shop local*); Transferring \$262,750 to the Capital Projects Fund to help with future project funding.

He noted all of this will be accomplished without a property tax increase. He then discussed fund reserves; each fund has a "reserve", or the balance left in the account at the end of the budget year after all expenses and revenue. Fund reserves are used to finance major projects or to cover years with low revenues. The North Ogden City funds are projected to have these balances as of June 30, 2016 when the 2015-2016 budget ends. North Ogden is in excellent financial health. By fully funding depreciation in utility funds, we are building strong reserves for future infrastructure projects and replacements. He reviewed the fund reserve amounts projected to be in place at the conclusion of the current budget year as follows:

- **General Fund**: \$1,392,992
- **Capital Projects Fund**: \$692,400
- **Motor Pool Fund**: \$311,706
- **Police Motor Pool**: \$44,290
- **RDA Fund**: \$678,389
- **Water Fund**: \$1,459,057
- **Sewer Fund**: \$885,986
- **Storm Water Fund**: \$1,808,045
- **Solid Waste Fund**: \$428,803
 - **Total**: **\$7,701,668**

Mayor Taylor then provided an economic development update. Under Utah law cities receive 1% of the total amount of taxable sales. The remaining 5-6% of the sales tax goes to the state, county, and other government entities. North Ogden's population share increased 3% so far this

year, while the point of sale (POS) share has increased 28%. The City's total sales tax dollars have increased 10%. North Ogden receives far more sales tax from the population share, because the City has a relatively high population and low commercial sales. Elected officials and Staff are working hard to bring new businesses into the City to grow the POS share. He identified some of the economic development projects in the works as follows:

- Redevelopment of the old Smith's building.
- Development of property located at approximately Washington Boulevard and 2700 North.
- Development of an eight acre Assisted Living Center
- 25 acre Mixed Use project at old Country Boy Dairy property.
- Re-Development of King's Plaza
- Housing growth

He then provided information regarding the City's utility funds, starting with the water utility budget, which has a total budget of \$1.7 million. Highlights of the water utility budget include:

- \$400,000 to replace water lines in Coldwater Creek subdivision which was installed in the 1950's and has had 11 leaks since 2010
- \$600,000 for a new well at the top of 1050 East
- Purchase of a ranger to help with the checking of reservoirs and spring boxes (which are difficult to reach in a truck)

The sewer fund has a total budget of \$1.6 million and the highlights of that budget include:

- \$400,000 for a sewer vacuum truck to replace the current one the City has had for 13 years
- \$300,000 for slip lining of sewer lines
- \$37,000 for a work truck replacement

The City completes "trenchless" sewer line repairs every year, which has been the practice since 2009; this entails inserting a new PVC pipe into the old concrete pipe, which results in essentially a new pipe without the expense of digging up the road. This will keep the City's infrastructure healthy for the years ahead. The largest expense in the sewer fund is over \$1 million in fees to the Central Weber Sewer District; the District increased their fees this year to cover the expense associated with Environmental Protection Agency (EPA) mandates and it is necessary for the City to pass that increase on to residents.

The storm drain fund has a total budget of \$683,572. The storm drain system includes all gutters, drains, detention basins, etc. that capture and detain rain runoff to prevent flooding in the City. North Ogden has a lot of mountains and hills and it is necessary to have a very robust storm drain system to prevent flooding. The highlights of the storm water budget include:

- \$160,000 to purchase an additional leaf collector truck to help with keeping gutters and storm drain boxes clean
- \$250,000 of Storm Drain improvements around 1525 N and Washington Boulevard

The City has developed a comprehensive Master Plan for future storm drain improvements added to the existing lines and basins. Implementation of this plan will take a lot of money, but

will help keep the City from flooding; storm drain fees go towards funding these projects. Mayor Taylor reviewed a map to identify the location of some of the needed storm drain projects to be completed throughout the City.

He then reported the solid waste fund has a total budget of \$886,476. There is a proposal to decrease solid waste fees charged to residents. One highlight of the budget is the scheduling of an additional City-wide spring clean-up day due to the fact that the inaugural event in May of 2015 was such a success.

Mayor Taylor then reviewed the City's Redevelopment Agency (RDA) Economic Development budget. Funding will be allowed to pay for beautification projects throughout the City, including bus stops, benches, garbage cans, and flower planters. The City will also solicit grant funds for beautification projects. He concluded his budget presentation by reviewing a chart detailing how North Ogden City compares with other cities along the Wasatch Front. The chart was entitled "top ten lowest cost cities per capita for population groups under 20,000" and North Ogden ranks eighth among those 10 cities; this says a lot about the work the City staff does in being guardians of taxpayer dollars. He added that the City also conducted a utility rate study recently and found that North Ogden has the lowest utility rates among all other cities in Weber County.

Mayor Taylor then welcomed public comments and a question and answer session regarding the budget. There were no visitors present who wished to make public comments.

Mayor Taylor then used the aid of a PowerPoint presentation to provide those in attendance with information regarding a proposal to implement a transportation utility fee in the City. He explained a transportation utility fee would treat roads like other utilities, wherein the City would save funds over time to pay for future maintenance and infrastructure costs. Provo City has implemented a transportation utility fee and Mayor Taylor reviewed the section of the Provo City Code detailing the implementation of the fee. Provo City has different categories for the fee, ranging from \$2.10 per month for multi-family residential properties all the way up to \$225.50 for high use commercial businesses. He summarized the reasons he feels a transportation utility fee is appropriate:

- Accountability & Transparency: Dedicated funds are segregated to be used 100% on road maintenance and construction—cannot be diverted for other projects or purposes
- Equity: Rather than relying solely on property or sales taxes, all who use roads participate
- Fiscally Sound: We avoid road repair bonds/debt in the future, by proactively dealing with road maintenance and by saving for future construction projects

There are two primary future expenses for the proposed Transportation Utility Fund

- Maintenance: Regular pavement treatments and maintenance to extend lifespan of roads (crack seal, slurry seal, overlays, rebuilds, etc.)
- Future Construction: New road construction projects to improve city's transportation network (i.e., Monroe Blvd., Skyline Dr., widening of 400/450 East, etc.)

City Engineer Matt Hartvigsen provided the audience with information regarding the types of maintenance projects that can be completed to extend the life of a road, including chip seals, crack filling and sealing, diamond grinding, dowel bar retrofits, fog seals, joint crack seals, joint

repairs, pavement patching, scrub sealing, slurry seals, spot high-friction treatments, and surface sealing. He noted that maintenance is very important and every one dollar spent on maintenance projects will save the City \$6.00 to \$10.00 in future road repair costs. He stated the City is doing what it can with the money it has to maintain roads, but more needs to be done to prevent greater future transportation costs. Mayor Taylor then reported the U.S. Army Corps of Engineers has developed a program called the pavement condition index (PCI); it is widely used by states and cities throughout the United States to measure the condition of roads. He stated that if no maintenance is done on any given road, it should last approximately 15 years, but ongoing maintenance can extend road life beyond 30 years. He stated the City uses a pavement management system that tracks the maintenance need throughout the City. A 14-year resurfacing history, pre and post the great recession, indicates that from 2001 to 2008 the City completed 62.77 miles of road (or 7.84 miles per year), but only 26.05 miles from 2009 to 2014 (or 4.34 miles per year). He noted this is only 55 percent of the pre-recession rate. There are many areas that have not been resurfaced in the past 14 years and it may be several more years until those roads can be serviced. He summarized the condition of North Ogden City roads as follows:

- Professional Review: We had a professional company assess the roads (note: this company is connected to our pavement management software company, and is not bidding on any of the possible road work).
- Their review found that the majority of our roads have a remaining service life (RSL) of less than 10 years—increased maintenance can improve this.
- Their review found that 716 segments of our 984 total road segments are recommended at this time for a treatment maintenance (72% of all segments are recommended for a maintenance treatment).
- The total cost of all these maintenance recommendations is \$5,430,703.
- It would take approximately 10 years of our full allocation of B&C (“Gas Tax”) road funds to pay for the maintenance that is recommended today for our roads—additional funds are needed now, or we will significantly degrade our road network by missing opportunities to extend RSL on our roads.

He then reviewed photographs deteriorating roads throughout the City, after which he reviewed a map identifying recommended overlay and chip slurry seal projects. He then reviewed a chart identifying needed road construction projects, the estimated cost for each project, and miscellaneous costs for each project. The list included the widening of 450/400 East (\$10 million), the extension of 450 East to Skyline Drive (\$4 million) the construction of Skyline Drive (\$30 million), the construction of Monroe Boulevard (\$20 million), Mountain Road operational improvements (\$2.5 million), and 2550 North operational improvements (\$2.5 million). He then identified the funding sources available to the City as follows:

- Class B & C state road funds (generated by the “gas tax”), which includes an increase passed this year by the State Legislature.
- Property & sales tax revenues (General Fund revenues).
- Impact Fees on new developments (*we currently do not have*).
- Utility Transportation Fee (*we currently do not have*).
- Cuts in other areas to shift funds towards roads.
- State & Federal Road Grants: Generally not for maintenance, but for new construction. This is the best funding source for major road projects, but funds are limited and higher

“matches” will greatly enhance our chances of success. To offer higher “matches,” we need additional road revenues.

The City currently has \$555,000 in available B&C monies. If a gas tax increase is enacted the City could receive an additional \$103,570 in B&C monies. If the 0.25% sales tax increase passes, the City could receive an additional \$180,472 in revenues. If the City implements a transportation utility fee it would generate approximately \$208,800. If the City implements a transportation impact fee of \$1,000 it would generate approximately \$75,000 per year. State and federal road grant opportunities are largely dependent upon the cost of the project and the City’s ability to provide matching funds. If the transportation utility fee and transportation impact fee are enacted, the revenues generated by those fees coupled with B&C road monies could accomplish the following:

- **1-5 Year**
 - Complete \$6 million in road maintenance
 - Set aside/expend \$500,000 for new construction projects (leveraged much higher by grants; ROW purchase is priority)
- **6-10 Year**
 - Complete \$4 million in maintenance
 - Set aside/expend \$3 million for new construction projects (leveraged much higher by grants)

The outcomes of the proposal include boosting the City’s average RSL from 8 years, to 12 years; saving \$25 million in future road rebuild expenses; and beginning construction of necessary road projects that have been planned for years. Alternative funding approaches include:

- **Property Tax Increase:** This alternative would involve a property tax increase to generate revenues to fund increased road maintenance. The size of the tax increase would be between 15-20% (a total increase of \$27-37 per year for the average North Ogden home).
- **Cuts in other Programs:** This alternative would involve significant cuts in other areas, such as parks and recreation or personnel in order to fund increased road maintenance.
- **Bond & Tax Increase:** This alternative would involve issuing \$3-5 million in bonds in order to complete the majority of the recommended maintenance in a relatively short timeframe. A property tax increase would provide the revenues to pay back the bonds. The property tax increase would be about 10% (or about \$19 per year for the average home), but we would be paying back the bonds for up to 30 years, spending millions on interest.
- **Do Nothing:** Wait and see what unfolds with the possible local option transportation sales tax and the Gas Tax. Consider options again in the future.

He then concluded by reviewing the pros and cons of each funding source, after which he invited public comment and a question and answer session among the public, City Council, and staff.

Dan Carter, 113 W. Elberta Drive, stated that he has learned that when replacing main artery roads in the City it is necessary to install a sub-base made of screened material that will build a solid base. He stated even some smaller roads should have a sub-base, which will prolong the life of City roads by allowing water a place to drain. He stated it is important to not throw good money after bad roads by trying to prolong the life of roads that cannot be saved. He stated that

when he was in the profession of building roads he made sure that all infrastructure underneath a road was in good working order so that it is not necessary to cut into a newly constructed road to repair other infrastructure. He agreed with the Council and Mayor that implementing a \$3.00 fee is a smart thing to do in order to meet the needs of residents and businesses in the City. He stated he worked building roads for 40 years and would be willing to offer his expertise to the City if needed.

Steve Rasmussen, 1092 E. 3250 N., referenced 1050 East and noted there are six or seven locations where someone has trenched across the road for various purposes and those trenches now have pot holes. He asked if the City is capable of filling those holes or if the work must be contracted out. Mr. Hartvigsen noted the majority of that type of work is contracted out. Mayor Taylor noted that the only maintenance the City performs in house is crack-sealing. Mr. Rasmussen asked if it is correct that a project to repair 1050 East would be done by the revenues generated by the proposed transportation utility fee. Mayor Taylor noted that an overlay could repair some of the issues on 1050 East, but that project is not on the current year overlay plan. Mr. Rasmussen stated that many cities deal with deteriorating roads as well, but he is intimately familiar with many roads in North Ogden that are in very bad shape; if they are allowed to deteriorate further there will be major problems. He stated he does not want his property taxes raised, but he understands that if nothing is done in the near future the situation will only worsen; he feels the most effective measure the City can take is to implement an impact fee for new construction and the transportation utility fee. He feels it would be very detrimental to wait 10 more years to work on needed projects and it would also be wise to seek grant funds and potentially consider bonding to complete repair or construction projects.

John Arrington, 254 E. 2900 N., stated that having driven on one of the worst roads he has been on in a long time, he is not present to speak against the transportation utility fee; however, he wondered if measures are being taken to ensure that the same level of general fund monies currently being dedicated to transportation needs remains constant. Mayor Taylor noted that recently passed gas tax legislation mandates that cities maintain the same level of general fund contributions to transportation for the next five years. He stated he is hopeful that the funding contribution does not change after the expiration of that five year period. Mr. Arrington stated he would recommend against the use of revenues generated by a sales tax increase for transportation; that is a general fund revenue and there are other things in the City that need to be funded by that revenue.

Council Member Bailey stated that if the sales tax is implemented by the County the revenues must be used for transportation and for no other purpose. Mayor Taylor added that his 10-year plan did not include revenues generated by a gas tax; any such revenues would increase the pace by which roads can be improved or new projects can be completed.

Council Member Urry referenced Mr. Rasmussen's comments about 1050 East and he inquired as to the number of trenches that have been dug in the road. Mr. Rasmussen answered between six and eight. Council Member Urry stated that it has been his experience that when things like that occur, contractors have done subpar work by reusing old material rather than putting new material in a trench. He asked if the City secures bonds for such contractors and he asked if the bond has been released before the work has been secured. Mr. Hartvigsen stated the City can

only require a one-year guarantee of work according to State Law. Council Member Urry asked if the trenches on 1050 East have failed within the year or after the year has expired. Mr. Hartvigsen noted those kinds of deficiencies usually take longer than one year to manifest; however, if the problems present themselves in one year the City can go after the contractor and require them to fix them. Council Member Bailey asked if the City inspects each project to ensure that contractors are compacting the ground and completing patches according to the City's construction standards. Mr. Hartvigsen stated it is not possible to inspect every road cut and patch, but inspections are completed on as many of these types of projects as possible; the City would need more inspectors if there was an expectation to inspect every such project. Mayor Taylor added it may also be an option to contract with private companies or individuals that are certified to perform inspections.

Bob Buswell, 962 E. 3025 N., asked how much private property the City has purchased for the Monroe Boulevard extension project. Mayor Taylor stated that no property has been purchased to date, but the City has extended offers for five parcels. The City was awarded a \$2 million grant for property acquisition for the project and it has taken some time to complete appraisals and engineer the project alignment.

Ginger Heaton, 869 E. 3400 N., stated that she came to the meeting tonight feeling opposition to the transportation utility fee, but she has been convinced that the fee is needed. She likes the idea of saving for the projects rather than going into debt to fund projects. She added she also is not supportive of property tax increases. She asked when the fee would take effect if it is enacted. Mayor Taylor stated that will be decided by the Council, but it would be his proposal to enact it this year.

Mary Settlemire, 2701 N. Mountain Road, stated she likes the proposal to enact a fee and she is also supportive of saving for the future. She stated that the roads need attention and it would be foolish to delay projects any longer. She stated she would be more than willing to pay \$3.00 a month to fund the needed projects.

Council Member Bailey stated that the Council will be considering the adoption of the 2015-2016 budget during their next meeting and this item will be on the table.

Council Member Satterthwaite stated that the Mayor and City Council are very hesitant to increase fees or rates of any kind; they would not bring this issue to the citizens if they did not feel there is a basis for implementing a fee. He stated he is anxious to get feedback from residents and he is convinced that as people become educated about the need for the fee they will be more understanding of the actions the Council may take. He encouraged residents to attend the June 16 meeting to hear final discussions regarding the issue. Council Member Bailey agreed and noted that the City Council is interested in building a long term solid financial base for the City and it is his opinion that bonding is an excuse for poor planning.

Council Member Swanson noted the City Council is keenly aware that the decisions they make can have an impact on residents and their finances; a \$3.00 fee may not sound like a lot, but the City Council understands that additional fees and taxes can compound and they have engaged in

long, laborious discussions with the goal of making the right decision and doing what is right for the City.

Council Member Stoker added that all members of the City Council are also residents and all decisions have the potential to personally impact them as well; they are very conservative and mindful of the impacts their decisions can make.

Mayor Taylor thanked the Council and those in attendance and reiterated that the Council will take final action on the 2015-2016 budget next Tuesday, which could include action on the proposed transportation utility fee.

2. **PUBLIC HEARING TO RECEIVE COMMENTS TO CONSIDER
AMENDMENTS TO ORDINANCE 11-11-5E & 11-12-4F PARKING
REGULATIONS**

A staff memo from City Planner Scott explained when the City Council is acting in a legislative capacity they have wide discretion. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically the criteria for making a legislative decision requires compatibility with the general plan and existing codes.

The Ranches PRUD project is short 33 visitor parking stalls. The applicant is requesting that the standards for visitor parking in PRUDs be modified to provide flexibility to count on street parking as part of the visitor parking calculation. Similar standards are found in the Group Dwelling chapter and these standards should also be looked at.

Research was conducted on how other cities treat visitor parking standards. There is no universal way that cities apply visitor parking standards, e.g., some cities have one standard for multi-family dwelling units and do not specify parking for the main use and visitor parking. North Ogden's approach to have a separate standard is also used.

The Planning Commission conducted a public hearing on this amendment on June 3, 2015. The Planning Commission previously reviewed this request on May 6, 2015. There were four options considered, i.e., allow visitor tandem parking, allow on-street parking to be considered for visitor parking, adjust the visitor parking formula, and provide for a parking analysis.

The four options are summarized below:

Tandem Option

- Allow tandem parking as long as it is for the same unit.
- Require that one of the tandem spaces be covered.
- Require any tandem parking pad to meet a size requirement, e.g., 10 feet wide by 20 feet in depth.

This option would allow tandem parking stalls to be used as visitor stalls in meeting the parking requirement. Practically, this is what occurs when visitors come. The above standards would insure that the parking space is of adequate size so that cars will not be parked across sidewalks, it can't be used by other than the same unit, and one of the stalls would be covered.

On-street Option

- Allow some on-street parking to count toward the visitor parking requirement.

This option would allow on-street parking to be used in the parking calculation. Again, practically speaking on-street parking is used by visitors albeit not as convenient. The city already has standards for not allowing overnight on-street parking.

Formula Option

- Lower the amount of visitor parking required from 1 space per two units to 1 space for 4 units.

This option would lessen the visitor parking standard in half. It would still not solve The Ranches deficit. Many cities are reducing standards in general; however, this option should be examined at a later time.

Parking Analysis Option

- Allow the zoning administrator to review a parking analysis provided by the applicant demonstrating the suitability of the number of parking stalls.

This option would require the applicant to provide a parking study demonstrating the adequacy of the parking for the project. It would require an additional expense and possibly be overkill to provide this information.

The Planning Commission concluded that a combination of adjusting the visitor parking ratio and allowing tandem parking with defined standards is appropriate. The parking ratio is recommended to be amended from 1 stall per 2 dwelling units to 1 stall per 4 dwelling units. Allowing tandem visitor parking is recommended with certain restrictions, i.e., both the required parking stalls and visitor tandem parking stalls must be for the same dwelling unit, one of the tandem parking stalls must be enclosed, and establishes a tandem parking pad size requirement of 10 feet in width by 20 feet in depth.

The General Plan calls for "All development in the community should be built on land suitable for the intended use."

"All existing and new development should be required to fairly and uniformly provide improvements according to city standards."

Zoning Ordinance

Suggested improvements for the city of North Ogden Zoning Ordinance include the following.

(1) Update the Zoning Ordinance to allow for a variety of current housing types.

Housing

A variety of housing opportunities should be available to the citizens of the City. Quality residential development will be measured by design, maintenance, preservation of community resources, and open space.

The memo offered the following summary of potential Planning Commission considerations:

- Is the proposal consistent with the General Plan?
- Is the flexibility of design for an amended visitor parking standard appropriate?

The Planning Commission recommends that the City Council adopt the amendment to adjust the visitor parking ratio and allow tandem parking with conditions.

Mr. Scott reviewed his staff memo.

Council Member Swanson asked why there is a necessity for tandem parking and a reduction in the visitor parking ratio. Mr. Scott explained the Planning Commission felt that both requests were reasonable. Council Member Swanson stated that making the amendment for tandem parking would solve the issue in The Ranches PRUD and he cannot imagine another situation in another development where the tandem parking amendment would not solve a similar issue. Mr. Scott stated that may be the case.

Council Member Satterthwaite stated that if the recommendation is approved, the number of visitor parking stalls in this type of development will essentially be cut in half. Mr. Scott stated that is correct.

Council Member Urry stated he has been concerned about the availability of parking in the townhome development behind the North Point Theater and he inquired as to the visitor parking ratio in that development. Mr. Scott stated he is unsure of the answer to that question and would need to do some research. Council Member Urry stated that if the proposed ordinance amendments would allow similar parking ratios in other developments, he would vote against the Planning Commission's recommendation.

Council Member Bailey asked if adoption of the ordinance would result in modification of parking requirements for all multi-family developments in the City. Mr. Scott answered yes. Council Member Bailey stated he is concerned by that. He then asked for more information regarding tandem parking. Mr. Scott explained tandem parking is the parking area located in a driveway to a home or unit; the City's ordinance currently does not count tandem parking spaces towards the parking requirement within group dwellings or PRUDs and that has resulted in some developers constructing very short stub driveways that can cause hazardous conditions in his opinion. He stated the proposed ordinance amendment will encourage developers to build full driveways because the parking space on those driveways will count towards the parking requirements.

The Council then engaged in a discussion regarding the difference between the tandem parking and visitor parking ratio, ultimately concluding they would like staff to conduct further research regarding the visitor parking ratios in group dwellings or PRUDs.

Council Member Bailey asked if there is a way to craft the ordinance so that it would only affect PRUDs and no other multi-family types of development. Mr. Scott reiterated the ordinance would only apply to PRUDs and group dwellings and would not have any impact on single family residential developments. City Attorney Call added that the City is now requiring PRUD developments to have full-width roads, so there will be opportunities for on-street parking within those developments though that will not be counted towards the parking requirements. He noted he feels staff has been working to address congestion issues within PRUD developments and the question becomes whether the parking spaces in a unit's driveway should count towards the parking requirements. Mayor Taylor added that he feels the ordinance amendments are appropriate and indicated that this is not simply a reaction to a request of a developer, but, rather, is a staff effort to improve PRUD and group dwelling developments throughout the City.

Mayor Taylor opened the public hearing at 10:01 p.m.

John Hansen, Real Estate Agent for the developer of The Ranches PRUD, noted that some on the Council may feel that developers are trying to push things as far as possible, but he feels that North Ogden is in a transition where there is a desire for different commercial and residential developments; there is also a need to generate additional revenue for the City and he feels staff has done an excellent job in trying to solve the parking issue in PRUD and group dwellings so that developers are enticed to build projects in North Ogden. He stated The Ranches PRUD will have adequate parking for owners and visitors; all units will be owned by one owner and will be rented to tenants and there will be strict rules within the lease agreements regarding the fact that tenants cannot use their garages for storage and use their driveways for parking their vehicles. He added that the visitor parking spaces will be used for visitor parking only and there will be penalties associated with violating the parking rules in the lease agreements. He added that the parking provided in the proposed development will actually exceed the City's requirement by 38 stalls, though some of those stalls are not counted towards the City's ratio. He stated he would never be supportive of a design similar to the one used in the development behind the North Pointe Theater because he does not feel there is adequate parking there and that some of the parking situations are causing safety problems.

Council Member Satterthwaite indicated the Planning Commission has recommended a visitor parking ratio of one parking stall per every four units and he asked if The Ranches PRUD meets that parking requirement or the old parking requirement of one stall for every two units. Mr. Hansen stated that for every unit there are two tandem stalls and he is asking that one of those tandem stalls count towards the visitor parking requirement.

Mayor Taylor asked if The Ranches would meet the parking requirements of the ordinance if only the change pertaining to tandem parking were approved. Mr. Scott stated that if the tandem parking change were approved, but not the visitor parking ratio, The Ranches PRUD would comply with the ordinance; however, if the opposite occurred and the tandem parking change is not approved, the project would not comply.

Discussion then centered again on the visitor parking ratio compared to the tandem parking issue, with Mr. Call noting that the Planning Commission was not adamant that the two items be considered together, but they did feel tandem parking was appropriate and that the change to the

visitor parking ratio would not create significant problems. He added, however, that with any legislative decision the Council has the ability to choose which items to take action on with the option to table the entire proposal altogether until additional information is available.

Council Member Urry noted he is not comfortable adjusting the visitor parking ratio at this time, but he would be comfortable accepting the recommendation regarding tandem parking; this will give The Ranches PRUD the opportunity to proceed and the City can observe how it functions and whether there are parking problems. He added the Council can reconsider the visitor parking ratio at a future date if appropriate.

Steve Rasmussen, 1092 E. 3250 N., stated that people that live in PRUD or group dwelling developments can accommodate one or two visitors, but he would not be in favor of reducing the visitor parking ratio because if there are four or five visitors during an event such as a family gathering there would not be adequate parking or the visitors would use other owners' visitor parking stalls and cause congestion issues. He stated that he has experienced that situation personally and it was very difficult. He feels the City is responsible to ensure there is adequate parking within these types of developments.

Mr. Hansen stated that he is not asking to reduce the visitor parking ratio; he is only asking that one tandem parking stall be counted towards the visitor parking ratio in order to meet the City's parking requirements. He stated he feels The Ranches PRUD project is a great project. He added that the City has made changes to the development requirements for this type of project; developers are now required to provide wider public streets and increased parking, but he feels it is appropriate for the City to compromise somewhat and make some concessions regarding visitor parking.

Council Member Bailey stated that his only concern is that the proposed ordinance would apply to all PRUD and group dwelling developments and not just The Ranches PRUD. Council Member Satterthwaite agreed and stated he would like additional information regarding how the proposed ordinance would impact other future developments. Mr. Hansen stated he is willing to wait for the Council to take action on the item to ensure that they are comfortable that the developer he is representing will create a quality development, but he is hopeful they will move quickly.

Council Member Swanson motioned to close the Public Hearing. Council Member Bailey seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

Public Hearing closed at 10:17pm

4. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING ORDINANCE 11-11-5E & 11-12-4F

The Council continued general discussion regarding the proposed ordinance, with the consensus to proceed with the change dealing with tandem parking and tabling action on the change dealing with the visitor parking ratio. Mayor Taylor suggested that the Council table the entire ordinance in order for staff to make the changes requested by the Council; the ordinance could then be brought back before the Council during the June 16 meeting.

Council Member Urry motioned to allow tandem parking but not change the visitor parking ratio.

Council Member Satterthwaite stated he would like to hear more from the Planning Commission regarding the basis for their recommendation.

Council Member Bailey stated he is supportive of separating the two issues and acting upon them independent of one another.

Council Member Swanson seconded Council Member Urry's motion.

Mayor Taylor clarified that his understanding of the motion is that staff be directed to prepare a final ordinance to allow the Council to act on the tandem parking recommendation independent of the visitor parking ratio recommendation.

Council Member Bailey supported Council Member Satterthwaite's request for more information from the Planning Commission regarding their recommendation to change the visitor parking ratio.

Council Member Satterthwaite suggested that the motion be amended to table the entire issue to give the Planning Commission the opportunity to provide more information regarding their recommendation during the June 16 meeting. Council Member Urry indicated he is not willing to amend his motion. He asked that the Mayor call for a vote on his motion. Mayor Taylor added that another Council Member has the ability to make a substitute motion as well.

Council Member Satterthwaite made a substitute motion to table the entire issue and wait for the Planning Commission to provide additional information regarding their recommendation during the June 16 meeting. Council Member Bailey seconded the motion.

Discussion regarding the substitute motion ensued, with Council Member Swanson stated he feels it would be more sensible to direct staff to prepare two different motions for the Council to consider: one that includes both recommendations of the Planning Commission and one that only includes the tandem parking recommendation. Council Member Satterthwaite indicated he is comfortable with that direction as well.

Voting on the motion:

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

The substitute motion passed unanimously.

5. PUBLIC COMMENTS

There were no public comments.

6. COUNCIL/MAYOR/STAFF COMMENTS

There were no additional comments.

7. ADJOURNMENT

Council Member Satterthwaite motioned to adjourn. Council Member Urry seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

The meeting adjourned at 10:35pm

Brent Taylor, Mayor

S. Annette Spendlove, MMC
City Recorder

Date Approved