



MINUTES OF THE SOUTH OGDEN CITY COUNCIL WORK SESSION AND CITY COUNCIL MEETING

TUESDAY, JULY 21, 2020

WORK SESSION – 5 PM IN COUNCIL ROOM

COUNCIL MEETING – 6 PM IN COUNCIL ROOM

WORK SESSION MINUTES

COUNCIL MEMBERS PRESENT

Mayor Russell Porter, Council Members Sallee Orr, Brent Strate, Susan Stewart, Mike Howard, and Jeanette Smyth Note: Council Member Smyth joined the meeting via the Zoom meeting app.

STAFF MEMBERS PRESENT

City Manager Matt Dixon, City Attorney Ken Bradshaw, Assistant City Manager Doug Gailey, Parks and Public Works Director Jon Andersen, Fire Chief Cameron West, Police Chief Darin Parke, Field Supervisor Jason Brennan, Information Services Manager Brian Minster, Special Events Coordinator Jamie Healy, and Recorder Leesa Kapetanov Note: City Attorney Ken Bradshaw and Police Chief Darin Parke joined the meeting via Zoom.

CITIZENS PRESENT

No one else was present for the work session

Note: The time stamps indicated in blue correspond to the audio recording of this meeting, which can be found by clicking the link

https://www.southogdencity.gov/document_center/Sound%20Files/2020/CC200721_1703.mp3 or by requesting a copy from the office of the South Ogden City Recorder.

I. CALL TO ORDER

- Mayor Porter called the meeting to order at 5:06 pm and entertained a motion to begin.

00:00:00

Council Member Strate so moved, followed by a second from Council Member Howard. Council Members Orr, Strate, Stewart, Howard, and Smyth all voted aye.

II. REVIEW OF AGENDA

Council Member Stewart requested they change the order of Items VII A and B.

00:00:15

III. DISCUSSION ITEMS

A. Update on Club Heights Park- Jon Andersen

- Overview 00:00:58
- Discussion 00:05:57

B. Update on Recycling

- Overview by City Manager Dixon 00:24:43

C. Storm Water 101

- Presentation by Parks and Public Works Director Jon Andersen (see Attachment A) 00:36:08

IV. ADJOURN

At 5:59 pm, Mayor Porter called for a motion to adjourn the work session.

Council Member Howard moved to adjourn, followed by a second from Council Member Strate. The voice vote was unanimous in favor of the motion.

00:53:25

COUNCIL MEETING MINUTES

COUNCIL MEMBERS PRESENT

Mayor Russell Porter, Council Members Sallee Orr, Brent Strate, Susan Stewart, Mike Howard, and Jeanette Smyth Note: Council Member Smyth joined the meeting via the Zoom meeting app.

STAFF MEMBERS PRESENT

City Manager Matt Dixon, City Attorney Ken Bradshaw, Parks and Public Works Director Jon Andersen, Fire Chief Cameron West, Information Services Manager Brian Minster, Special Events Coordinator Jaime Healy, and Recorder Leesa Kapetanov Note: Police Chief Darin Parke joined the meeting via Zoom.

CITIZENS PRESENT

Bruce and Joyce Hartman, Leonard Postel

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https://www.southogdencity.gov/document_center/Sound%20Files/2020/CC200721_1801.mp3

or by requesting a copy from the office of the South Ogden City Recorder.

I. OPENING CEREMONY

A. Call To Order

- Mayor Porter called the meeting to order at 6:01 pm and called for a motion to convene

00:00:06

Council Member Strate moved to begin council meeting, followed by a second from Council Member Howard. In a voice vote Council Members Orr, Strate, Stewart, Howard, and Smyth all voted aye.

B. Prayer/Moment of Silence

The mayor led those present in a moment of silence.

C. Pledge Of Allegiance

Council Member Jeanette Smyth led the Pledge of Allegiance.

II. PUBLIC COMMENTS

- The mayor opened the meeting to public comment for those present and instructed those on Facebook they could submit comments until 6:15 pm. No one in the Council Room came forward. 00:01:23
- City Recorder Kapetanov stated she had received several public comments via email which she had included in the packet and would make part of the public record. See Attachment B. 00:02:06

III. RESPONSE TO PUBLIC COMMENT

See later in the minutes.

IV. RECOGNITION OF SCOUTS/STUDENTS PRESENT

No scouts or students were present.

V. CONSENT AGENDA

- A. Approval of July 7, 2020 Council Minutes
- B. Set Date for Public Hearing (August 4, 2020 at 6:05 pm) to Receive and Consider Comments on the Proposed FY2021 Budget Which Includes a Property Tax Increase
 - Mayor Porter read the consent agenda and asked if there were any questions or comments. No one responded. He then called for a motion. 00:02:45

Council Member Smyth moved to approve the consent agenda. The motion was seconded by Council Member Howard. There was no further discussion. The voice vote was unanimous in favor of the motion.

VI. PUBLIC HEARING

To Receive and Consider Comments on the Following Items:

- A. City's Intent to Continue Not Charging Itself for Water, Sewer, and Storm Drain Used For Normal City Operations During FY2021
- B. Proposed Utility Franchise Fee Transfers from the Enterprise Funds to the General Fund

- Staff overview of public hearing items
00:03:36
- Motion to open public hearing
00:08:58

Council Member Strate moved to open the public hearing. Council Member Howard seconded the motion. All present voted aye.

- Mayor Porter invited those present who wished to comment to come forward. No one came forward. The mayor then announced that comments for the public hearing would be accepted until 6:20. He called for a motion to close the public hearing but keep the record open for comment until 6:20 pm.

Council Member Smyth so moved, followed by a second from Council Member Orr. Council Members Orr, Strate, Stewart, Howard, and Smyth all voted aye.

VII. DISCUSSION/ACTION ITEMS

A. Consideration of Resolution 20-20 – Ratifying an Agreement for Use of Community Development Block Grant Funds

- Staff overview 00:10:00
- Discussion 00:11:02
- Motion 00:14:55

Council Member Smyth moved to approve Resolution 20-20. Council Member Howard seconded the motion. Mayor Porter asked if there was further discussion, and seeing none, he called the vote:

Council Member Orr -	Yes
Council Member Strate -	Yes
Council Member Stewart-	Yes
Council Member Howard -	Yes
Council Member Smyth -	Yes

Resolution 20-20 was adopted.

- Mayor Porter went to Item C next

C. Consideration of Resolution 20-22 – Approving and Agreement with Wasatch Front Football League for 2020 Season

- Staff overview 00:15:25
- Council discussion 00:17:34

- Motion 00:22:30

Council Member Howard moved to adopt Resolution 20-22. The motion was seconded by Council Member Strate. Council Member Orr asked some questions about the costs. **The mayor then called the vote:**

Council Member Smyth -	Yes
Council Member Howard -	Yes
Council Member Stewart -	No
Council Member Strate -	Yes
Council Member Orr-	Yes

The agreement was approved.

B. Consideration of Resolution 20-21- Approving an Agreement with Wasatch Physical Therapy for Concussion Protocol Services

- Staff overview 00:23:56
- Council discussion 00:25:30
- Motion 00:31:00

Council Member Smyth moved to adopt Resolution 20-21. Council Member Howard seconded the motion. After determining there was no further discussion, the mayor called the vote:

Council Member Howard-	Yes
Council Member Strate -	Yes
Council Member Stewart -	Yes
Council Member Smyth -	Yes
Council Member Orr -	Yes

Resolution 20-21 was approved.

- Mayor Porter asked if any public comments had been made via Facebook. Information Services Manager Brian Minster read comments from the following:

<u>Dena May</u>	00:31:46
<u>Joshua Payne</u>	00:32:20

VIII. RESPONSE TO PUBLIC COMMENTS

00:33:01

VIII. REPORTS/DIRECTION TO CITY MANAGER

- A. City Council Members
 - Council Member Smyth - 00:40:15
 - Council Member Orr - 00:41:42
 - Council Member Howard - 00:43:23
 - Council Member Stewart - 00:43:43
 - Council Member Strate - 00:44:35
- B. City Manager 00:49:29
- C. City Attorney Nothing to report
- D. Mayor Porter 00:50:44

IX. RECESS CITY COUNCIL MEETING AND CONVENE INTO AN EXECUTIVE SESSION

Pursuant to UCA §52-4-205 1(a) to discuss the character, professional competence, or physical or mental health of an individual

- Mayor Porter indicated it was time to enter into an executive session. He dismissed those who were not involved in the executive session and then called for a motion to recess city council meeting and enter into an executive session to discuss the character, professional competence, or physical or mental health of an individual

00:52:21

Council Member Howard so moved, followed by a second from Council Member Strate. Council Members Orr, Strate, Stewart, Howard, and Smyth all voted aye.

The council remained in the Council Room for the executive session, which began at 6:54 pm.

X. CLOSE EXECUTIVE SESSION, RECONVENE CITY COUNCIL MEETING, AND ADJOURN

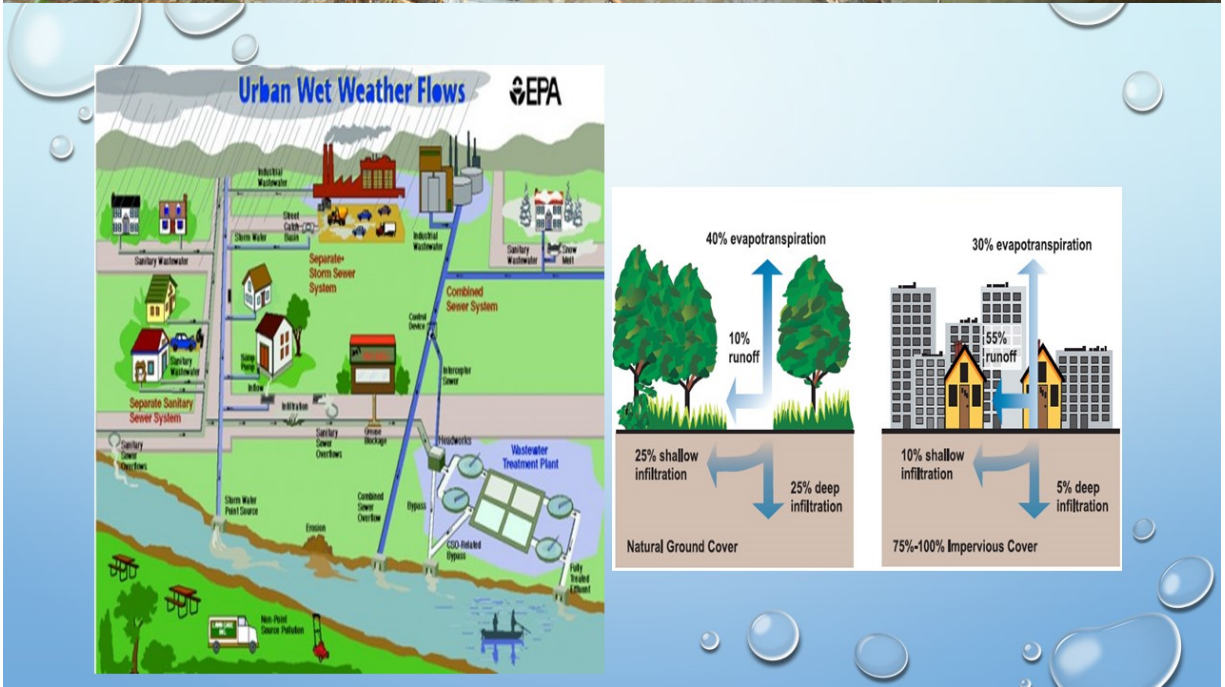
At 8:03 pm, Council Member Strate moved to close the executive session, reconvene city council meeting, and adjourn. Council Member Howard seconded the motion. The voice vote was unanimous in favor of the motion.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Pre-Council Work Session and Council Meeting held Tuesday, July 21, 2020.


Leesa Kapetanov, City Recorder

August 4, 2020
Date Approved by the City Council

ATTACHMENT A
Presentation by Jon Andersen



STORM WATER SYSTEM IS A TOOL FOR MANAGING THE RUNOFF FROM RAINFALL AND SNOWMELT.

WHEN RAINWATER LANDS ON ROOFTOPS, PARKING LOTS, STREETS, DRIVEWAYS, AND OTHER SURFACES THAT WATER CANNOT EASILY GO THROUGH IT BECOMES STORM WATER RUNOFF.

THE RUNOFF THEN ENTERS GUTTERS, GRATES, PIPES, PONDS, ETC. TO HELP PREVENT FLOODING AND REMOVE POLLUTANTS.

THEN FLOWS SAFELY TO GROUND OR OUR STREAMS, LAKES, AND RESERVOIRS.



STORM WATER SYSTEMS TYPES

- STORM WATER SYSTEMS COME IN A VARIETY OF SHAPES, SIZES, AND FORMS.
- BASICALLY TWO TYPES
- 1- RETENTION – DESIGNED TO RETAIN RUNOFF AND ALLOW WATER TO SEEP THROUGH THE SOIL.
- 2- DETENTION – DESIGNED TO ALLOW POLLUTANTS TO SETTLE AND BE ABSORBED, AFTER THE STORM WATER SLOWLY DRAINS FROM THE POND THROUGH A PIPE IN THE “OUTFLOW” STRUCTURE.



SOUTH OGDEN CITY STORM SYSTEM

- TWO STATE CERTIFIED STORM WATER INSPECTORS ON STAFF
- 153,015 LINEAR FT – STORM DRAIN PIPE
- APPROXIMATELY 29 MILES
- PIPE SIZES FROM 4" TO 66"
- APPROXIMATELY 2078 INLET BOXES
- SIX GRATES
- TWO DAMS (ORIFICE PLATE & HYDRAULIC)
- NINE DETENTION PONDS
- THREE RETENTION PONDS – ALL ON CITY PROPERTY
 - FUTURE ONE TO BE BUILT AT CLUB HEIGHTS



STORM INFRASTRUCTURE LOCATED IN SOUTH OGDEN CITY

- THE FOLLOWING STORM WATER INFRASTRUCTURE ARE LOCATED IN SOUTH OGDEN CITY BOUNDARIES, MAINTAINED BY THE PROPERTY OWNER BUT AN ANNUAL INSPECTION IS COMPLETED BY SOUTH OGDEN CITY.
- 69 DETENTION PONDS
- 1 RETENTION PONDS
- THE PROPERTY OWNER IS RESPONSIBLE TO RETAIN 90% OF A 100 YEAR STORM
- ALL NEW DEVELOPMENTS ARE REQUIRED BY UTAH DIVISION OF WATER QUALITY AND SOUTH OGDEN TO FOLLOW THE CONSTRUCTION GENERAL PERMIT OVERSEEN BY ENVIRONMENTAL PROTECTION AGENCY.
- A SITE BEING DEVELOPED WILL HAVE A MONTHLY STORM WATER INSPECTION COMPLETED BY SOUTH OGDEN. THE CONSTRUCTION COMPANY IS REQUIRED TO COMPLETE THE INSPECTION MONTHLY AND AFTER EVERY RAIN EVENT OR EVERY TWO WEEKS.

Storm Sewer Fees

Last Amended Aug. 20, 2019 by Resolution 19-47

Residential Storm Drain Fee	Duplex Storm Drain Fee	4- Plex Storm Drain Fee	Commercial Storm Drain per ERU
\$ 11.25/mo.	\$16.87/mo.	\$22.48/mo.	\$11.25/ERU

Land Drainage Fees

Description	Amount
Curb cut fee	\$ 200
Curb replacement fee*	\$ 200
Monthly fee for drainage of impervious surfaces to curb	\$ 3
Land drainage fee	\$ 6
Permit Fee**	\$ 50

These land drainage fees apply only to those residences where roof and drainage are not being retained on the owner's property, and are being drained into City gutters. These fees do not apply to homes built prior to October 11, 1962.

* Fees apply only to buildings built since October 11, 1962

** Added as of 14 Oct 03

CAPITAL FACILITIES PLAN 11-2013

- **SEVEN CURRENT PROJECTS**
 - 1- 40TH ST BETWEEN ORCHARD & PORTER - COMPLETED
 - 2- 40TH ST BETWEEN NORDIN & ORCHARD - COMPLETED
 - 3- GLASMANN WAY BETWEEN 89 & BURCH CREEK
 - 4- 40TH ST BETWEEN ADAMS & WASHINGTON
 - 5- 42ND BETWEEN LIBERTY & ADAMS AND ON ADAMS AVE BETWEEN 42ND & 4350 S.
 - 6- 40TH ST BETWEEN WASHINGTON & BURCH CREEK
 - 7- 657 E BETWEEN BELMAR DRIVE AND 36TH AND ON 36TH BETWEEN 675 & JEFFERSON
- **THIS PLAN WILL BE UPDATED THIS FALL WITH PROJECTS BEING REMOVED AND MORE ADDED**
 - 5-6 MORE PROJECT ARE BEING LOOKED AT.

ATTACHMENT B

Public Comments Emailed Previous to Meeting

From: Susan D
Sent: Wednesday, July 15, 2020 1:51 PM
To: Leesa Kapetanov
Cc: Matt Dixon
Subject: Re: Next Council Meeting
Attachments: image003.png

Follow Up Flag: Follow up
Flag Status: Flagged

Here are the comments provided by folks so far, including my own:

Susan DeBruin
3839 Orchard Ave

Below are comments from various South Ogden City residents who, like me, support legalizing small flocks of backyard chickens. Currently, we have a petition with 43 households in favor of legalizing chickens for which we are continuing to gather signatures (albeit, slowly due to social distancing).

I have spoken to 4 our councilmembers on this topic, and since those conversations I have done a great deal of research. I believe we can address any remaining concerns regarding allowing chickens as pets in South Ogden, and I will be reaching out again to further discuss. Thank you all for your attention in this matter. - Susan

Rick Leishman
3885 Orchard Avenue

The current COVID-19 pandemic we current find ourselves in as well as the quarantine requirements have made the Idea and NEED to be more self sufficient a stark reality. There are some answers that will need to be addressed but a few city meetings would resolve those concerns adequately. Smaller and more densely populated cities surrounding South Ogden City have adopted laws allowing laying hens for individual home owner needs as long as th ey are non comercial.

Jared Randall
864 E. Burch Creek Hollow

Research shows there are many community benefits of backyard female chickens. One in particular that I appreciate is the reduction of insect /pests that the chickens consume, thereby reducing the amount of pesticides used.

Ammon Nelson
512 Leona Dr

I would probably not choose to raise chickens, myself, but I firmly believe it is something that the city should allow.

Cassie Starr
3647 S. Monroe Boulevard
I am not able to keep chickens, but my neighbor should be allowed to.

Jessica Quigley
4029 Porter Ave
When I first moved to Utah 5 years ago I was excited about the state's self-proclaimed push for self-sustainability. Then I was frustrated to learn that it doesn't extend to backyard chickens due to lack of understanding and proper research on the cities part. I've participated in multiple city hall meetings about chickens and though I have degrees in both animal & food sciences and wildlife biology, my & many other knowledgeable opinions were ignored entirely and chickens were sidelined for prejudiced reasons for the council that's was sitting at the time of those meetings; sound logic or science was not taken into consideration at all. I encourage all the current councilmen and women to go visit both a local farm operation as well as someone with backyard chickens to see what they are like in real life, as well as doing their own research on what many other states and cities have passed in sound logic.

William Visser
4849 Ben Lomond Ave
It's ridiculous that this municipality does not allow chickens but they allow people to neglect their yards and let parts of the town fall into disarray.

Jody Grose
3751 Madison Avenue
We would love to have chickens at our home. Not only is it a teaching opportunity for our kids to learn some skills, but I'm trying times like now with COVID, it would be a huge help in giving us some food for our family in so many ways.

Joshua Payne
3796 Porter Ave
I grew up raising chickens in Ogden Valley, and am very familiar with facts vs. the false information that I have heard at past city council meetings.

Nicole Berthelemy
4920 Sunset Lane
Chickens are a valuable addition to a garden.

Anne-Marie Dunaway
1882 E 5625 S
It's really helpful to localize food!

Rayven Rizer
14 Yale Dr.
Chickens would be a great way to naturally control the abundance of ground pests that attack our gardens here in South Ogden.

Joshua Brooks
3888 Orchard Ave
Our chickens would be treated like pets, taken care of and not harming any neighbors or the environment. I respect my neighbors and neighborhood. Chickens would only be helping our community as we should have the choice to have them or not. As long as they're not bugging our neighbors and they are kept appropriately there shouldn't be any problems.

Tylor John Young
267 Chimes View Dr

We are in the middle of a world wide Pandemic with food shortages at every grocery store across the entire country. Raising chickens with an urban garden is not a luxury, it is a necessary addition to our homes in order to keep our families healthy.

Craig W Visser
4849 Ben Lomond

We have had earthquakes, a pandemic, we have had runs on the stores. We need to have everything to be self sufficient. We have food storage, we need chickens. They are quieter than all the dogs that bark all night and we have raccoons, quail, deer, skunks, and rattle snakes. So I see no reason that chickens are not allowed in city limits. The fact that some of the biggest densely populated municipality's in the country let alone Ogden city should be reason enough to allow this to pass. It should not be a crime to try and be self sustainable for family and neighbors. This state is known for its ability to sustain itself in a time of crisis. The fact that the people of this city are trying to return to the way of self sustainability is something to be applauded not punished.

From: Kathi Benson
Sent: Wednesday, July 15, 2020 3:52 PM
To: Leesa Kapetanov; Matt Dixon
Subject: Public Comment for July 21st City Council Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Kathi Benson

I have been fighting for FIVE years for backyard laying hens. I have rebutted all arguments that have been presented by Council members and watched other South Ogden citizens do the same over and over again. I gave up the chickens I had in 2016 and am very sorry that I did. As meat becomes tainted, destroyed, more expensive, and scarce with the Covid19 it would be beneficial to have chickens now for the protein (eggs).

Thank you for your time,
Kathi Benson