

**NORTH OGDEN CITY COUNCIL  
MEETING MINUTES**

March 12, 2024

The North Ogden City Council convened on March 12, 2024, at 6:00 p.m. at the North Ogden City Office at 505 East 2600 North.

Notice of time, place, and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on March 8, 2024.

Notice of the annual meeting schedule was posted on the bulletin board at the municipal office and posted to the Utah State Website on December 13, 2023.

**Note: The time stamps indicated in blue correspond with the recording of this meeting, which can be located on YouTube: <https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos> or by requesting a copy of the audio file from the North Ogden City Recorder.**

PRESENT:

S. Neal Berube	Mayor
Ryan Barker	Council Member
Blake Cevering	Council Member
Jay D Dalpias	Council Member
Chris Pulver	Council Member
Christina Watson	Council Member

STAFF PRESENT:

Jon Call	City Manager/Attorney
Rian Santoro	City Recorder
Scott Hess	Community and Economic Development Director
Dave Espinoza	Public Works Director/Assistant City Manager
Dirk Quinney	Chief of Police (Zoom)

VISITORS:

Kevin Burns	Kerry Wangsguard
Stef Casey	Jenifer McDonald
Phillip Swanson	Genevieve Payne
Charlotte Ekstrom	Mason Payne
Grant Protzman	Glenda Gantt
Sandy Cochran	Karen Mcintosh
Brenda Ashdown	Gari Manning
Craig Speechly	Susan Kilborn (Zoom)
Dave Robinson	Korilyn (Zoom)
Randy Winn	Margaret S. (Zoom)
John Arrington	

Mayor Berube called the meeting to order. Council Member Dalpiaz offered the invocation and led the audience in the Pledge of Allegiance.

## **PRESENTATIONS**

### **1. WATER-WISE LANDSCAPING INCENTIVE PROGRAMS**

**0:1:03** Jonathan Parry, Weber Basin Water Conservancy District Assistant General Manager, presented on the Weber Conservancy District's Conservation Programs, emphasizing the District's role as a regional water supplier and its commitment to water resource management. The presentation highlighted the need to meet regional conservation goals and outlined various conservation initiatives, including the Turf Incentive Program.

Council Members expressed interest in the program's administration and eligibility, with clarification provided on the process. Questions were also raised regarding participation from other cities, with information provided on existing partnerships. Additionally, the discussion touched on inspection procedures for compliance with program requirements.

*(See Attachment A: 2024 Weber Basin Water Conservancy District Conservation Program)*

## **CONSENT AGENDA**

### **2. CALL FOR CONFLICT OF INTEREST DISCLOSURE**

**0:13:12** No conflict of interest was disclosed.

## **ACTIVE AGENDA**

### **3. PUBLIC COMMENTS**

**0:14:17** Karen McIntosh, a North Ogden resident, recounted a water main break at her neighbor's house that caused significant damage to her property, with water flooding into their home. Despite having insurance with a high deductible, the City stepped in and provided financial assistance, which was greatly appreciated by her and her neighbors. Karen expressed gratitude for the City's responsiveness and assistance in mitigating the damage. She highlighted the importance of such support for residents and thanked the Council for their attention to the matter.

0:16:53 Grant Protzman, a North Ogden resident, presented a 10-slide presentation concerning Barker Park in relation to agenda item number 7. He highlighted the collaborative efforts between his organization and the community, showcasing over 1800 volunteer hours, equipment usage, and donations, including \$7,500 from supporting businesses. The mission statement aims to leverage the unique attributes of North Ogden to create a special and unique park. Phase two of Barker Park focuses on the island area between two tree-lined hollows, with emphasis on developing pathways and the Chicken Coop trail, which holds historical significance. Plans include restoring an orchard and adding benches and tables to enhance the visitor experience. Protzman proposed thematic enhancements, such as picnic canopies resembling covered wagons and octagon tables with recycled wood patches. He emphasized the importance of Council approval for the thematic approach and highlighted the intention to sell benches and tables at full price, with proceeds going towards a repair and maintenance fund.

*(See Attachment B: Barker Park)*

0:22:40 Genevieve Payne, a North Ogden resident, discussed the ongoing issue of flooding in her basement caused by large pieces of cement obstructing the City sewer line. She recounted the events leading up to the flooding in May 2023 and subsequent actions taken by her insurance company and the City. Despite efforts to hold the developer accountable, no clear evidence was found to suggest fault. Genevieve presented recent findings from testing conducted on the cement pieces, indicating that they originated from different locations and times, undermining the possibility of legal action against the developer. She argued that the responsibility for addressing infrastructure issues such as this lies with the City, not the residents. Genevieve highlighted the financial strain the flooding had caused and emphasized that the restoration costs far exceeded what her insurance covered. She questioned the fairness of placing the burden of responsibility on the residents for issues that should be managed by the City. Genevieve urged the Council to reconsider their decision not to provide financial assistance for the restoration of her basement, emphasizing the moral and ethical implications of their actions. She concluded by requesting the City to provide funds for the materials needed to complete the restoration work, as she and her husband face the daunting task of repairing their basement themselves.

0:29:23 Gari Manning, a North Ogden resident, addressed concerns related to both the previous topic and the water discussion. She highlighted the limitations of sewage insurance policies, noting that many do not cover damage inside the home, rendering them ineffective in cases of severe flooding.

Gari shared her experience with her mother's home being affected by a landslide and emphasized the importance of collaboration between homeowners and the City in such situations. She expressed concern about the condition of sewer mains located outside property boundaries and the lack of clarity regarding homeowners' responsibilities for maintenance. Gari urged the City to consider the challenges faced by homeowners and to be cautious in endorsing sewage insurance policies with limited coverage. She shared her own experience of recovering from a flood in 2015 and empathized with others facing similar challenges.

**0:33:01** Craig Speechly, a North Ogden resident, supported maintaining the current level of humanitarian aid. He argued that while the City should assist with damages it is liable for, the humanitarian fund wasn't meant to fully cover losses. Craig emphasized the availability of sewer backup insurance in the market and stressed the importance of personal responsibility for homeowners to secure adequate coverage. He expressed concerns about budget constraints and increased taxes if the aid limit were raised. Craig urged the Council to consider fiscal responsibility and fairness to all citizens in their decision-making process.

**0:38:59** Glenda Gantt, a North Ogden resident and mother to Genevieve Payne, expressed frustration with the City's response to her daughter's flooded basement. She highlighted that her own 1.6-million-dollar home didn't have flood insurance because she hadn't experienced any issues in her area. Glenda emphasized her daughter's responsible decision to carry \$10,000 in damage coverage, given the City's infrastructure issues. She described the traumatic impact on her grandson and the emotional toll on her family. Glenda criticized the disparity in compensation between her daughter and another resident whose basement flooded. She urged the City to take responsibility for the damage caused by its failing infrastructure and expressed disappointment in the perceived lack of fairness and empathy from the Council. Glenda affirmed her love for North Ogden but expressed concern about the City's response to the situation.

**0:44:02** Jenifer McDonald, a North Ogden resident, recalled her experience during the 1991 floods and emphasized that comparing those floods to the current situation is not relevant. She expressed concern about houses being built on unstable land and highlighted the City's responsibility for its infrastructure, especially regarding the sewer system. Jenifer disputed the idea of personal responsibility in this context, stating that the City should bear responsibility for issues arising from its infrastructure. She noted that insurance coverage for such incidents is difficult to find, making it impractical for homeowners to rely solely on insurance.

Jenifer emphasized the financial strain on affected families and underscored the inadequacy of a \$10,000 limit in covering repair costs. She urged City Officials to consider the practical realities of repair costs and the lack of viable insurance options for such incidents.

0:47:14 Phillip Swanson, a North Ogden resident and former North Ogden Council Member, provided historical context on the City's Humanitarian Policy. He recounted a previous incident involving a City waterline break, which led to the implementation of the policy due to the City's moral obligation. However, in the current incident involving the Paynes', no clear evidence implicates City infrastructure, such as the sewer lines, which have been found to be in perfect working order. Phillip highlighted the procedural aspects of the policy, emphasizing that the decision-making authority lies with the Mayor and Public Works Director, not the Council. He expressed sympathy for the Paynes' situation but acknowledged the complexities involved. Phillip commended the Council for their service and wished them luck in their deliberations.

4. **DISCUSSION AND/OR ACTION TO APPROVE RESOLUTION 03-2024, AMENDING A HUMANITARIAN POLICY FOR DAMAGE TO HOMES CAUSED BY WATER LINE BREAKS, SANITARY SEWER, OR STORM WATER LINES**

0:53:13 Mayor Berube and City Manager/Attorney Call discussed the City's Humanitarian Policy and its budgeting process. The policy involves allocating funds to aid citizens in times of need, particularly for restoration projects. City Manager/Attorney Call clarified that funds need to be budgeted before being disbursed, and sometimes the Council funds the program at the beginning of the year. Mayor Berube sought clarification on the policy's interaction with insurance proceeds. It was confirmed that humanitarian aid is only provided if insurance doesn't cover the full cost. The Council then discussed amending the current Humanitarian Policy to raise the limit from \$4,000 to \$10,000, as initially intended in 2018. Councilmember Barker was asked to lead the discussion on this matter, considering two issues: whether the Humanitarian Policy should continue and how to address the current situation.

Councilmember Barker clarified that City staff was involved in the cleanup and had notified the appropriate parties. He also highlighted a discrepancy in the online representation of the policy's intended amount, suggesting it should have been \$10,000 instead of \$4,000. He raised the question of whether there should be differential coverage for sewer and water cleanups, proposing potentially higher coverage for sewer incidents.

Mayor Berube sought clarification on the policy's funding source, which was confirmed to come from the Enterprise Fund related to the incident.

Council Member Pulver expressed concern about using taxpayer money for such claims, emphasizing the need for budgeting and questioning the necessity of City-funded assistance if insurance coverage is available. Other Council Members shared similar sentiments, with Council Member Dalpías noting his initial misunderstanding of the policy's intent and Council Member Watson expressing reservations about the eligibility of the current situation under the Resolution. Council Member Cevering recalled the Council's past decision to raise the coverage limit to \$10,000 and advocated for adhering to that decision.

Mayor Berube emphasized the need for clarity in the Resolution and questioned whether the situation met the criteria outlined. The discussion touched on the interpretation of the Resolution, the intention behind the policy, and the responsibility to budget for such incidents. Concerns were raised regarding the wording of the policy, particularly regarding the impact of private insurance coverage on the City's responsibility for assistance. It was noted that the homeowners had partial coverage from their insurance policy, leading to a debate about how this should affect the City's decision. Council Members expressed differing opinions on the adequacy of the policy and whether it needed revision or complete removal. Some argued that the policy was too ambiguous and open to interpretation, while others emphasized the City's duty to provide assistance in such cases.

**1:37:18 Council Member Barker motioned to pay an additional \$5,000, totaling \$10,000 as part of the Humanitarian Policy for the recent damage to the home and to approve the amendment to Resolution 03-2024. Council Member Cevering seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Dalpías</b>	<b>nay</b>
<b>Council Member Pulver</b>	<b>nay</b>
<b>Council Member Watson</b>	<b>nay</b>

**The motion failed on a 3 - 2 vote.**

1:38:32 Council Member Barker questioned the purpose of continuing the program if payments weren't being made due to budget constraints. Council Member Dalpiaz clarified his vote against the motion, expressing concern about the loss being partially covered by private insurance. Council Member Barker suggested revisiting the issue during budget discussions in July. Mayor Berube explained that the insurance company had already denied the claim, and the City was not liable. Council Member Cevering proposed eliminating the entire humanitarian assistance policy, citing a lack of clarity and precedence in other cities. Council Member Pulver echoed concerns about setting a precedent and expressed reluctance to use taxpayer money for such payments. Mayor Berube concluded that there was consensus among Council Members that the City shouldn't be involved in humanitarian efforts.

**Council Member Dalpiaz motioned to rescind Resolution 07-2018. Council Member Watson seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>nay</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Dalpiaz</b>	<b>aye</b>
<b>Council Member Pulver</b>	<b>aye</b>
<b>Council Member Watson</b>	<b>aye</b>

**The motion passed on a 4 to 1 vote.**

1:46:49 Council Member Barker motioned to recess the meeting for a 5-minute break. Council Member Pulver seconded the motion.

1:56:40 The meeting reconvened at 7:56 PM

**5. DISCUSSION AND/OR ACTION TO APPROVE A FRANCHISE AGREEMENT A3-2024 WITH CENTURYLINK QC**

1:56:40 City Manager/Attorney Jon Call presented a redlined version of the agreement with CenturyLink, based on standard franchise agreements with telecommunication companies.

One concern was a provision related to breach and another regarding underground installations. Mr. Call clarified that the City wanted most installations to be underground to avoid new power poles. He also mentioned a provision requiring payment for line relocation if the City initiated a project.

Mayor Berube raised concerns about previous charges for relocation when CenturyLink didn't have an easement.

Mr. Call suggested delaying the decision until a CenturyLink representative could attend the meeting. The Mayor asked the Council for their preference, and Council Member Dalpías proposed postponing the discussion to allow for input from CenturyLink.

**Council Member Dalpías motioned to postpone Franchise Agreement A3-2024 with CenturyLink QC. Council Member Cevering seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Dalpías</b>	<b>aye</b>
<b>Council Member Pulver</b>	<b>aye</b>
<b>Council Member Watson</b>	<b>aye</b>

**The motion passed unanimously.**

**6. DISCUSSION AND/OR ACTION FOR THE ACQUISITION OF WEBER COUNTY SURPLUS PROPERTY, PARCEL 16-049-0130**

2:06:12 Community and Economic Development (CED) Director, Scott Hess, presented a property in Weber County declared as surplus, offering over four acres for purchase by the City at a reduced price of around \$12,000. The condition requires the City to develop it into a park within five years, including restroom facilities and a drinking fountain. The challenging terrain and limited access were discussed, prompting concerns about feasibility.

Council Member Barker questioned the necessity of restrooms without proper access. CED Director Hess proposed a 60-day due diligence period to assess the project's feasibility.



The Council motioned to allow the Mayor to execute a purchase agreement with the inclusion of a due diligence period, demonstrating support for further exploration while addressing access and feasibility concerns.

**Council Member Watson motioned to approve the acquisition of Weber County Surplus Property, Parcel 16-049-0130 with a 60-day due diligence period and a 10-year timeframe to construct park improvements. Council Member Pulver seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Covering</b>	<b>aye</b>
<b>Council Member Dalpias</b>	<b>aye</b>
<b>Council Member Pulver</b>	<b>aye</b>
<b>Council Member Watson</b>	<b>aye</b>

**The motion passed unanimously.**

**7. DISCUSSION AND/OR ACTION ON REQUEST TO BEGIN THE DEVELOPMENT OF CHICKEN COOP HILL IN BARKER PARK**

2:21:14 Council Member Dalpias provided an update on the Barker Park Committee's progress. The Committee discussed focusing on the chicken coop area for initial development, as it would be more feasible than the island portion. They proposed starting with asphalt parking and a road-based pathway, along with an educational component highlighting the area's history. The orchard to the west would also be revived. Council Member Dalpias revisited the presentation slides previously shared and discussed earlier in the meeting by Citizen Grant Protzman. Council Member Dalpias sought conceptual approval from the Council, emphasizing that the project's success relies on donations, with no City funds currently allocated.

Mayor Berube expressed support for long-term planning and noted the need to amend the agreement to allow farming to continue. Council Member Pulver suggested utilizing City equipment for the project.

Council Member Watson highlighted the importance of encouraging donations to reduce future City costs.

Council Member Barker refrained from participating in the vote due to a conflict of interest.

(See Attachment B: Barker Park)

**Council Member Dalpiaz motioned to approve the development of Chicken Coop Hill in Barker Park with an amendment to allow farming to continue at the location and the development to be funded solely through donations. Council Member Pulver seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>abstain</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Dalpiaz</b>	<b>aye</b>
<b>Council Member Pulver</b>	<b>aye</b>
<b>Council Member Watson</b>	<b>aye</b>

**The motion passed unanimously.**

**8. DISCUSSION AND REVIEW OF NORTH OGDEN CITY CODE CHAPTERS 5-8**

2:3320 City Manager/Attorney Jon Call provided an overview of proposed amendments to the City Code. The amendments include minor changes suggested by a consultant and staff, with six main points outlined in the Staff Report.

One proposed change involves removing a section penalizing water pollution, as it is covered by State statutes. Another change seeks to rely on State definitions instead of including extra definitions in the City Code.

A separate section on housing discrimination, similar to Ogden City's Code, is also up for discussion, with a recommendation to rely on the State process.

Additionally, adjustments are proposed for definitions in section 8-1-3 and Public Works oversight in section 8-2-2.

Lastly, tree regulations and enforcement were discussed, including the formation of a tree board, with concerns raised about the practicality and necessity of some provisions.

Council Members expressed various questions and suggestions, including concerns about tree regulations and City-sponsored events potentially leading to overcrowding issues.

The City Manager/Attorney requested Council Members' feedback on the proposed amendments and concluded the discussion.

9. **COUNCIL DEPARTMENT REPORTS:**

a. Council Member Dalpias – Police Department

2:42:24 Council Member Dalpias gave a comprehensive update provided by Chief Quinney regarding the Public Safety Building's recent opening and the successful Open House event held last month. The excitement surrounding the new facility was evident, with positive feedback from both Council Members and Officers. The upcoming demolition of the old Police Department building was mentioned, along with anticipated office closures for safety reasons during the process. Additionally, details were provided about an upcoming drug takeback event at Smith's on April 27, 2024, encouraging residents to dispose of expired or unused medications properly.

Parking restrictions for winter will end on March 15, with appreciation expressed for snowplow drivers.

Lastly, a reminder was given to exercise caution with the arrival of warmer weather and longer days, especially regarding increased pedestrian and cyclist activity.

2:44:50 Mayor Berube discussed the ongoing search for a new Police Chief. The plan is to appoint a review board to assist in the selection process, with finalists' decisions brought to the full Council for approval. Several applications have been received, indicating progress in the search. Council Member Dalpias, due to his role as liaison to the police, has been asked to participate, and others interested can speak with the City Manager/Attorney to be added to the list.

b. Council Member Cevering – Building and Planning Departments

2:46:04 Council Member Cevering provided updates on the Building and Planning Departments stating that contractors have begun digging for new homes in the past few weeks, indicating ongoing construction activity.

Various projects, including subdivisions for America First Credit Union, and several eateries near 2600 N. Washington have been applied for.

White Rock Phase 3 received preliminary approval and will commence road and utility construction. Additionally, there is growing development interest in the City, with potential subdivisions being discussed, although no formal applications have been submitted at this time.

c. Council Member Barker – Parks Department

2:47:02 Council Member Barker provided updates on ongoing maintenance activities, including aerating, topdressing, and receding parks, with a focus on areas designated for soccer. He mentioned ongoing field maintenance contingent on weather conditions.

Demolition of the Lomond View playground has commenced, with preparations for a new playground installation underway.

Council Member Barker announced upcoming seasonal job postings and preparations for opening sprinklers and restrooms within the next month.

2:47:42 Mayor Berube discussed resident feedback concerning the pickleball courts. Council members, including Council Member Barker, acknowledged the concerns and expressed confusion about the slope of the courts.

Council Member Barker committed to investigating the issue and responding to the resident who had raised the matter. Additionally, there was mention of nearby residences and issues associated with the courts.

## 10. PUBLIC COMMENTS

2:49:49 Genevieve Payne, a North Ogden resident, expressed her dissatisfaction with the situation surrounding her entitlement to compensation. She believed she should have received \$10,000 since the approval in November but hadn't due to what she perceived as a lack of knowledge on the part of the Council. This omission left her feeling frustrated and questioning the fairness of the process.

She then shifted focus to the issue of cement in sewer lines causing flooding in homes, expressing concern about the potential dangers this poses and urging the City to investigate its source. Genevieve emphasized her disappointment and loss of trust in the City's handling of the situation, expressing a desire for transparency and ethical behavior from its leaders.

2:55:14 Phillip Swanson, a North Ogden resident, addressed two main points during the meeting. Firstly, he emphasized the importance of adhering to ADA requirements, particularly in the context of the Barker Park project. Phillip expressed concern about potential shortcuts being taken to avoid implementing ADA guidelines, especially in labeling pathways. He stressed the necessity of inclusivity for individuals with disabilities and urged the Council to ensure accessibility for all residents.

Secondly, Phillip brought attention to a recent attempted kidnapping incident in the area near his residence. He noted that several residents had contacted him, questioning why the City had not issued any warnings or alerts following the incident.

While acknowledging that it might not be City policy to do so, he conveyed the concerns expressed by residents regarding the lack of communication about the incident.

**2:57:55** Gari Manning, a North Ogden resident, expressed concern about the efficacy of sewer insurance and proposed exploring alternative solutions. She suggested implementing a process similar to regular dental check-ups for sewer pipes to ensure their maintenance. Gari emphasized the importance of considering requests for assistance on a case-by-case basis, taking into account aggravating and mitigating circumstances. She shared her own experience with the City's assistance in dealing with her mother's home after a landslide, highlighting the need for the City to step in when individuals have exhausted their resources

**3:02:54** Glenda Gantt, a North Ogden resident, passionately defended her daughter, expressing shock and disappointment at the Council's decision regarding her daughter's compensation for damages caused by flooding. She emphasized the importance of accountability, stating that mistakes should be acknowledged and rectified. Highlighting the City's responsibility in addressing the issue of flooding caused by concrete debris in the pipes, she urged Council Members to consider the impact on affected families, including her daughter's.

**3:07:54** Charlotte Ekstrom, a North Ogden resident, expressed gratitude to the Council for their challenging role in representing the community. She acknowledged the tight resource allocation in North Ogden and shared personal experiences of dealing with home-related challenges, such as floodwaters. Highlighting the community spirit in North Ogden, Charlotte praised the neighbors for coming together to help each other in times of need. She commended the Council Members for their willingness to volunteer and support community projects, emphasizing their collective commitment to helping one another. Charlotte concluded by thanking the Council for their dedication and community spirit.

**3:09:36** Jenifer McDonald, a North Ogden resident, provided a recap of the meeting, highlighting the disparity in compensation received by different families affected by sewer damage. She expressed frustration over the Council's decision not to provide additional funds to the Payne family while approving expenditures for other projects. McDonald urged the Council to address the mystery cement in sewer lines, demanding transparency and accountability from the City. She criticized the prioritization of spending on a park project over assisting affected families.

**3:13:55** Mason Payne, a North Ogden resident, inquired about the availability of funds in the sewer fund to address their issue and expressed concern about the recurrence of similar incidents in the future.

Mason sought clarification on what constitutes a sewer failure and whether the City's failure to maintain its sewer lines could be grounds for insurance coverage. Additionally, he questioned whether a Council Member's familial ties to the insurance industry could influence their decision-making process, highlighting a potential conflict of interest.

**3:16:42** Dave Robinson, a North Ogden resident, presented two points for the City to consider. Firstly, he suggested that the City should hold developers accountable for debris causing sewer issues, as he believes it came from their projects. Dave emphasized the need for the City to intervene with developers to alleviate financial responsibility from affected residents.

Secondly, he proposed implementing measures during sewer system modifications, such as installing screens to capture debris and conducting thorough inspections to prevent future incidents. Dave expressed sympathy for affected residents like the Paynes', stressing the inadequacy of a \$10,000 compensation and highlighting community support during the crisis.

**3:19:06** Stefanie Casey, a North Ogden resident, expressed gratitude to the Council for their difficult decision-making process, acknowledging the complexity of balancing City-wide concerns with individual hardships. She empathized with the Paynes' situation and recognized the challenges in distinguishing City responsibility from other factors. Despite occasionally disagreeing with the Council's decisions, Stefanie commended their dedication and empathy towards residents, acknowledging the Council's role as a sounding board for community grievances and praising their efforts to provide resources and support to affected individuals. Ultimately, Stefanie appreciated the Council's commitment to serving the community, even in the face of criticism and difficulty.

**3:21:49** Susan Kilborn, a North Ogden resident, expressed immense pride in the North Ogden City Council for their handling of a challenging situation. She acknowledged the emotional weight of the issue and commended the Council for taking a logical approach despite the intense emotions involved.

Susan made two key statements: first, that North Ogden City is not responsible or liable for the situation at hand, and second, that the City is not a charitable organization, emphasizing the importance of fiscal responsibility.

## **11. MAYOR/COUNCIL/STAFF COMMENTS**

**3:24:18** Mayor Berube clarified several points regarding the recent discussion. Firstly, he emphasized that citizens have the right to express their opinions.

He also clarified that one of the votes against the Resolution was not solely due to budget constraints, but also because the Resolution included a provision regarding insurance coverage. Additionally, he mentioned that the City had conducted tests on the cement but was unable to determine its origin, and reiterated the principle of innocence until proven guilty, even for developers. The Mayor acknowledged the high emotions surrounding the issue but affirmed his belief in the empathy and good intentions of the Council Members. He concluded by expressing appreciation for everyone's comments and emphasizing the importance of respect for differing opinions.

**3:27:55** Council Member Pulver highlighted the importance of understanding the City budget process, noting that it's open to all citizens, not just those on the Budget Subcommittee. He emphasized that the process is complex, with limitations on where City funds can be allocated. Encouraging participation, he invited citizens to attend meetings, either in person or online, to gain insight into the process and contribute to discussions.

**3:28:43** Mayor Berube requested a follow-up on pictures depicting an unsafe situation in the hollow of Barker Park.

He informed the Council about an upcoming visit from the Chamber of Commerce to tour the City's economic development initiatives, scheduled for April 12<sup>th</sup>, 2024. Additionally, he mentioned being asked by the County to submit a letter expressing the City's willingness to accept a large LED screen donation, highlighting the associated obligations, and mentioning a grant tied to the agreement, assuring the Council of his intention to conduct due diligence on the matter.

**3:30:53** City Recorder Rian Santoro announced the location change of all future City Council meetings, including the Planning Commission meetings. Those meetings will now take place in the Courtroom/Council Chambers of the new Public Safety Building.

## **12. ADJOURNMENT**

**Council Member Watson motioned to adjourn the meeting.**

**The meeting adjourned at 9:30 p.m.**

**ATTACHMENTS**

All Publicly distributed materials associated with this meeting are noted as the following attachments:

- A. 2024 Weber Basin Water Conservancy District Conservation Program
- B. Barker Park

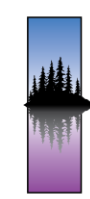
\_\_\_\_\_  
S. Neal Berube, Mayor

\_\_\_\_\_  
Rian Santoro  
City Recorder

\_\_\_\_\_  
Date Approved

DRAFT





WEBER BASIN WATER  
CONSERVANCY DISTRICT

WEBER BASIN WATER CONSERVANCY DISTRICT

# REGIONAL CONSERVATION PROGRAMS

MARCH 12, 2024

Jonathan Parry, PE  
Assistant General Manager

Attachment A

# WEBER BASIN WATER CONSERVANCY DISTRICT MISSION



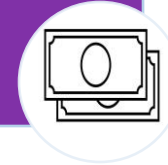
Conserve and Develop  
Water Resources



Manage, Construct,  
Operate and Maintain  
WBP and District  
Facilities



Maintain Responsible  
Financial Stability



Supply High Quality  
Drinking Water



Deliver Agricultural  
and Urban Irrigation  
Water



# WEBER BASIN WATER CONSERVANCY DISTRICT

- 5 COUNTIES
- 2,500 SQUARE MILES
- 700,000 RESIDENTS
- 7 DAMS
- 3 POWER PLANTS
- 4 WTPS
- 500+ MILES OF PIPELINE
- 240,000 ACRE-FEET



# WEBER BASIN WATER CONSERVANCY DISTRICT

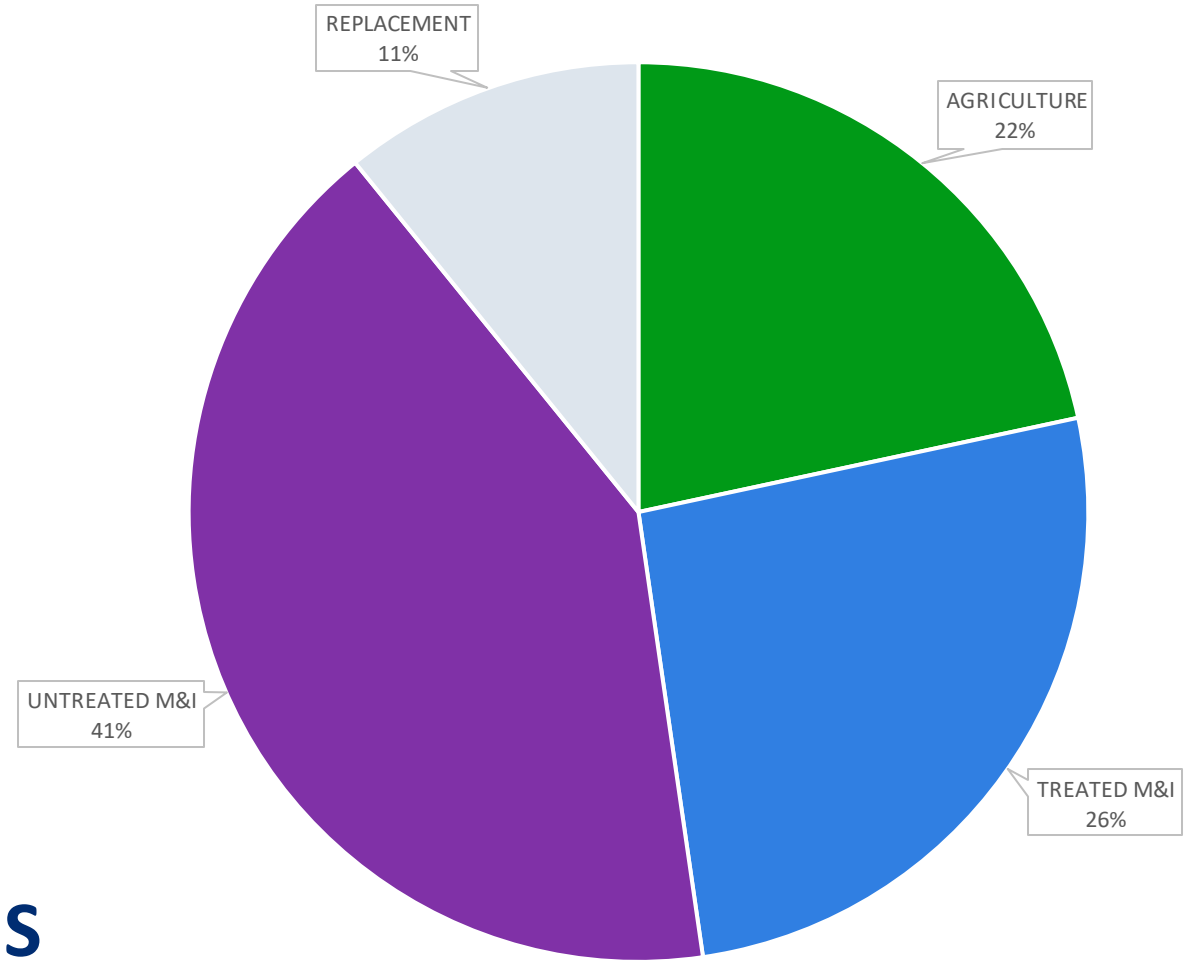
DISTRICT CONTRACTS

240,000 ACRE-FEET

- AGRICULTURE
- TREATED M&I
- UNTREATED M&I
- REPLACEMENT

## ENVIRONMENT

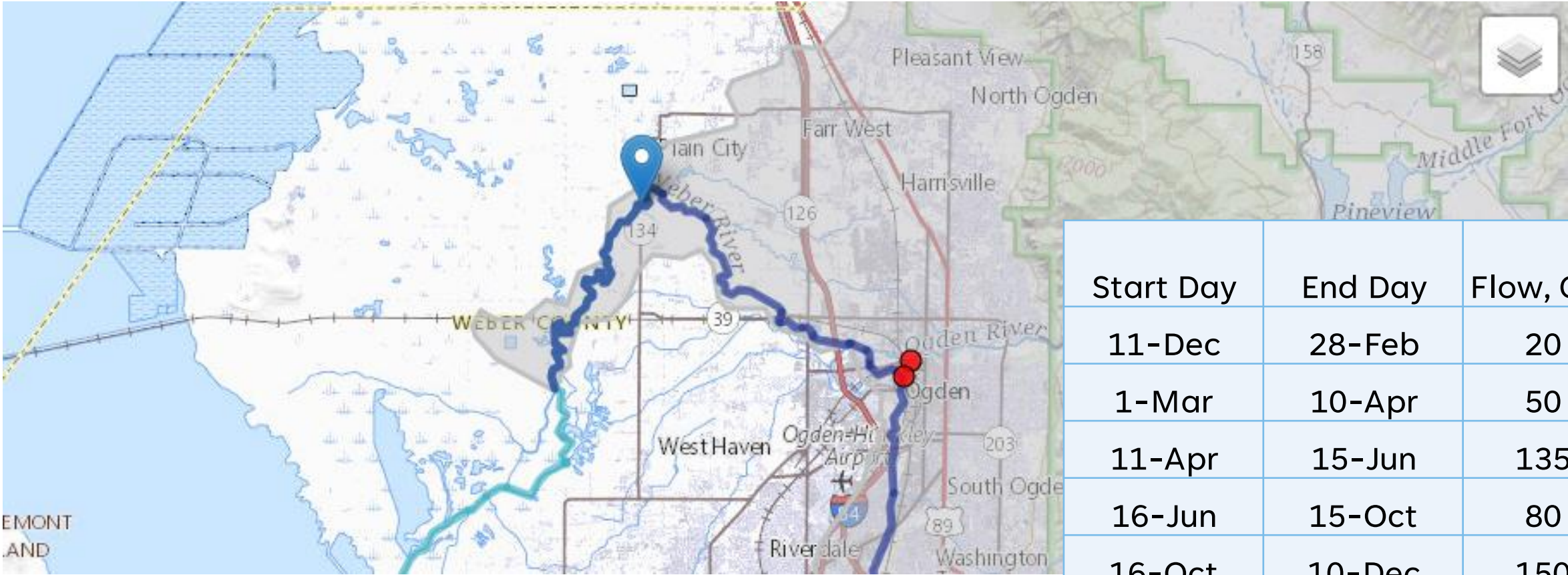
- 60,000-80,000 ACRE-FEET
- 50+ M&I ENTITIES
- 50+ IRRIGATION COMPANIES



# WEBER BASIN WATER CONSERVANCY DISTRICT

## ENVIRONMENT

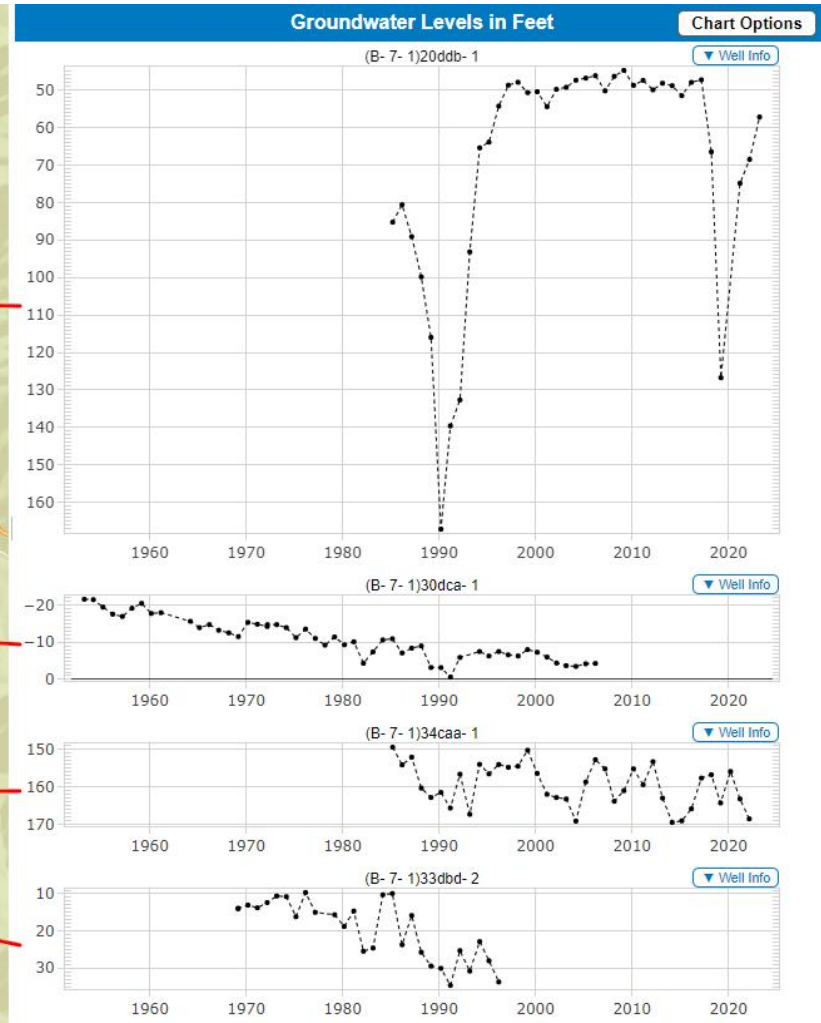
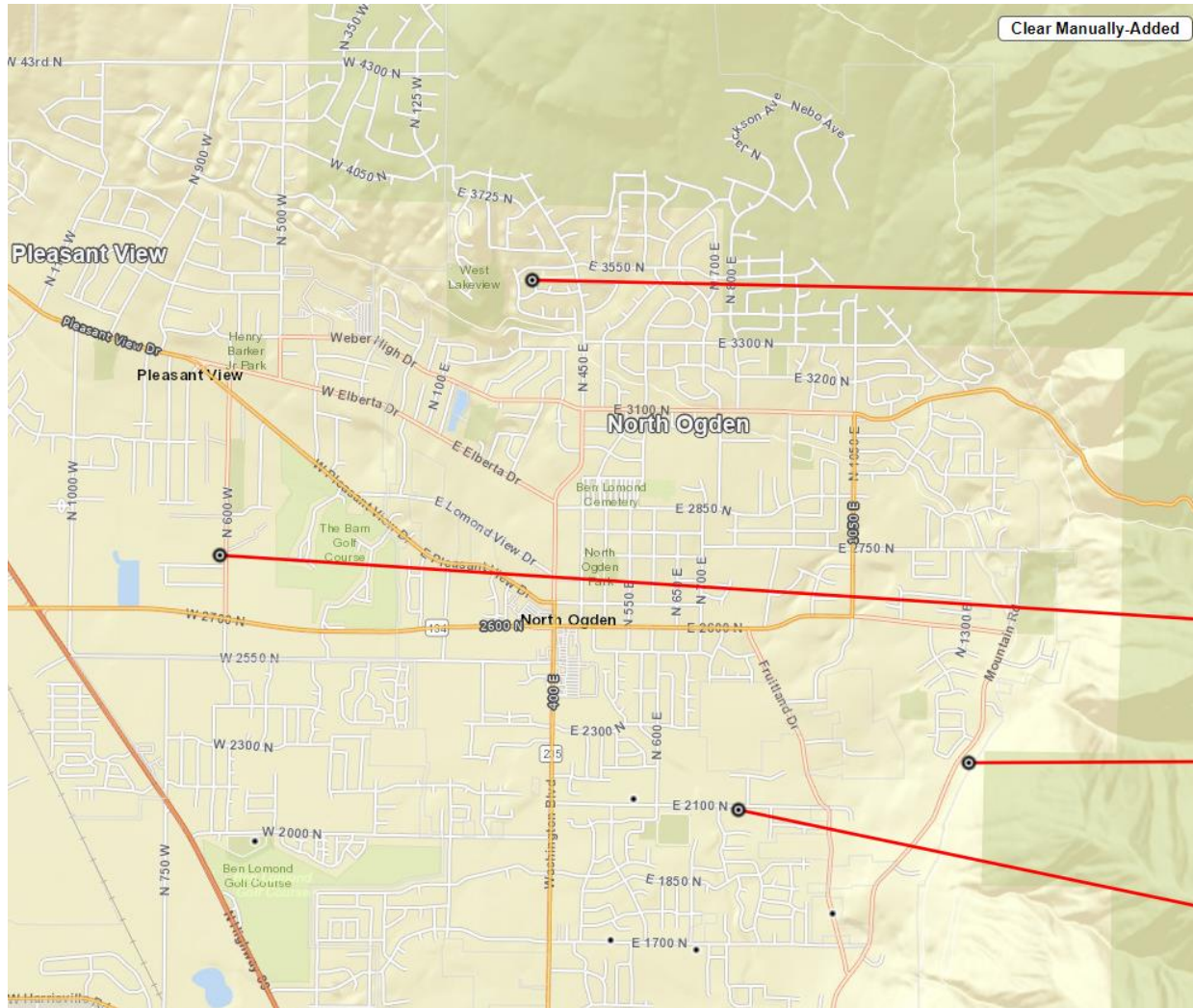
- 60,000-80,000 AF





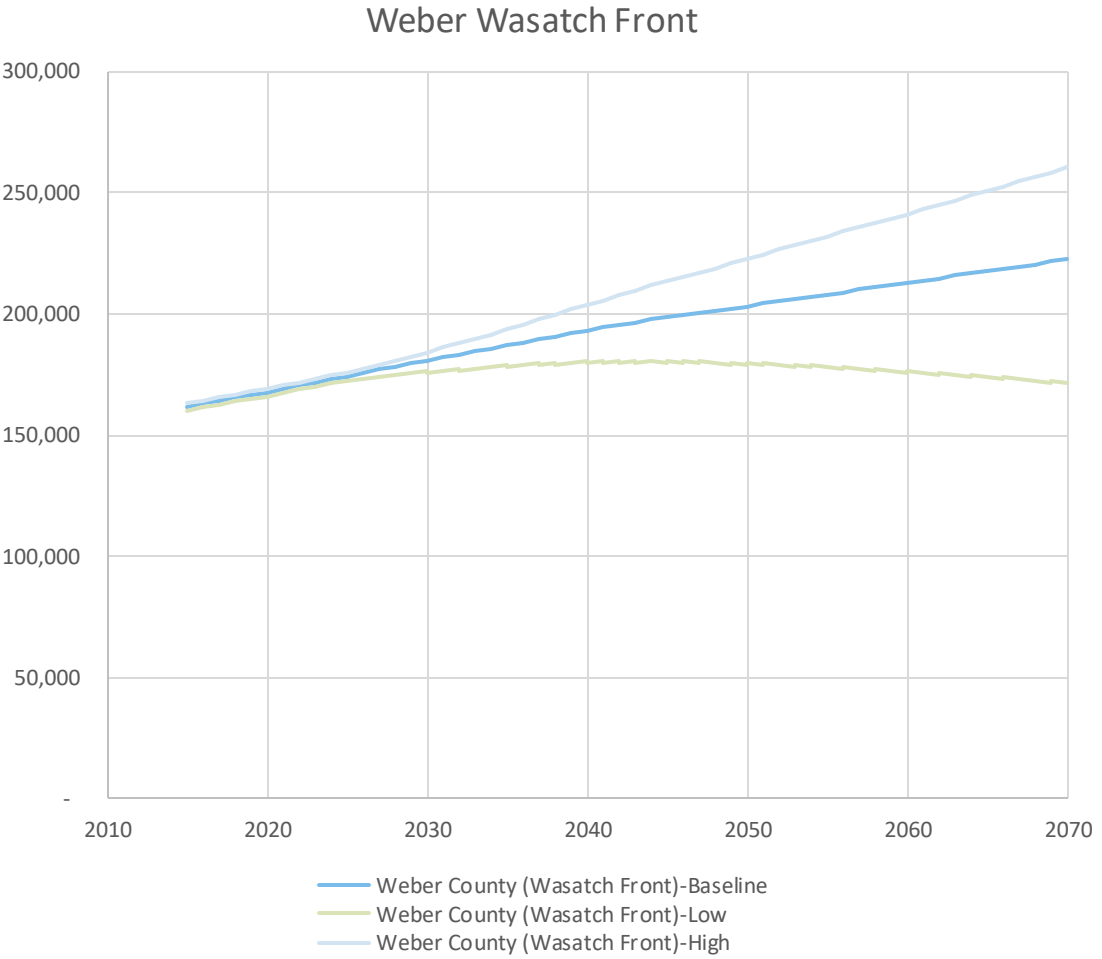
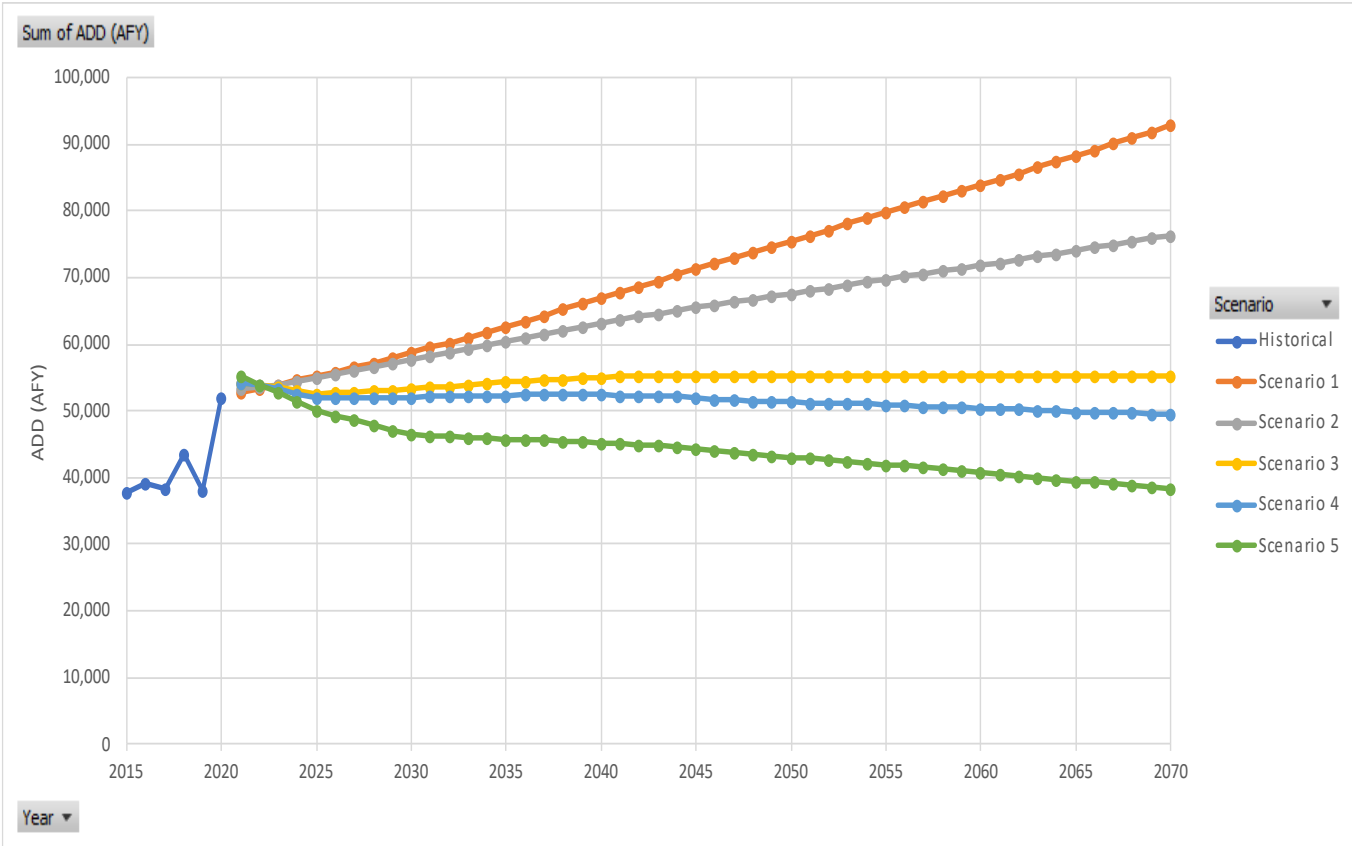
# WEBER BASIN WATER CONSERVANCY DISTRICT

## NORTH OGDEN WATER SUMMARY



# WEBER BASIN WATER CONSERVANCY DISTRICT

## SUPPLY AND DEMAND





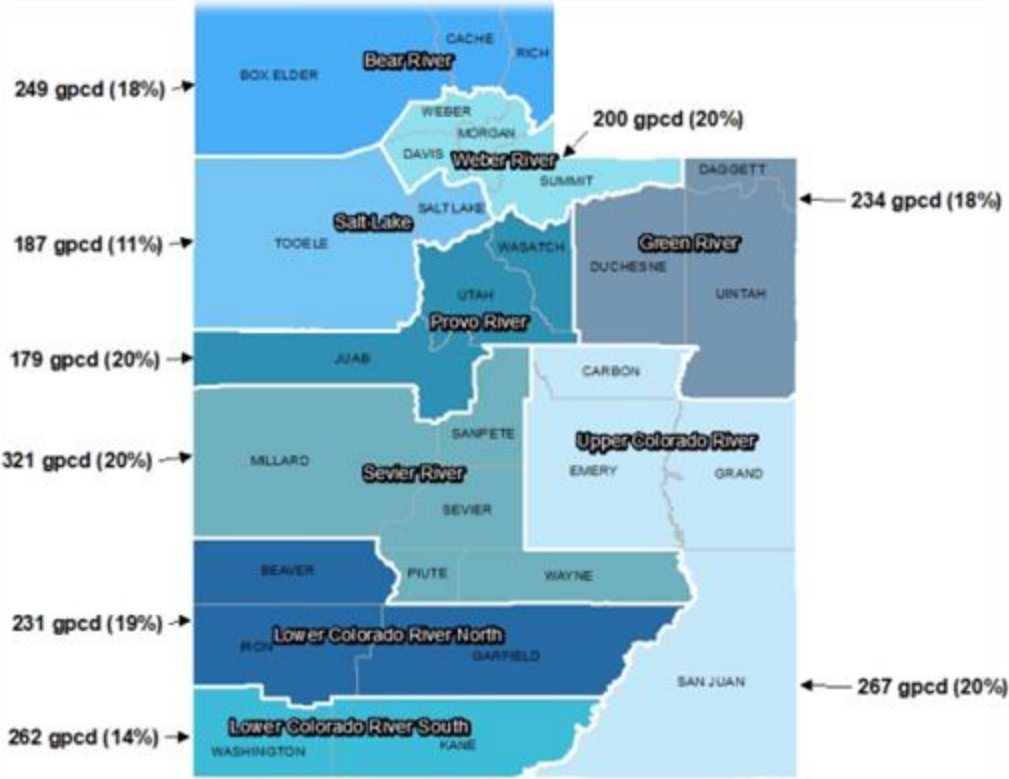
# WEBER BASIN WATER CONSERVANCY DISTRICT

## CONSERVATION PROGRAMS

Proposed Regional M&I 2030 Water Conservation Goals and Future Goal Projections

Region	2015 Baseline (gpcd)	2030 Goal		2040 Projection		2065 Projection	
		Goal (gpcd)	Reduction from 2015	Projection (gpcd)	Reduction from 2015	Projection (gpcd)	Reduction from 2015
Bear River	304	249	18%	232	24%	219	28%
Green River	284	234	18%	225	21%	225	21%
Lower Colorado River North	284	231	19%	216	24%	205	28%
Lower Colorado River South	305	262	14%	247	19%	237	22%
Provo River	222	179	20%	162	27%	152	32%
Salt Lake	210	187	11%	178	15%	169	19%
Sevier River	400	321	20%	301	25%	302	24%
Upper Colorado River	333	267	20%	251	25%	248	25%
Weber River	250	200	20%	184	26%	175	30%
Statewide	240	202	16%	188	22%	179	26%

Note M&I = municipal and industrial; gpcd = gallons per capita per day based on permanent population. Reported per-capita use includes all residential, commercial, institutional, and industrial uses averaged over the permanent population in each region.



Proposed M&I Water Conservation Regions and 2030 Goals

# WEBER BASIN WATER CONSERVANCY DISTRICT

## CONSERVATION PROGRAMS

- EDUCATION
- INCENTIVES
- METERING/POLICY

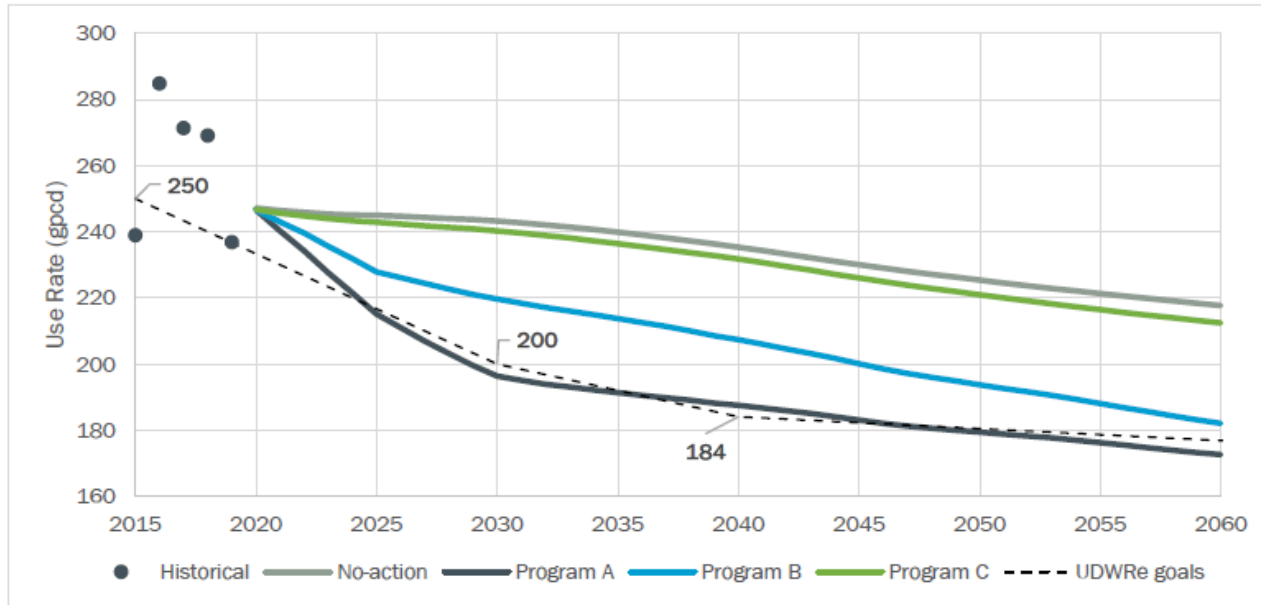
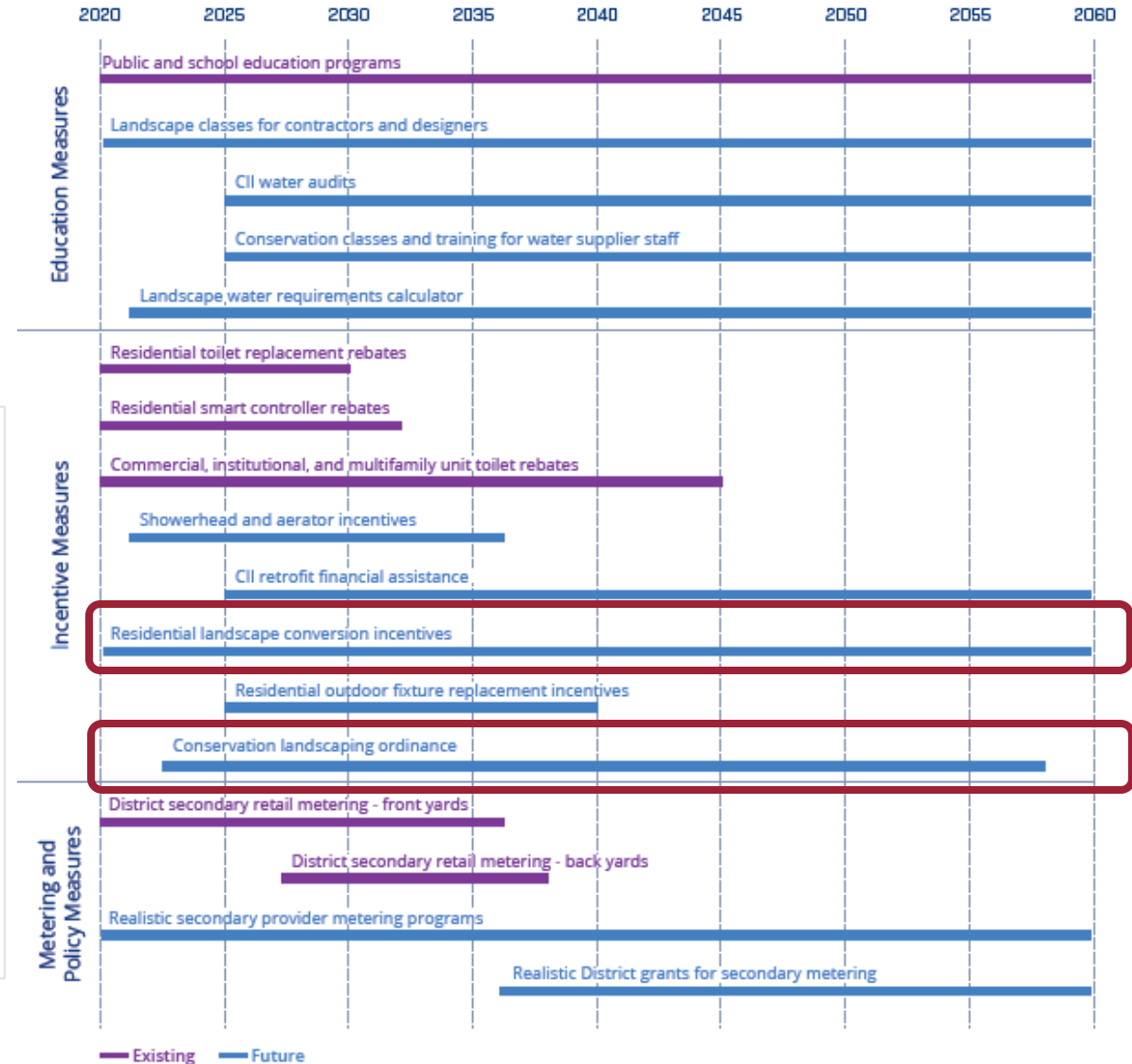


Figure 20. Usage rate projections

All projections include plumbing code improvements and exclude NRW



# WEBER BASIN WATER CONSERVANCY DISTRICT

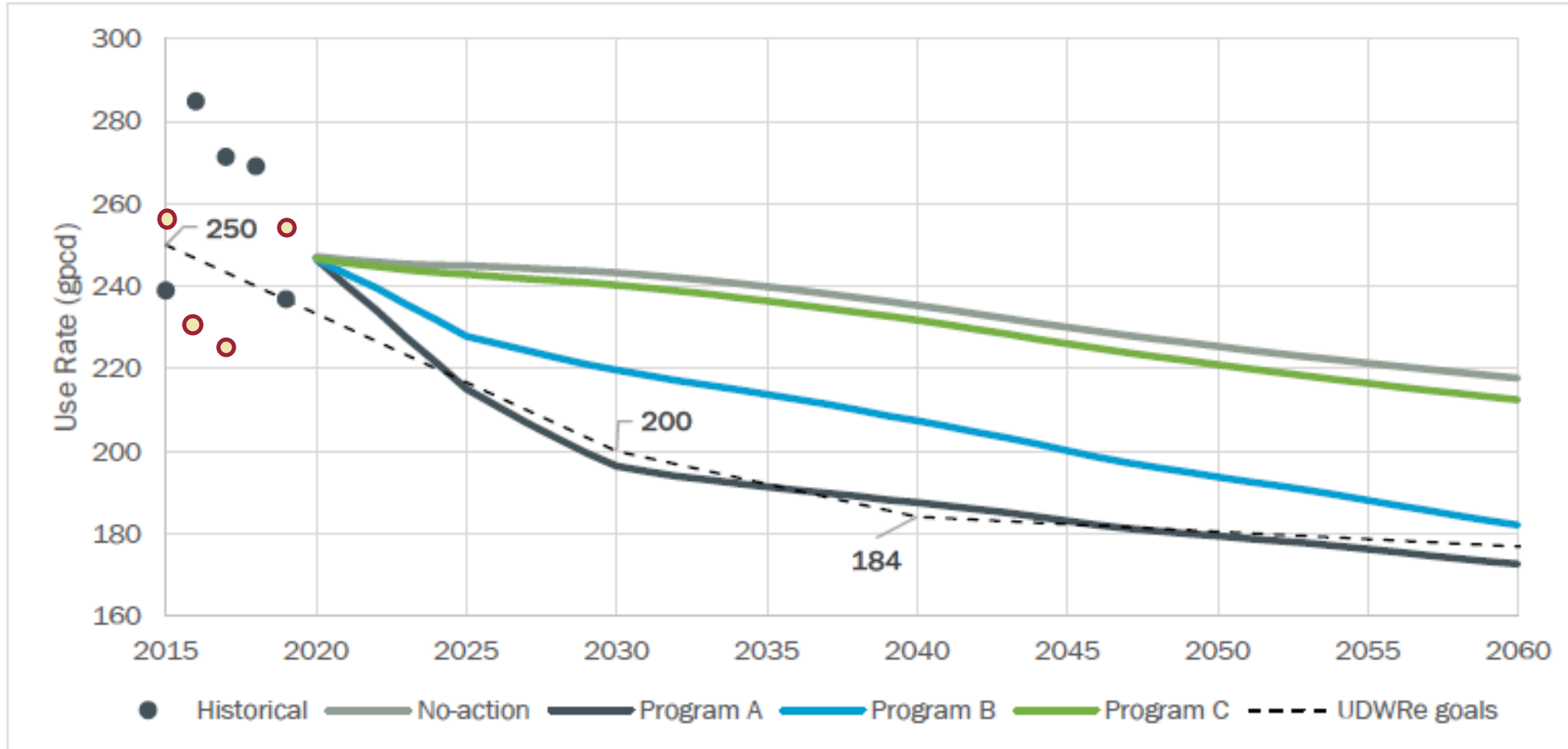
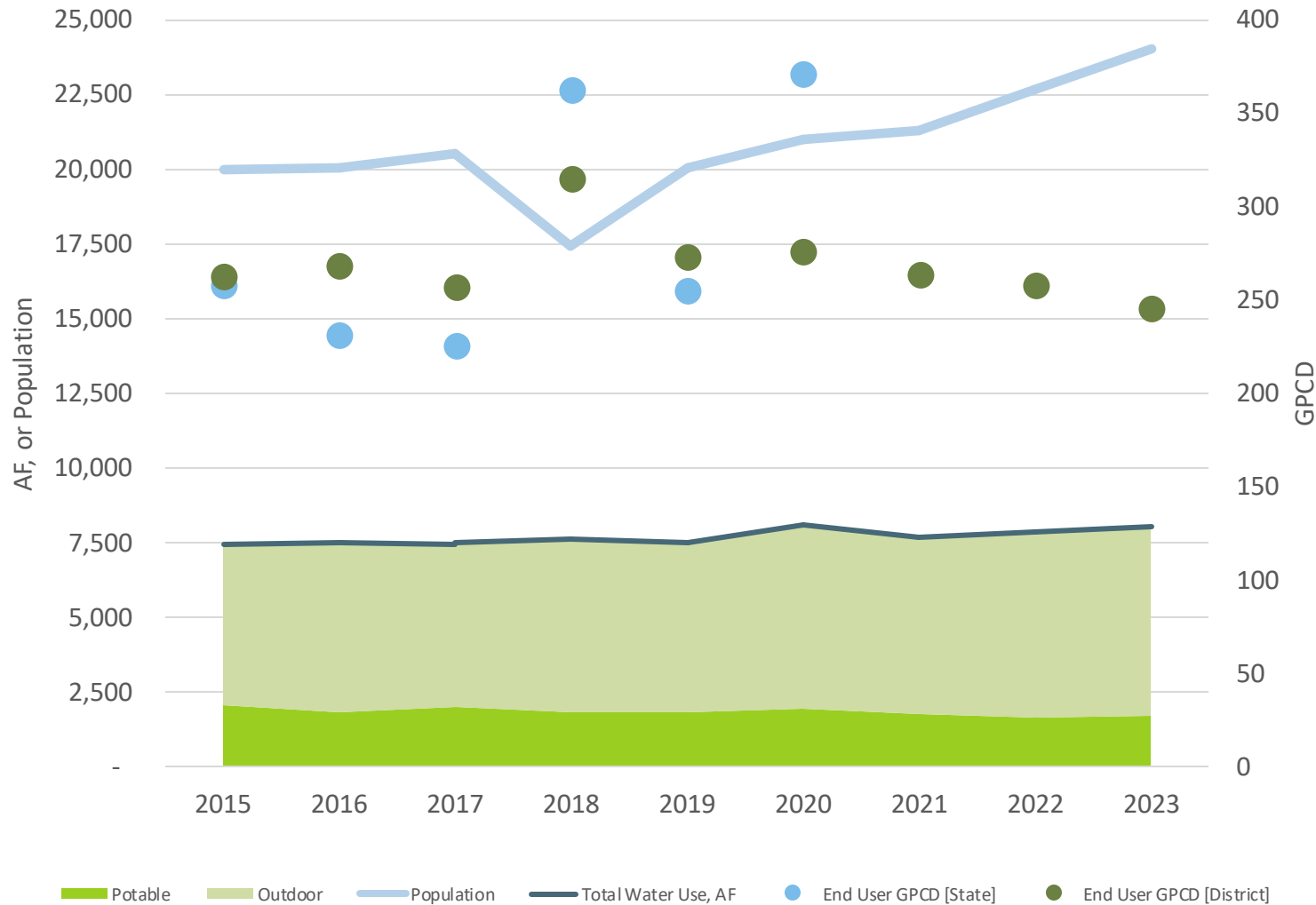


Figure 20. Usage rate projections

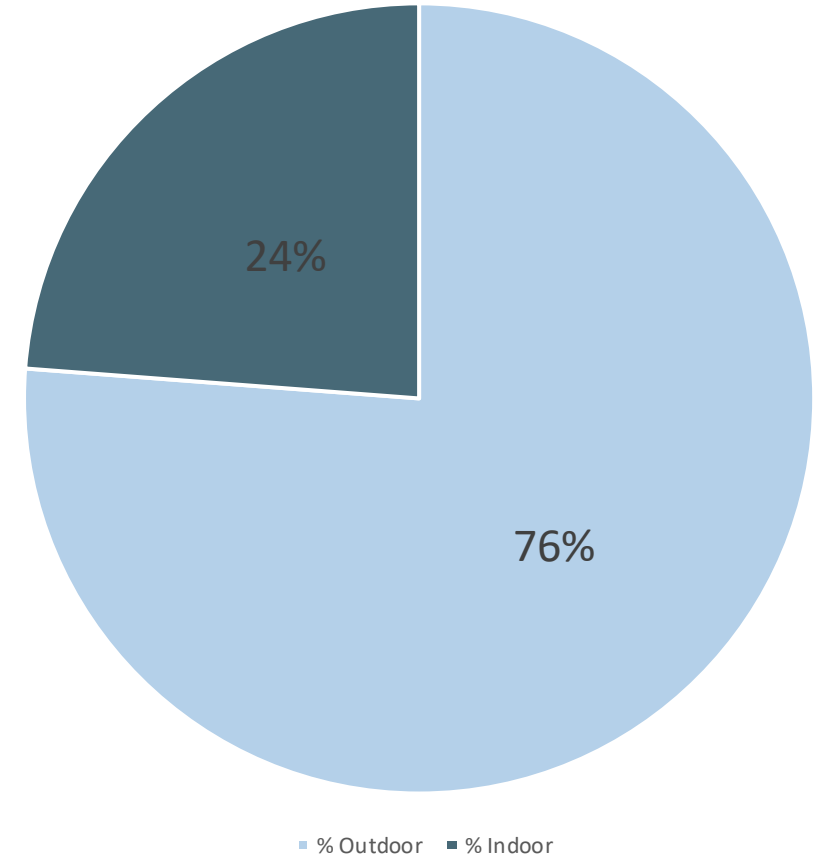
All projections include plumbing code improvements and exclude NRW

# NORTH OGDEN WATER USE SUMMARY

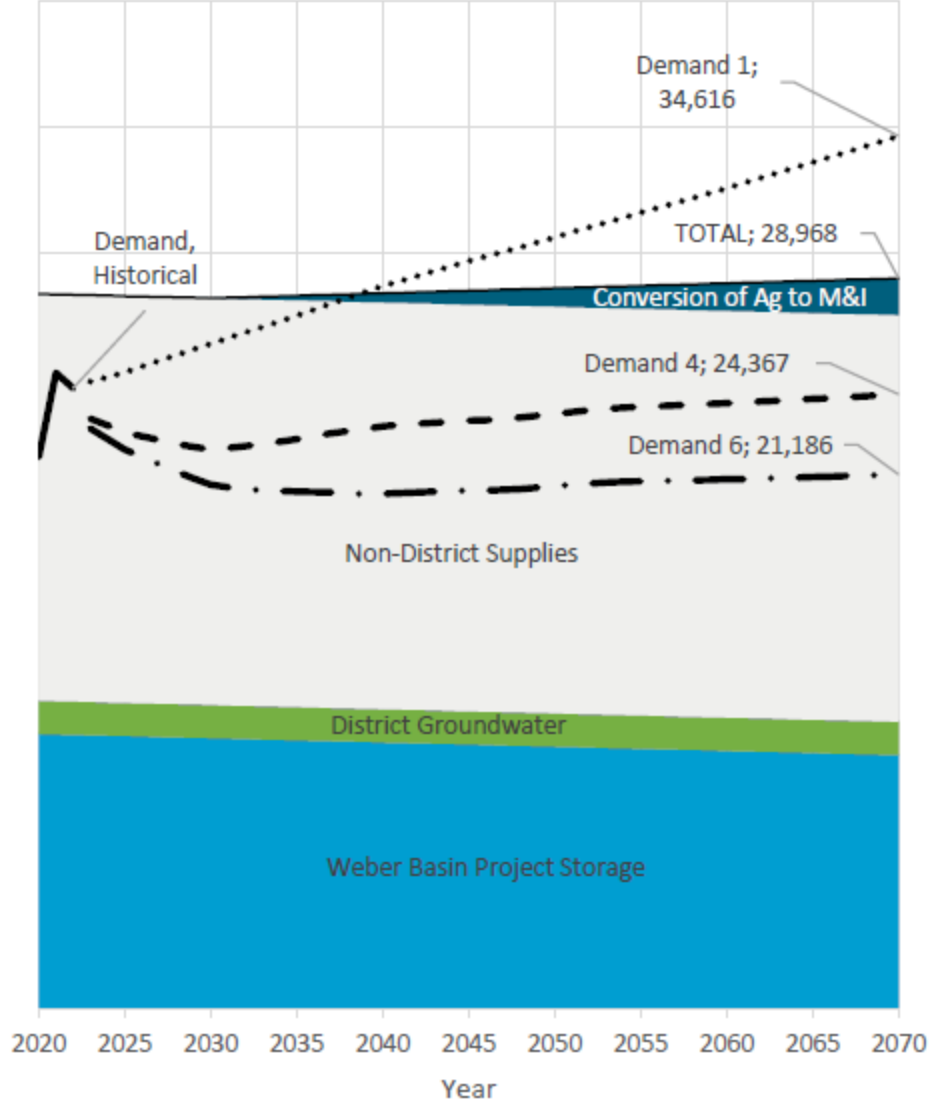
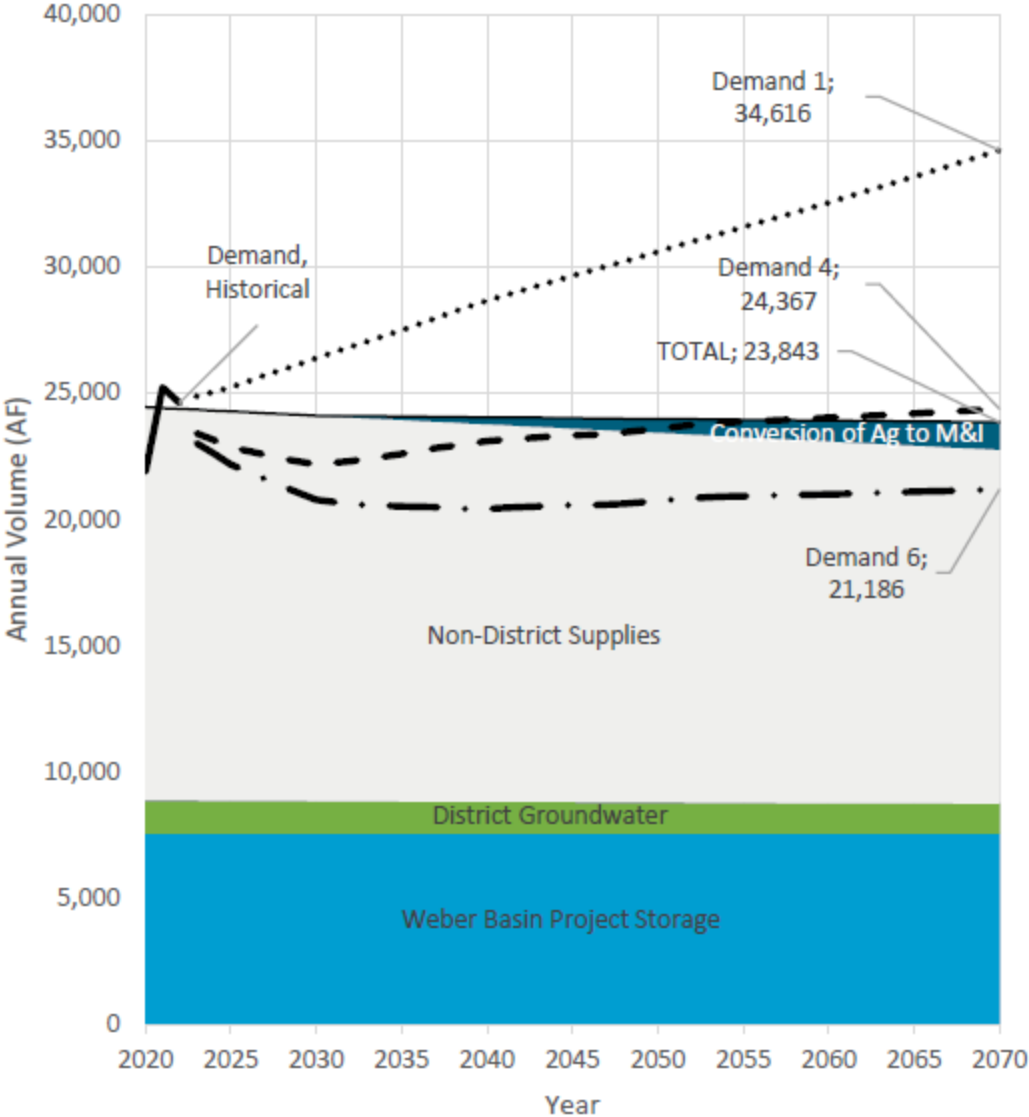
North Ogden Water Usage Summary



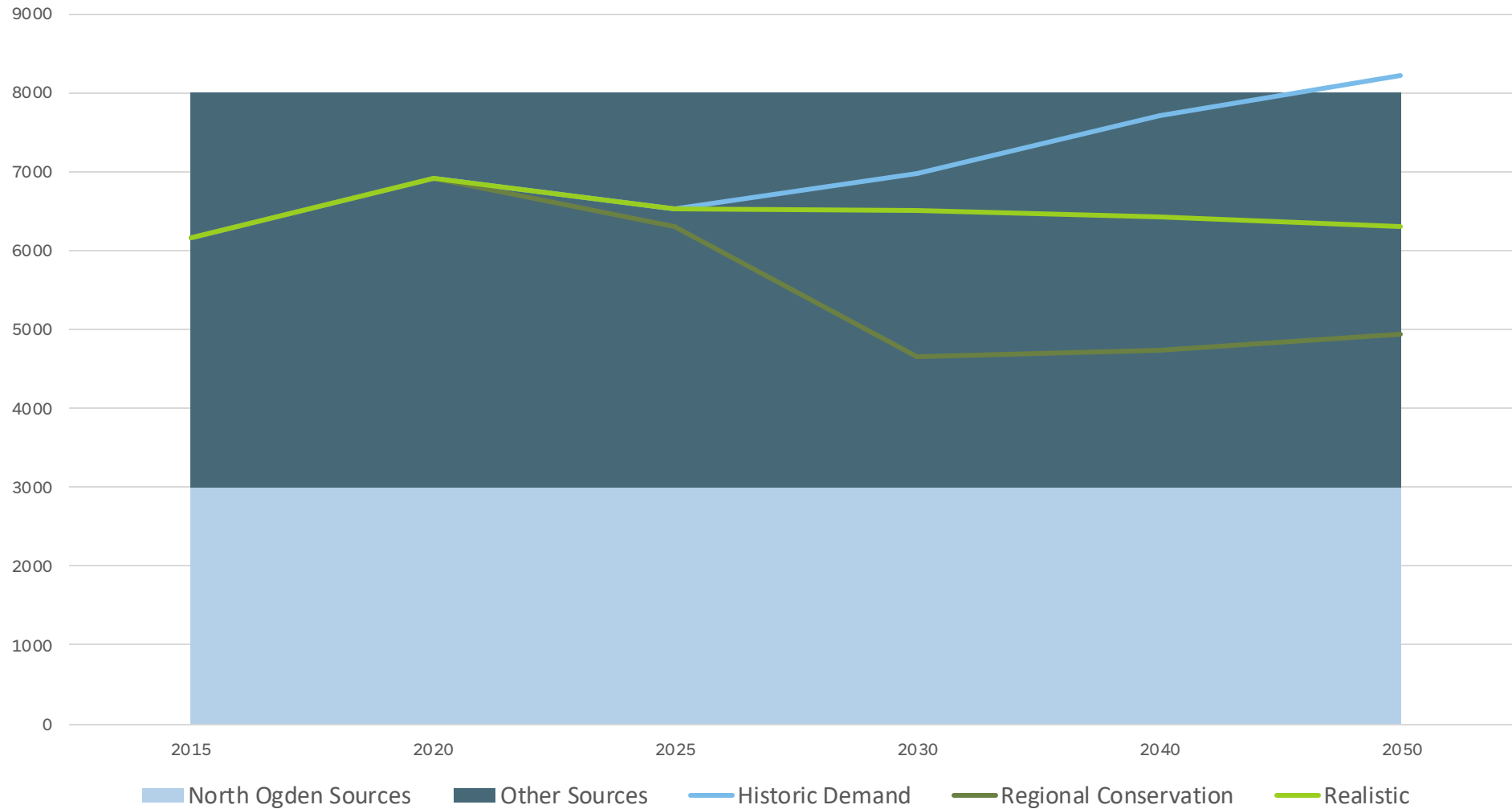
North Ogden Indoor/Outdoor %



# WEBER BASIN WATER CONSERVANCY DISTRICT



# NORTH OGDEN WATER USE SUMMARY



## PROBLEM

WHY IS  
THERE A  
NEED FOR  
AN  
INCENTIVE  
PROGRAM?

### LANDSCAPE WATER CONSUMPTION

70% of water used in a residential application is used to water landscape. Most of that water is used to irrigate lawn.

### INEFFICIENT IRRIGATION

Many irrigation systems are designed, installed, or maintained with inefficiencies. This results in thousands of gallons of water wasted.

### WATER SUPPLY AND DEMAND

Populations in the Weber Drainage are projected to increase substantially by 2060. The supply of water is not expanding to meet that demand.

### CUSTOMERS

Motivated by saving time, money, and the environment. However, some cannot afford to make a change alone.



## A SOLUTION

In addition to previously implemented programs like Flip Your Strip and Localscapes

### SB 118 - 2023

Provides funding for water conservancy districts and the State to provide incentives for lawn replacement.

### TARGET PARTICIPANTS

Residential, Commercial, Industrial, and Institutional properties. Excludes parks, and golf courses.

The goal and target of these incentive programs is to reduce the amount of water used to irrigate turfgrass that is planted in non-functional areas. It is not an attack on all turfgrass.





# LANDSCAPE INCENTIVES OVERVIEW

# LANDSCAPE INCENTIVE PROGRAMS

## WHAT ARE THEY?

Prior to SB 118, Water Districts implemented programs aimed at removing lawn from one of the least “used” piece of lawn on any property.



## FLIP YOUR STRIP BASICS

- Apply **before** any work starts.
- Remove all lawn.
- Retrofit irrigation system.  
Remove spray heads. Install drip irrigation.
- Some areas of the State require plant coverage, others don't.  
Check City codes.
- Submit for incentive payment.



## LANDSCAPE INCENTIVE PROGRAMS

### WHAT ARE THEY?

### HOW DO I KNOW IF QUALIFY?

- Cities must adopt ordinances that meet the water efficient landscaping standards set by the State and District.
- No lawn on parking strips or areas less than eight feet in width in new development.
- No more than 35% of front and side yard landscaped area in new residential developments is lawn. Lawn limitations do not apply to small residential lots with less than 250 square feet of landscaped area.
- In new commercial, industrial, institutional and multi-family development common area landscapes, lawn areas shall not exceed 20% of the total landscaped area. outside of active



## LANDSCAPE INCENTIVE PROGRAMS

What is the Incentive?

\$2.50 PER SQUARE FOOT OF LAWN REMOVED  
AND REPLACED WITH WATER EFFICIENT  
LANDSCAPING.



### Program Requirements

- Must replace lawn with water efficient landscaping
- Project area must be relandscaped to 35% plant coverage.
- Converted landscape must be irrigated with drip irrigation with a pressure regulator and filter visible.
- Lawn replaced with impermeable surfaces will not be considered as part of project area.

# TURF INCENTIVES BY THE NUMBERS

WEBER BASIN WATER CONSERVANCY DISTRICT

1985

Total Applications

630

Completed Projects

543,264

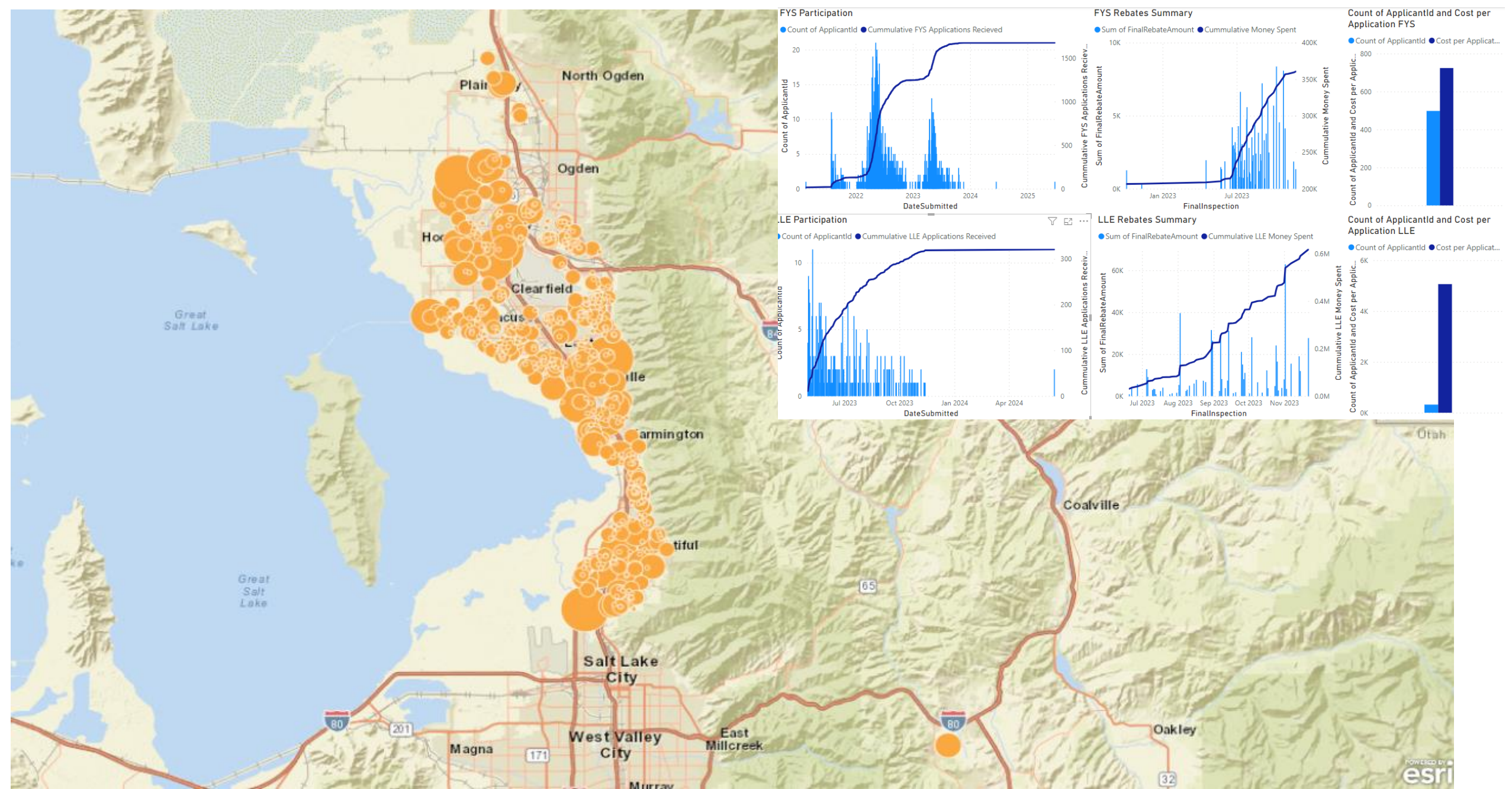
Square feet of lawn  
replaced

\$986,524.0  
0

Incentives Paid

6,728,460

Gallons not applied on  
landscapes annually



## EXAMPLES

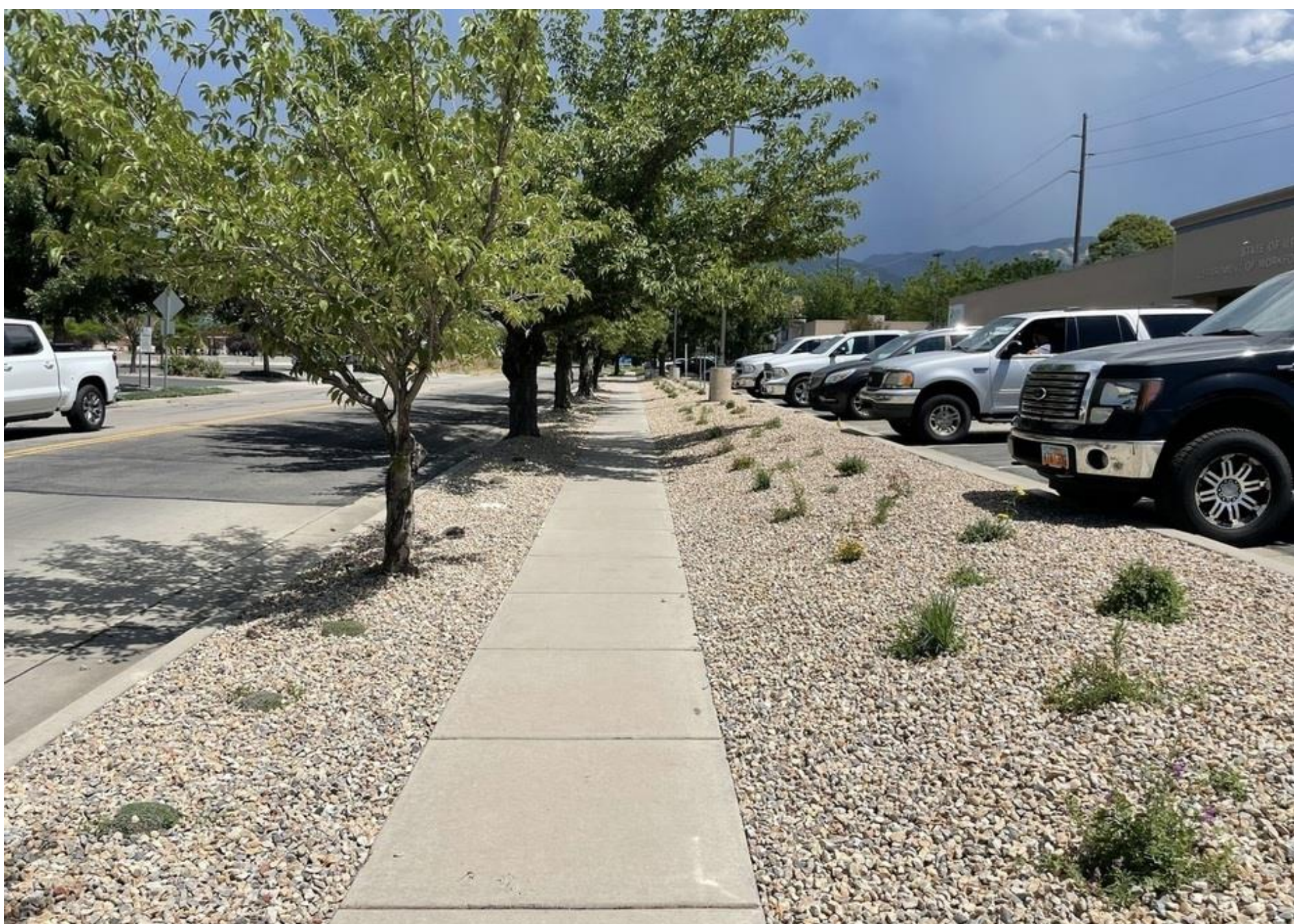


















## NEXT STEPS

### 1. Drafting of Ordinances

- All New Development:
  - No lawns in parkstrips or areas with widths less than 8 feet
  - No lawn on slopes greater than 35%
  - Drip irrigation in areas not planted with lawn
- Residential
  - Lawn not to exceed 35% irrigable space in front and side yard
- CII
  - Lawn not to exceed 15% total irrigable space
  - Allowances for designated recreational areas

### 2. District Review/Approval

### 3. City Adoption of Ordinances

### 4. Notify Weber Basin

### 5. City Added to Eligible Communities

### 6. Residents Start Applying

# Questions?

**THANK YOU**

Jon Parry, PE

801-771-1677

[jparry@weberbasin.gov](mailto:jparry@weberbasin.gov)





# BARKER PARK SINCE 2000

Since **completion of phase 1, the amphitheater**, development has stalled.

Seeing the demands on city funds and not wanting to increase taxes or fees, in 2019 Councilman Blake Cevering created a 501c3 Charitable Foundation “Build Barker Park” to fund park improvements.

Grant and Linda Protzman have sponsored a number of Volunteer Barker Park Cleanup Projects over the years.

In 2022 Cevering and the Protzman’s joined forces and created a Build Barker Park Team (BBPT) to go forward using volunteer labor and funds. The BBPT has: Representatives of both Barker Families; a prominent landscaper; the USU Certified Master Docent from the Ogden Botanical Garden, a Representative from the North Ogden Historical organization; input channels from the Shoshone Nation; others with key talents and skills who want this Park to fulfill its important and unique potential

To date 312 volunteers have donated: **1,820** hours; **\$3,970.00** in-kind use of equipment; **\$6,340.00** Real Cost Donations; **\$5,500** cash; **\$7,525** Coupons and in kind donations from 17 local businesses.

# **The Build Barker Park Team Mission Statement**

**Using private donations, volunteers  
and minimal government contributions,  
the Build Barker Park Team will create  
a peaceful, educational yet vibrant,  
recreational, perpetually maintained,  
“Preserve”  
by restoring and replicating  
early natural and man-made elements.**

# Barker Park Now



Phase 1 the Amphitheater  
Is nearly complete.  
Our community needs to  
See some progress  
on the rest of the Park

This is huge project needs  
to be completed in **Phases**

# PHASE 2 The Barker Park Reserve area as it can be

**BBPT Thematic proposals for this area include nearly twice as many Benches, Picnic Tables, and Recreation areas than any other plans previously considered**

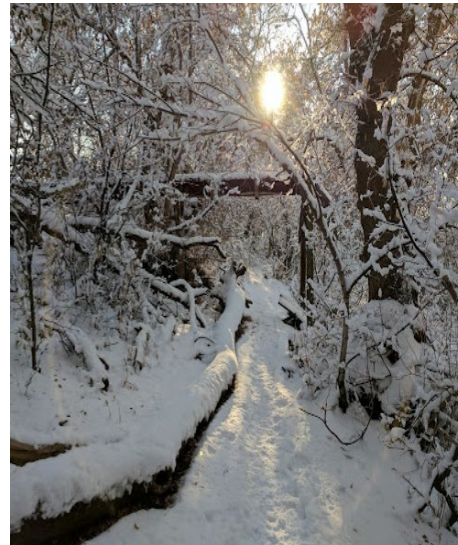


The Build Barker Park Team (BBPT) needs City Council approval of the "Thematic Approach" to move beyond current **extensive planning**, cleanup, removing dangerous items, shoring up "Hollows Pathways" & the streams natural flow, working to eliminate noxious weeds, etc. *The BBPT cannot even install the bridge which has been constructed as a donation to create safe passage in a dangerous area.*



Within Barker Park there is a wonderland.

## WHY DO THIS?



# What needs to be done?

A few final CPP (Clean, Prune, Prepare) Projects put land to final and grade & finalize making this area safe for the thematic build out and immediate use of the Hollows Paths



# Some Ideas for Build Out of 2015 Plan Phase 2 Requires full approval by all City Departments



Using Quonset hut beams and 20 year guarantee white roofing material can be used for picnic canopies, bowery's etc.



Can be developed using recycled materials to create picnic canopies



Bench of recycled material lifetime warranty



Bench of mostly recycled material lifetime warranty





Octagon Picnic table and benches recycled material, lifetime warranty stand alone or under Tepee type canopy.



Rectangle Picnic table and benches recycled material, lifetime warranty stand alone or under Covered Wagon type canopy.

# **BBPT Critical Next Steps**

## **which cannot be taken without**

### **City Council approval**

- **Approval of the conceptual thematic design the BBPT has developed.**  
*(Every step will be taken hand in hand with the N.O. Public Works, Fire and police Departments. The BBT will regularly report to the City Committee with updates and any changes to the concept)*
- **Engineering complete for slopes, water and irrigation systems and Electricity for controls of the water miser system for Phase 2a.**
- **Water and electricity main lines run to main distribution points**
- **Permission to keep Rice Creek on the North Path and the springs and Coldwater runoff from the South side going all year long**
- **Next Planned Steps in order...Chicken Coop Handicapped Trail, Complete Hollows Path and stream safety improvements, 17 Tree Orchard, Grandma's Exchange Garden, Indigenous Plants Garden, Pioneer Gardens, benches, tables and signs for the above, Fruitland Drive Entrance to grade and parking prepared, re-construct or move in pioneer era chicken coops.**

# Barker Park Phase 2

## THE PRESERVE

North Ogden's History, Cultures, Heritage, Flora and Fauna



The Barker Park Phase 2 Preserve area will become in reality an **“Outdoor Educational Museum and Experiential Learning/ Family Recreation facility unlike any other in the area.**



Help us create  
an Indigenous Peoples' and Pioneer's  
Open Air Living Heritage and Nature Museum