

Minutes of the Work Session of the Ogden City Council held on Tuesday, March 28, 2017 at 4:00 p.m., in the Council Work Room located on the third floor of the Municipal Building, 2549 Washington Boulevard, Ogden City, Weber County, Utah.

Present: Chair Marcia L. White (*participated via telephone*)
 Vice Chair Richard A. Hyer
 Council members Bart E. Blair (*arrived at 4:07 p.m.*)
 Neil K. Garner
 Luiz Lopez
 Ben Nadolski
 Doug Stephens

Council Executive Director Janene Eller-Smith
Council Policy Analyst Glenn Symes
Council Policy Analyst Amy Sue Mabey
Communications Manager Brittany Griffin

Also present: Mayor Michael P. Caldwell
 Public Works Director Jay Lowder
 Assistant City Attorney Mark Stratford
 Public Utilities Manager Kenton Moffett
 Building Services Manager Jared Johnson
 Fire Marshal Kevin Brown
 Deputy City Recorder Julia LaSeure

The purpose of the work session was to hear a presentation from the Dinosaur Park Foundation, participate in Council-Mayor discussion, discuss proposed Fire and Building Code Amendments, discuss a joint resolution pertaining to a water grant application, discuss Council business, and hear Council member comments.

Dinosaur Park Foundation Presentation

Dinosaur Park Director Casey Allen made a PowerPoint presentation to provide the Council with the 2016 Dinosaur Park Foundation Annual Report. He provided an attendance comparison between 2015 and 2016, noting an 11 percent increase in general attendance, or 12,309 more visitors. He emphasized there were no new attractions or marketing efforts that can be credited with the increase in attendance. He reviewed the 2016 financial statement for the Park and indicated that operational incomes were up 17.9 percent over 2015; similarly, net operational expenses increased by 53 percent, or from \$15,756 in 2015 to \$24,100 in 2016. He reported that in 2016 the Park hosted 14, 296 students on field trips. The furthest traveled group was from Boise, Idaho and consisted of 11th grade students visiting to see one specimen in the laboratory. The Park looks forward to continuing its relationship with the Weber School District Foundation and Ogden School District Foundation that allows every student to visit the Park for free aside from the bussing fees paid. There were 37 outreach events in 2016 that attracted 18,750 visitors. The biggest event was the Halloween Carnivore Carnival, which saw an increase in participation of 72 percent compared to the previous year. He stated some issues the Park faces are due to increased attendance related to parking accommodations and crowd control and the Board is having ongoing discussions about how to address those concerns. The Board is moving toward a focus on education based activities rather than entertainment activities. Mr. Allen discussed the exhibit projects performed in 2016, including the completion of the mural painting behind the old mammoth exhibit, addition of a restroom at the Park, addition of windows to the Park laboratory, and repairs to dinosaur figures in the Park. Exhibit projects planned for 2017 include the Park sign replacement, repairs and corrections to dinosaur figures, specimen replacement, mechanical repairs in the museum, installation of a landscape speaker system, and repair and replacement of some trail segments in the Park. He focused on changes to and accomplishments in the Park laboratory in 2016, including the addition of three new work stations, replacement of all windows, addition of a presentation classroom, training of 42 paleo technicians, completion of 72 specimens, and 351 laboratory tours. He reported there were over 6,814 volunteer hours donated in the Park laboratory in 2016. Mr. Allen concluded his presentation by recognizing program partners, such as the Natural History Museum of Utah, the Ogden Golden Spike Gem and Mineral Society, the Utah Friends of Paleontology, STEM (Science, Technology, Engineering, Mathematics) programs from area universities, and the Ogden Natural History Museum Foundation. He also recognized the many donors and supporters that make programming at the Dinosaur Park possible, including Ogden City and, more specifically, the Public Services Department led by Jay Lowder.

Council member Stephens asked if the Board has ever considered developing a program that would entail visits to other museums throughout the state with a focus similar to that at the Park. Mr. Allen answered yes and stated that development of such a program is actually in the works.

Vice Chair Hyer indicated that some of the photographs included in the PowerPoint presentation are of lapidary exhibits

and he asked if those exhibits are at Dinosaur Park. Mr. Allen answered yes and stated that lapidary activities have been available outside the museum on Saturdays, but those activities will be expanded into the museum and visitors can participate in hands-on activities.

Council member Garner congratulated Mr. Allen and the Board on a job well done to improve the Park, which translates to an increase in attendance. He asked for information on the new Spinosaurus exhibit. Mr. Allen provided a description of the Spinosaurus sculpture to be installed at the park and indicated it will be the second biggest sculpture there. It will be in place by July 1, 2017 and there will be a VIP event held to allow visitors to get a first look at the exhibit. It will be located adjacent to the river as the dinosaur was a semi-aquatic animal. The sculpture is being created by an artist local to the Wasatch Front.

Council-Mayor Discussion

Mayor Caldwell stated he is willing to answer questions the Council may have about any issue in the City.

Council member Stephens asked for information regarding the announcement that Convergys will close its Ogden call center. Mayor Caldwell explained that City Administration received a letter from Convergys last week announcing a change in their business model that will result in the closure of their call center. The City is working with them to determine future use of the building they currently occupy and the potential for the 300 people they employ to be hired by other companies in the area. However, he does not have much detailed information about the issue since it was just announced last week.

Council member Garner asked about the status of the redevelopment of the old Fred Meyer property on 12th Street. Mayor Caldwell responded that the developer is in the design phase of the project and they are working very closely with Planning Staff to ensure they follow all required steps to receive approval of their final development plans. Staff has seen two different conceptual designs for the hospital project and the developer has indicated they would like to begin construction in 2018. They have three years to begin construction and if they do not meet that deadline, they will be required to repay any demolition costs paid by the City. Council member Garner asked about redevelopment efforts at 17th Street and Wall Avenue. Mayor Caldwell explained that the City has not been heavily involved in redevelopment of that area. The property owners have taken steps to make their properties more presentable and attractive to potential developers. City Administration feels there is a higher and better use for the property than the industrial use that has occupied the area in the past. Council member Garner requested an update on negotiations of the lease agreement for the Union Station. Mayor Caldwell replied he has not received an update recently but will follow up with staff in order to report to the Council at a future date. Council member Garner asked for an update on the Utah Transit Authority (UTA) bus rapid transit (BRT) project, more specifically, the funding sources identified for the project. Mayor Caldwell answered he will be meeting with the UTA executive team tomorrow to discuss funding given that the recent release of the federal budget indicates that many of the programs that would have provided funding for the project have been eliminated or de-funded. He will work closely with State Representatives as well as the City's federal lobbyist to protect funding that would have been provided to the project. Council member Garner reported that he receives regular phone calls from constituents requesting a traffic signal at 33rd Street and Wall Avenue and asked if the City has gained any traction on such a project. Mayor Caldwell responded that the Utah Department of Transportation (UDOT) is conducting an engineering study for that type of project and such a study can be lengthy.

Council member Stephens stated there has been recent media attention paid to the failure of drivers to recognize pedestrians in crosswalks and asked if the Police Department is monitoring this type of illegal activity. Mayor Caldwell answered yes and noted that crossing guards are hired by the Police Department and they have the ability to report illegal activity and ask for patrol of the areas surrounding the crosswalks.

Council member Nadolski thanked the Mayor and City Administration for reaching out to the neighborhoods surrounding Weber State University to include them in discussions regarding the transit project that will affect them and their properties. He stated he is also appreciative of the fact that City Administration has invited Council staff to participate in public open house meetings regarding the project. He thanked the Public Services Department for their efforts to properly maintain parks throughout the City. A playground in his neighborhood that had been in disrepair was removed and will be replaced soon with equipment that will be safe for children to use. He has heard much positive feedback from his neighbors about that project; however, they would like the opportunity to provide feedback about the type of equipment to be installed. Mayor Caldwell stated that City Administration would be willing to entertain that input.

Council member Lopez mentioned recent efforts to attract an additional carrier to the Ogden Airport, which includes providing a loan to Destination Express, LLC for charter services at the Airport. He stated that he mentioned in a previous meeting that he has contacts in Mexico who indicated that providing a flight to Puerto Vallarta rather than Cancun might prove more favorable to the City. To that end, he spoke with the partners of Destination Express, LLC and they strongly agree that Puerto Vallarta is a better destination for many reasons. One reason they cannot provide a direct flight is due to federal customs regulations and he asked if City Administration has considered opportunities to address that issue. Mayor Caldwell replied that providing a destination in Mexico is the second phase of the project and he is comfortable with Destination Express's experience and expertise in navigating Federal Aviation Agency rules and regulations, including customs restrictions. He is comforted by the fact that Destination Express is a local company with close ties to the Ogden community and is very interested in improving the draw of the Ogden Airport. Council member Lopez stated that he was under the impression that City Administration may be able to play a role in locating customs administration at the Ogden Airport. Mayor Caldwell indicated if City Administration is asked and able to be involved in addressing issues related to customs, it will be facilitated.

Mayor Caldwell provided the Council with a report of the top five issues that have been consuming the majority of his time lately. He started by discussing the 2017 Legislative Session, in which he and several other members of City Administration were heavily involved. The City realized some 'significant wins' regarding the adoption of legislation that will benefit the

community as well as defeating legislation that would have resulted in negative impacts. He mentioned that he is a member of the Executive Board of the Utah League of Cities and Towns (ULCT) and will participate in their spring conference next week in St. George. During that event, the Board will meet to hire a new Executive Director, which is a very big position to fill. He has been working hard to ensure that some of the larger cities have representation in the League proportionate to their size. Chief Administrative Officer Johnson and Community and Economic Development Director Christopoulos have travelled to Omaha, Nebraska this week to meet with the owners of the Newgate Mall and Dillard's following the announcement that Dillard's plans to occupy the Layton Hills Mall space vacated by Macy's. There are concerns this could result in the loss of the Dillard's at the Newgate Mall and City Administration wanted to communicate to them the City's commitment to keeping them in the Newgate Mall to keep the mall active and vibrant. There are many difficulties associated with changes in the retail climate and the transition from old mall styles to new mall styles, but the new owner of the Newgate Mall has indicated they have plans to update and improve the mall to keep it vibrant. He mentioned the Airport project raised by Council member Lopez and noted he has a meeting with the Davis County Commission on Monday to discuss their participation in and commitment to the project. He stated that in his time working in the City over the past 16 years he has not seen a cross-county partnership or project like this one. This project is truly unprecedented and could have a significant impact on northern Utah. It can also serve as an example of why it is so important to keep territorial disputes from halting important projects. City Administration has tried very hard over the past five years to attract another airline service to the Ogden Airport and those attempts have been unsuccessful. He credited Community and Economic Development staff for their 'out of the box thinking' that has resulted in the partnership between the City, Davis and Weber Counties, and private partners to make great strides at the facility. He concluded by reiterating that he will continue to work with UTA to address funding issues for their BRT project and will report any pertinent information back to the Council at a future date.

Vice Chair Hyer asked if the City's federal lobbyist has given any indication of how changes to the federal budget could impact the City. Mayor Caldwell replied he is trying to be optimistic about federal funding sources and will continue to work through the lobbyist to protect funding sources that are very important to many programs in the City.

Council member Stephens stated Council Communication Manager Griffin provided the Council with a presentation several weeks ago that he believes would benefit other members of the ULCT. He suggested that Mayor Caldwell share the information with other members of the ULCT Executive Board. Mayor Caldwell stated he would be happy to review the presentation.

Fire and Building Code Amendments

Council Policy Analyst Mabey stated City Administration is proposing that the City Council adopt ordinance amendments relative to approved changes to the State Construction and Fire Codes, which reflect changes to the International Building Code (IBC). The ordinance intends to address more consistent reporting from individuals who test private fire protection systems and to address safety concerns relative to emergency escape openings in basement bedrooms of older buildings.

Building Services Manager Johnson explained that on July 1, 2016 a State Legislative Bill became effective adopting the new 2015 IBC and Fire Code. Several changes have taken place in the Legislature with regard to how building codes are adopted. The State adopts and mandates which version of the building code is in effect; however, they do not adopt specific appendices as this is left to local jurisdictions. He noted that Community and Economic Development staff have proposed ordinance amendments to modify and adopt specific appendices, building code amendments, and pertinent codes. He summarized the proposed ordinance as follows:

City Code § 9-2-8 Private Fire Protection Systems

- Clarifying that a private fire protection system may include a fire service main and appurtenances;
- Requiring that fire protection systems connected to a city water line must have a written permit from the Water Department prior to installation;
- Establishing requirements for testing and record keeping for all systems; and
- Establishing that contractors who service, test, install and/or maintain fire protection systems may be required by the fire marshal to use a single-point repository service to file records of all system inspections, tests, and maintenance required by existing standards.

City Code § 16-2-2 Codes Adopted

- Amendments to reflect the adoption of the codes as specified by Utah Code; and
- Providing for the adoption of Fire Code appendices of the 2015 International Fire Code.

City Code § 16-2-4 Property Maintenance Code

- Adopting the 2015 International Property Maintenance Code (IPMC) and specific amendments to the language and requirements in the IPMC;
- Clarifying that if the IPMC and another section of the City code address the same subject, the more specific provision shall prevail, with the exception of an express conflict in which case the municipal code shall take precedence; and
- Creating section 702.5 to address requirements for emergency escape openings in basement bedrooms in homes built prior to January 1, 1972.

Mr. Johnson addressed the following questions included in the Council memo regarding the proposed ordinance amendments.

What is included in the International Property Maintenance Code and how is the Code implemented? He replied the

IPMC is the document that the City's Code Enforcement Division relies heavily upon when dealing with the proper maintenance of private property throughout the City. He referenced some minor changes to the IMPC, such as the addition of the definition for a gate latch and a requirement for gate latches to be used in certain circumstances.

Why is the provision to address residential buildings with short-term occupancy included in the ordinance proposal? He responded that Ogden City Code Section 702.7 references vacation rental properties, but the work done on the proposed ordinance predates the adoption of the vacation rental ordinance. As a result, he would recommend that 702.7 be stricken from the proposed ordinance. He noted that the creation of Section 702.5 to address emergency escape openings in basement bedrooms does not apply only to vacation rentals, but actually applies to all homes in general, but given the large number of older homes in the City, it has become necessary to consider varied provisions for homes that may have been built prior to 1972. This date was selected because the 1972 version of the IBC includes the same requirements for basement windows as the current version of the IBC; however, prior to 1972 there was no uniform requirement for basement emergency escapes and this ordinance would require any resident desiring to modify their basement in a home built before 1972 to comply with certain standards and provide emergency escapes from basement bedrooms.

Council member Nadolski mentioned the change to Ogden City Code Section 9-2-8 establishing that contractors, who service, test, install and/or maintain fire protection systems, may be required by the fire marshal to use a single-point repository service to file records of all system inspections, tests, and maintenance required by existing standards. He asked for more information on that requirement. Fire Marshal Brown responded the Fire Code currently requires that contractors maintain records of their inspections and tests for fire protection systems and the proposed ordinance would provide direction as to how those records are to be maintained. Contractors would use a third-party software company that will maintain a database of property test records that can be accessed by Mr. Brown. Mr. Brown explained that use of the software is at no fee to the property owner or the Fire Department, but contractors will pay a \$10 fee for access to the tool. Council member Nadolski asked if the ordinance amendment is proposed to address current problems with reporting. Mr. Brown replied the Fire Code currently requires record keeping, but the City does not have the resources to enforce that requirement. The use of a database will allow him to gather needed test and inspection information at any time. Council member Nadolski asked if other cities have taken a similar approach. Mr. Brown answered there are eight other Fire Departments in the State that currently require this type of reporting system. Discussion centered on the need to include the third-party fee in the ordinance. Mr. Johnson noted that it is important because the ordinance allows a third-party vendor to benefit from a City ordinance and including the fee they can charge in the ordinance will prevent them from continually increasing their fee. The Council concluded to amend the proposed ordinance to include a \$12 fee for the single-point repository service. Council staff indicated it may be necessary to consider future amendments to this fee as market changes result in requested increases by the service provider.

Vice Chair Hyer wondered if it may be possible to streamline the City's process to allow for ordinance amendments resulting from State mandates to be more easily adopted. Mr. Johnson stated that Ogden City Code Section 16-2-2 somewhat addresses that by indicating that the City Code reflects adoption of the various required codes as specified by Utah Law. It will not be necessary for the Council to take regular action to adopt those codes, but adoption of certain appendices will require Council action.

Ms. Mabey briefly reviewed the timeline for the Council to consider the proposed ordinance with the changes suggested by the Council this evening. Final action can take place during the April 18, 2017 Council meeting.

Water Grant Application – Joint Resolution

Public Utilities Manager Moffett explained the current proposal is to have the Council and Mayor adopt a joint resolution authorizing the Water Utility's application for the WaterSMART grant. The total amount associated with the application and program totals \$72,459. This amount consists of a request for \$25,000 in grant funding and \$47,459 in the City's match funds and in-kind contributions. As proposed, the City's required match would come from both a line item budget appropriation as well as in-kind contributions. The Water Utility has indicated there is currently funding available in the Utility's budget specific to water conservation that would be used as the cash match. In addition, the City's in-kind contributions consist of wages, benefits, and other administrative costs related to a City staff member's work on the program itself. Matt Haack is the City's Water Conservation Coordinator and is the person tasked with administering the program. The combined line item funding and in-kind contributions total \$47,459. He noted the program is designed to help incentivize residents to install irrigation controls that adjust watering levels with the changes in weather and precipitation. These 'smart' controllers adjust watering based on local forecasts and weather conditions. These controllers help to reduce overwatering during periods of increased rainfall, cooler temperatures, and during the "shoulder seasons", i.e. spring and fall, when the need for watering is less. The program is intended to work as a rebate offer. In order for a resident to qualify for a rebate, the resident must agree to install a qualified smart controller, agree to receive a water audit and agree to correct any deficiencies found during the audit, and must agree to use the controller for at least one year. Mr. Moffett then facilitated a discussion among the Council regarding administration of the rebate program and the criteria a resident must meet in order to qualify for participation in the program.

Council member Blair asked if the funding opportunity is one-time or if there may be an opportunity for the City to secure a WaterSMART grant in future years. Mr. Moffett replied it is a one-time funding opportunity.

Council member Nadolski suggested that the term 'water audit' be changed to something like 'water assessment' due to the fact that the word 'audit' carries a negative connotation and residents may not be attracted to the program for that reason. Mr. Moffett stated he will consider that feedback.

Vice Chair Hyer asked about the status of the live water meter reading system project. Mr. Moffett stated that the City is

waiting for Rocky Mountain Power (RMP) to install additional data collectors on their poles. Enough readers are in place to allow for reading of half of the City's system and this has resulted in staff being free to handle other responsibilities of the Water Division. Council member Garner asked about the percentage of residential accounts that have received new meters. Mr. Moffett answered approximately 50 percent of the City has been converted, but he is not sure the breakdown between residential and commercial users. Council member Garner asked how soon the new meters will be installed throughout the rest of the City. Mr. Moffett indicated the new meters have been installed on the majority of properties in the City, but data cannot be collected from the meters until data collectors have been installed on RMP poles.

Mr. Moffett reported Pineview Irrigation Company is planning to turn on their system five days earlier than normal this year in order to learn of any leaks or other issues in their lines. He stated he will make sure that information is posted on the City's website so residents may be aware of the timeline for access to secondary water this year.

Council Business

Communications Update: Council Communications Manager Griffin made a PowerPoint presentation to provide the Council with a communications update. She began by reviewing the calendar of Council events, including the Art District Plan Open House, Boys and Girls Club Day, Ogden Restaurant Week, the Police Award Banquet, a community meeting for the Student Housing Proposal, and Mayor Caldwell's trip to Boise. She then discussed recent community outreach opportunities related to the launch of the City's new website. She discussed citizen recognition items that have taken place in recent Council meetings and indicated these recognitions were relayed through social media channels as well as the City website. The Council's Facebook following has increased as posts have become more frequent. The Council's Twitter following has also increased and the number of Google+ views has increased as well. She reviewed photographs taken at various events in which the Council has recently participated, after which she discussed the Ogden Student Video Contest. Prizes will be awarded to students who create an engaging video describing Ogden's budget process. She referred to the recent branding efforts in the City and provided the Council with information about how they and others can order apparel with the City's new logo. She mentioned internal discussions about options for streaming Council meetings live. Council staff will continue to work with Information Technology Division staff to research tools to provide live streaming options. She concluded that the Council office has hired a new Communications and Office Assistant, Amina Khan, and she has been doing an outstanding job thus far.

Council Calendar: The Council discussed various community events to be added to the Council calendar.

Council member Comments

Council member Garner reported the Weber Morgan Health Department Board met yesterday and elected a new chair, Dr. Kenneth Johnson from Weber State University. He noted that he will continue to serve as the Vice Chair for the Board.

Chair White stated that Council leadership has been working with Council staff to organize a strategic retreat/planning session for the Council on April 25, 2017. The meeting will be held off-site, but it will also be necessary for the Council to participate in a work session meeting that evening. Council member Nadolski stated that during the meeting he would like the Council to discuss what each member believes their primary role is. There are many different philosophies regarding what makes an individual an effective Council member and he is curious about those philosophies and how they may overlap one another. Discussion regarding the logistics of the event then ensued. Chair White noted that the meeting will be tentatively scheduled to last from 6:00 p.m. to 10:00 p.m.

The meeting adjourned at 5:51 p.m.

JULIA M. LASEURE, MMC
DEPUTY CITY RECORDER

MARCIA L. WHITE, CHAIR

APPROVED: July 11, 2017

Minutes of the Regular Meeting of the Ogden City Council held on Tuesday, March 28, 2017 at 6:01 p.m., in the Council Chambers on the third floor of the Municipal Building, 2549 Washington Boulevard, Ogden City, Weber County, Utah.

Present: Chair Marcia L. White (*participated via telephone*)
 Vice Chair Richard A. Hyer
 Council members Bart E. Blair
 Neil K. Garner
 Luiz Lopez
 Ben Nadolski
 Doug Stephens

Council Executive Director Janene Eller-Smith
Council Policy Analyst Glenn Symes
Council Policy Analyst Amy Sue Mabey
Communications Manager Brittany Griffin

Also present: Mayor Michael P. Caldwell
 Public Services Director Jay Lowder
 City Attorney Gary Williams
 Public Utilities Manager Kenton Moffett
 Deputy City Recorder Julia LaSeure

At the request of the Chair, all present stood and recited the Pledge of Allegiance led by Boy Scout Troop #91 Senior Patrol Leader Luke Webb.

Vice Chair Hyer welcomed the following Boy Scouts present from Troop #91, who were working on their Citizenship in the Community Merit Badge: Luke Webb, Levi Anderson, Dylan Anderson, Calvin Head, J.D. Tuttle, Jaden Hunsaker, Joseph Gibson, Maddox Hunsaker, and Antonio Garcia.

A moment of silence was observed.

Recognizing Former Mayor Madsen for dedicating his life to service that has vastly improved our community and the lives of all he knew

A memo from Council staff regarding recognition of former Mayor Robert Madsen for dedicating his life to service that has vastly improved the community and the lives of all he knew came before the Council for consideration. Council member Stephens read the certificate of recognition issued by the Ogden City Council and Mayor Caldwell and presented Mayor Madsen's wife, Caroline Steward Madsen, with the certificate.

Ms. Madsen stated that even though she has moved away from Ogden, she has not forgotten this City and its people because of their warmth and friendliness. She stated her family visits Ogden frequently because they love the atmosphere and the outdoor recreation offerings. Ogden's influence on her husband was very strong and it continues to be a great influence on many others throughout the State of Utah and the United States. She thanked the Mayor and City Council for this meaningful recognition of her husband.

Proposed Joint Proclamation declaring March 30, 2017 as "Boys and Girls Club Day" in Ogden City

A joint proclamation declaring March 30, 2017 as "Boys and Girls Club Day" in Ogden City came before the Council for consideration. Council member Lopez read the joint proclamation, after which **COUNCIL MEMBER LOPEZ MOVED TO APPROVE THE JOINT PROCLAMATION. MOTION WAS SECONDED BY COUNCIL MEMBER GARNER, ALL VOTING AYE.**

Council member Lopez presented the joint proclamation to Boys and Girls Club of Weber-Davis Executive Director Kate Bideaux. Ms. Bideaux thanked the Mayor and City Council for the support they have provided to the Club. She is very emotional about the Club because she believes that it truly changes lives as it changed her life as an inner-city teen living in Chicago. She stated the Ogden Teen Club is housed at the Marshall White Center because of the generosity of the City. Funding provided by the City has been leveraged to receive twice the amount of funding

from State and Federal funding programs. She discussed various fundraisers that can be supported by the local citizenry to generate additional funding for the Club. She thanked the youth that participate in the programs offered by the Club because they are intent on creating a better life for themselves.

Recognizing Judge Lockwood for providing the Ogden community with justice and fairness during her 37 years of service with the City

A memo from Council staff regarding recognition of Judge Andrea Lockwood for providing the Ogden community with justice and fairness during her 37 years of service with the City came before the Council for consideration. Vice Chair Hyer read the certificate of recognition issued by the Ogden City Council and Mayor Caldwell and presented Judge Lockwood with the certificate.

Judge Lockwood stated she is appreciative of this recognition. She is thankful for the privilege she has had to work with so many great people. Ogden City is a great place to work and it gave her the opportunity to develop many skills over time. She was also given great flexibility as a single mother of two children and she is very grateful for that. She indicated it has been a privilege to be able to contribute to the community in her role in the City Attorney's Office and as a Judge. She loves this City and greatly enjoyed being part of so many efforts to make it a better place to live. She thanked City Attorney Williams and stated she had the opportunity to work with him for a number of years. She referenced the previous recognition of former Mayor Madsen and stated that he was the City's Mayor when she was initially hired. She has worked with several different Mayors and City Council members over her 37 years as a City employee. She again thanked the Mayor and City Council for this recognition and thanked them for all they do to carry forward the traditions of the City and working every day to make it a better place.

Council member Nadolski asked for a brief opportunity to make comments about an item not included on the meeting agenda. He recognized audience member Deshara Thomas, Weber State University Women's Basketball player. She is a guard and point-guard on the court and is the favorite player of his two daughters, Hazel and Millie. He thanked Ms. Thomas for all she has done on the court as well as for how she carries herself off the court. She has been nothing but a class act each time she has interacted with his children.

Consideration of reappointments to the Ogden Housing Authority

A letter from Mayor Caldwell requesting consideration of the reappointments of Eric D. DeFries, Gregory W. Chapman, Edna Morehouse, and Ward Ogden to the Ogden City Housing Authority came before the Council for consideration.

COUNCIL MEMBER GARNER MOVED TO APPROVE THE REAPPOINTMENTS OF ERIC D. DEFRIES, GREGORY W. CHAPMAN, EDNA MOREHOUSE, AND WARD OGDEN TO THE OGDEN CITY HOUSING AUTHORITY, WITH THEIR TERMS TO EXPIRE MARCH 15, 2021. MOTION WAS SECONDED BY COUNCIL MEMBER LOPEZ, ALL VOTING AYE.

Approval of Minutes

Council member Blair stated he had reviewed the minutes of the Joint Work Session of October 4, 2016 and found them to be accurate to the best of his recollection.

Council member Garner stated he had reviewed the minutes of the Work Session of December 13, 2016 and found them to be accurate to the best of his recollection.

COUNCIL MEMBER GARNER THEN MOVED TO APPROVE THE MINUTES AS PRESENTED. MOTION WAS SECONDED BY COUNCIL MEMBER BLAIR, ALL VOTING AYE.

Proposed Joint Resolution 2017-3 authorizing and supporting an application for a small-scale water efficiency project grant

A memo from the Public Services Department came before the Council to consider a joint resolution authorizing and supporting an application for a small-scale water efficiency grant. The memo stated the Ogden City Water Utility is requesting the Council and Mayor approve a joint resolution authorizing an application for a WaterSMART drought resiliency grant offered by the U.S. Bureau of Reclamation. The grant requires matching funds from the City and the proposal is to request \$25,000 in funds from the Bureau of Reclamation with the City contributing \$47,459 in matching funds and in-kind contributions. The grant would go toward the City's efforts to help residents install smart irrigation systems.

Public Utilities Manager Moffett summarized the memo and stated he is seeking Council support of an application for a WaterSMART Grant. The WaterSMART Program, administered by the Bureau of Reclamation, offers funding for projects that encourage water conservation and energy savings. Grant funds are available for

projects with a cost of up to \$75,000 and the program requires matching funds. He indicated he would like to seek \$25,000 in grant funding with a City contribution of \$47,459 in matching funds and in-kind contributions. The plan is to use the money to offer free smart irrigation controllers to homeowners, similar to a program offered by the Weber Basin Water Conservancy District.

Council member Garner clarified that the program would provide the greatest benefit to residents who currently water their landscaping with culinary water. Mr. Moffett replied that is correct.

Vice Chair Hyer asked when the City will know whether the grant application was successful. Mr. Moffett responded October of 2017. Vice Chair Hyer asked if the program will begin before the City receives that notification. Mr. Moffett answered no and indicated that the program will not be offered to residents until after funding is received. There was brief discussion regarding the manner in which residents will be made aware of the program if and when it becomes available. Mr. Moffett stated that he would like to monitor the performance of the smart irrigation controllers for a full year before the equipment is offered to residents.

Vice Chair Hyer introduced in writing proposed Joint Resolution 2017-3, entitled:

“A joint resolution of the Ogden City Mayor and the Ogden City Council authorizing and supporting an application for a small-scale water efficiency project grant (No. BOR-DO-17-F011) relating to the Smart Controller Program.”

COUNCIL MEMBER LOPEZ MOVED THE JOINT RESOLUTION BE ADOPTED, AND THE CHAIR BE AUTHORIZED TO SIGN THE SAME. MOTION WAS SECONDED BY COUNCIL MEMBER STEPHENS, WITH THE FOLLOWING ROLL CALL VOTE: VOTING AYE – COUNCIL MEMBERS BLAIR, GARNER, LOPEZ, NADOLSKI, STEPHENS, VICE CHAIR HYER, AND CHAIR WHITE. VOTING NO – NONE.

Public Comments

Pam Tingey, no address given, stated that according to information available on the internet, Ogden City operates with a budget of \$190 million per year with 600 full-time employees. She stated that if those 600 employees drank three cans of soda per day and donated their empty cans to a cause, it would generate 1,800 cans per day, 12,600 cans per week, or 50,400 cans per month. At \$0.03 per can, that would generate \$1,500 per month. The same calculations used for fountain drinks would be \$5,400 per month. She commented that she does not have enough time to tell the Council what she could do with that much money for the homeless population in Ogden. She indicated that she hates to see so many people spend their way to high blood pressure, cholesterol, diabetes, and heart disease. She stated that she and her friend would like to open a mentoring and consulting business for those who need a place to change their focus for improvement in their lives. She reported that Mathew Lee has agreed to repair and open his building at 258 31st Street and allow her to use it for that purpose. What is stopping him is that he is being punished for the non-conforming nature of his home due to negligence of the previous owners. It is the only home on the block in repair mode that is not allowed to be repaired. Mr. Lee has contractors standing by waiting to start work and the home is no more dangerous than others on the same block and less dangerous than some of the homes that are still occupied. She suggests that everyone pool their money together to buy a property that can be used for her to send emails about what she is doing for and with the homeless population to encourage them to focus on a new way of life.

She has lived at the Lantern House and it is nice but she was kicked out in July for a no-call/no-show while getting permission to attend a training in Salt Lake City to teach the mentally ill. The night before she left the Lantern House she told workers there that she would be leaving one day early and was released from residence, but she was later told that she was not allowed to teach classes in the Utah State Prison because the activities were taking place during the night. She stated that she would argue that life improvement continues in the evening hours. She noted she has a curriculum that she would like to make available to the homeless population in the City and she left a copy of that curriculum with the Council for their own reading.

Vice Chair Hyer referred Ms. Tingey's complaints about Mr. Lee's property to City Administration. Mayor Caldwell stated he would be happy to confer with the Building Services Division of the City to determine the status of the case relating to Mr. Lee's property.

Mayor Comments

Mayor Caldwell congratulated Council Executive Director Eller-Smith on her appointment to the position last week. He stated the process used to recruit candidates for the position was a quality process that attracted many quality applicants. He mentioned the amount of moisture received over the 2016-2017 winter is 200 percent of normal levels and he appreciated the work done by the City's Public Services Department to monitor river conditions to prevent flooding and other problems associated with high run-off.

Consideration of adjourning into a Closed Executive Session

At this time, the Council gave consideration of adjourning into a Closed Executive Session pursuant to one or more of the provisions of Section 52-4-205(1) of the Open and Public Meetings Law:

- a. Discussion of the character, professional competence, or physical or mental health of an individual
- b. Strategy session to discuss collective bargaining
- c. Strategy session to discuss pending or reasonably imminent litigation
- d. Strategy session to discuss the purchase, exchange, or lease of real property
- e. Strategy session to discuss the sale of real property
- f. Discussion regarding deployment of security personnel, devices, or systems
- g. Investigative proceedings regarding allegations of criminal misconduct

COUNCIL MEMBER BLAIR MOVED THE COUNCIL ADJOURN INTO A CLOSED EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205(1) OF THE OPEN AND PUBLIC MEETINGS LAW. MOTION WAS SECONDED BY COUNCIL MEMBER GARNER, WITH THE FOLLOWING ROLL CALL VOTE: VOTING AYE – COUNCIL MEMBERS BLAIR, GARNER, LOPEZ, NADOLSKI, STEPHENS, VICE CHAIR HYER, AND CHAIR WHITE. VOTING NO - NONE.

The meeting adjourned into Closed Executive Session at 6:42 p.m.

The meeting reconvened at 7:44 p.m.

There being no further business to come before the Council, **COUNCIL MEMBER LOPEZ MOVED THE MEETING ADJOURN AT 7:44 P.M. MOTION WAS SECONDED BY COUNCIL MEMBER NADOLSKI, ALL VOTING AYE.**

JULIA M. LASEURE, MMC
DEPUTY CITY RECORDER

MARCIA L. WHITE, CHAIR

APPROVED: July 11, 2017

Minutes of the Closed Executive Session of the Ogden City Council held on Tuesday, March 28, 2017 at 6:47 p.m., in the Council Work Room on the third floor of the Municipal Building, 2549 Washington Boulevard, Ogden City, Weber County, Utah.

Present: Chair Marcia L. White (*participated via telephone*)
 Vice Chair Richard A. Hyer
 Council members Bart E. Blair
 Neil K. Garner
 Richard A. Hyer
 Luis Lopez
 Ben Nadolski
 Doug Stephens

Council Executive Director Janene Eller-Smith
Council Policy Analyst Glenn Symes
Council Policy Analyst Amy Sue Mabey
Communications Manager Brittany Griffin

Also present: Mayor Michael P. Caldwell
 Assistant City Attorney Mark Stratford
 Public Services Director Jay Lowder
 Deputy City Recorder Julia LaSeure

The purpose of the Closed Executive Session is to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property pursuant to the provisions of Section 52-4-205(1)(a, c, and d) of the Open and Public Meetings Law.

The meeting adjourned at 7:44 p.m.

JULIA M. LASEURE, MMC
DEPUTY CITY RECORDER

MARCIA L. WHITE, CHAIR

APPROVED: July 11, 2017