### NORTH OGDEN CITY COUNCIL MEETING MINUTES

February 27, 2024

The North Ogden City Council convened on February 27, 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 February 22, 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: <a href="https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos">https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos</a> or by requesting a copy of the audio file from the North Ogden City Recorder.

#### PRESENT:

S. Neal Berube Mayor

Ryan Barker Council Member (excused)
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
Jami Jones Finance Director

Scott Hess Community and Economic Development Director

Eric Casperson City Engineer

Dave Espinoza Public Works Director/Assistant City Manager

Crystal Polson Public Works Inspector

Ryan Nunn Planner

Dirk Quinney Police Chief (Zoom)

#### VISITORS:

Sandy Cochran Nate Allen Kevin Burns Kerry Wangsguard

Stefanie Casey
Candice Hasenyager
Branda Ashdown

Kerry Wangsguare
Phil Swanson
Anya Korfine
K. Udy

Zachery Frankel Merrill Sunderlund Mayor Berube called the meeting to order. Council Member Cevering invited Ascension Lutheran Church Pastor Debra Jimenez to offer the invocation and lead the audience in the Pledge of Allegiance.

#### **PRESENTATIONS**

#### 1. <u>ALTERNATIVE METHODS PILOT PROGRAM - APPROVAL VOTING</u>

0:05:50 Nate Allen with Utah Approves began by expressing gratitude for the opportunity to present on approval voting. The benefits and differences from the current system were discussed, emphasizing its simplicity, cost-effectiveness, and ability to reflect voter values. Additionally, concerns about compliance with voting rights acts were addressed and it was clarified that approval voting maintains the principle of one person, one vote.

During the Q&A session, Council Members raised questions about cost savings, compliance with voting rights acts, and the potential impact on elections. They discussed issues such as ballot spoilage, voter education, and the possibility of eliminating primary elections. Opinions varied, with some expressing support for approval voting and others raising concerns about its implications. Some concerns raised were that approval voting could encourage "bullet voting" where people only vote for one candidate. However, others thought it could give an advantage to minority candidates or those without as much name recognition.

Ultimately, the Council agreed to draft a letter expressing support for exploring approval voting as an option for municipalities to be presented to the legislature. The letter would serve to indicate continued interest in the voting method and its potential implementation in future elections.

(See Attachment A: Approval Voting Presentation)

#### **CONSENT AGENDA**

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

0:36:37 No conflict of interest was disclosed.

### 3. <u>DISCUSSION AND/OR ACTION TO CONSIDER THE APPROVAL OF THE FOLLOWING CITY COUNCIL MEETING MINUTES:</u>

- February 6, 2024
- February 13, 2024

0:37:00 Council Member Pulver motioned to approve the listed City Council Minutes. Council Member Cevering seconded the motion.

#### Voting on the motion:

Council Member Barker	excused
<b>Council Member Cevering</b>	aye
Council Member Dalpias	aye
Council Member Pulver	aye
Council Member Watson	aye

The motion passed unanimously.

#### **ACTIVE AGENDA**

#### 4. PUBLIC COMMENTS

0:38:05 Candice Hasenyager, a North Ogden resident, and the Director of the Division of Water Resources, addressed the Council regarding the critical need for water conservation in Utah due to ongoing drought conditions. She highlighted the severity of recent droughts and emphasized the importance of conservation efforts in ensuring drought resilience for the future. She commended the City for its focus on water conservation and expressed her support for any additional measures discussed in the upcoming meeting. She emphasized the significance of landscaping choices in water usage and encouraged the Council to consider measures to promote more water-wise landscaping practices. Candice addressed the urgency of water conservation efforts and offered her support to the Council in their decision-making process.

0:41:17 Phillip Swanson, a North Ogden resident began by expressing gratitude for the Council's service. He voiced support for agenda item number 7, the Rain Harvest Program, citing its success in the previous year and recommending the City's continued participation. Regarding agenda item number 10, the RDA Grant Program, Mr. Swanson suggested clarifying that there should be a maximum participation percentage by the City in project applications. It was his recommendation to set this maximum at 10 or 15% to ensure that the owners seeking City and taxpayer dollars have a significant stake in the projects.

0:42:27 John Arrington, a North Ogden resident expressed his understanding of the voting process under the presented system. He noted that individuals could still vote for one person if they wished, but the system allowed for voting based on philosophy rather than just individuals. He clarified that a ballot is not invalidated if someone only votes "Yes" and does not vote "No." Additionally, he mentioned that voters are not required to vote for every person for or against. Mr. Arrington concluded by expressing his understanding and thanking the Council for the opportunity to speak.

# 5. <u>DISCUSSION AND/OR ACTION TO CONSIDER THE RECOMMENDATION</u> <u>ON A LEGISLATIVE APPLICATION TO AMEND RESIDENTIAL FENCING</u> <u>STANDARDS TO CONSIDER 8-FOOT-TALL DEER FENCING FOR THE</u> <u>PROTECTION OF PRIVATE PROPERTY:</u>

0:43:37 Planner Ryan Nunn explained the proposal to amend the City's fencing ordinance. The proposal was initiated by a former Council Member who presented it to the Fire Department for consideration. It was subsequently discussed by the Planning Commission, which ultimately decided against making any changes to the existing ordinance regarding fencing, including the addition of a deer fencing ordinance. City Manager/Attorney Jon Call clarified that the current ordinance restricts fence heights to six feet but acknowledged a request to allow for up to eight feet. He explained that since the Planning Commission recommended no amendments, there was no specific language to amend at that point. However, he suggested that if the Council wished to pursue an amendment, new language could be crafted based on their discussion for future consideration.

During the discussion, Council members expressed various perspectives on the proposed amendment, considering factors such as visual impact, practicality, and the necessity of addressing deer-related issues. Some Council members proposed amending the ordinance to allow for eight-foot fencing around the perimeter of yards, while others suggested waiting for further community input or demonstrated need before making any changes.

Mayor Berube conducted a straw poll to gauge the Council's interest in pursuing amendments to the ordinance, but no Council members indicated an immediate desire to move forward with any changes. Consequently, it was decided to wait and monitor the situation before revisiting the issue.

## 6. <u>DISCUSSION AND/OR ACTION TO APPROVE ORDINANCE 2024-05</u> <u>AMENDING HILLSIDE PROTECTION ZONES ACCESSORY BUILDING LOT</u> <u>COVERAGE</u>

0:52:53 Planner Ryan Nunn addressed an inconsistency that was discovered in the site development standards for the hillside protection zone, specifically regarding the allowed maximum rear coverage of 25%, which was missing. The Council aimed to align this with the standards set for other residential zones to ensure consistency throughout the City.

Mayor Berube confirmed that this adjustment would maintain consistency across residential areas, recalling a previous decision made for this purpose. There were no questions raised regarding the amendment.

Council Member Cevering motioned to approve Ordinance 2024-05 amending Hillside Protection Zones Accessory Building Lot Coverage. Council Member Dalpias seconded the motion.

#### Voting on the motion:

Council Member Barker	excused
<b>Council Member Cevering</b>	aye
<b>Council Member Dalpias</b>	aye
<b>Council Member Pulver</b>	aye
<b>Council Member Watson</b>	aye

The motion passed unanimously.

## 7. <u>DISCUSSION AND/OR ACTION ON NORTH OGDEN CITY'S</u> PARTICIPATION IN THE 2024 UTAH RIVERS COUNCIL RAIN HARVEST PROGRAM

0:55:02 Council Member Dalpias addressed the Council regarding North Ogden's participation in the Utah Rivers Council Rain Barrel Program. Last year, the City subsidized 70 rain barrels out of the 100 initially committed, costing \$1,960 from the Stormwater Fund. This year, the Council was asked to commit potentially \$2,800 for 100 barrels. The rain barrels collect rainwater for gardening and other purposes, promoting water conservation.

Council Member Dalpias proposed limiting the subsidy to residents who did not receive a barrel last year, with a maximum of two barrels per residence. Concerns were raised about tracking previous subsidies and the durability of the barrels. It was clarified that the cost would come from the Stormwater Fund, not affecting the General Fund. A representative from Utah Rivers Council joined the discussion via Zoom and said they could likely track past recipients. Barrels were said to last 10+ years.

The Council debated whether to approve the participation, with Council member Pulver suggesting budgeting for it next year instead. Council member Dalpias emphasized the importance of water conservation, especially in a desert region like North Ogden.

Council Member Dalpias motioned to approve North Ogden City's participation in the 2024 Utah Rivers Council Rain Harvest Program to subsidize 100 barrels for a maximum of \$2800.00 with a limit of 2 barrels per residence. Council Member Watson seconded the motion.

#### Voting on the motion:

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

The motion passed with a 3 to 1 vote.

Council Member Cevering offered an explanation to his vote by stating that despite his personal commitment to water conservation, he is not in favor of using City funds to subsidize this particular program.

#### 8. <u>DISCUSSION AND/OR ACTION ON THE CITY FUNDS REQUEST</u> SUBMISSION PROGRAM

1:09:22 City Manager/Attorney Jon Call began with a recap of a past request from the 4-H Club for funding, which prompted the need to formalize a process for future requests. The Council deliberated on whether to restrict funding to public safety-related initiatives or to consider a broader range of requests. Some Council members advocated for a narrower focus on public safety, citing guidelines from a municipal handbook that emphasized the importance of using public funds responsibly and for the benefit of the community.

There was also debate over the use of City assets for events and activities. While some Council members expressed support for allowing certain groups to use City facilities for community-building purposes, others raised concerns about liability and the potential for misuse of resources.

Ultimately, the Council agreed to seek input from the Police Chief to help define public safety-related initiatives and establish clear criteria for determining which requests would be considered. They also planned to draft guidelines for city-sponsored events and separate discussions on funding from those on asset usage to streamline the decision-making process.

### 9. <u>DISCUSSION AND/OR ACTION TO RECESS THE CITY COUNCIL MEETING AND CONVENE THE REDEVELOPMENT AGENCY (RDA)</u>

Council Member Cevering motioned to recess the City Council meeting and convene the Redevelopment Agency (RDA). Council Member Pulver seconded the motion.

#### Voting on the motion:

Council Member Barker excused
Council Member Cevering aye
Council Member Dalpias aye
Council Member Pulver aye

The motion passed unanimously.

#### 10. <u>DISCUSSION AND/OR ACTION TO APPROVE THE RDA GRANT PROGRAM</u> LETTER

1:39:01 City Manager/Attorney Jon Call explained that the RDA (Redevelopment Agency) grant program letter aimed at revitalizing a specific area. The letter would be sent to property owners in the redevelopment area to encourage them to apply for funds to improve their properties in alignment with the area's redevelopment goals. The Board deliberated on criteria for granting funds, including the percentage of funding the City should contribute and whether to prioritize projects based on potential returns for the City. Various suggestions were made, including setting a minimum contribution requirement for applicants (ranging from 10% to 20%), with the City matching their investment based on the projected benefit to the City, which is usually measured in increased sales tax revenue or property tax revenue. There was also discussion about whether to prioritize projects that generate significant revenue for the City or focus on beautification projects. Mayor Berube emphasized the need for projects to demonstrate a potential return on investment for the City, aligning with the RDA's purpose of generating revenue.

Board Member Cevering expressed concerns about setting a rigid percentage, suggesting flexibility based on project viability. City Manager/Attorney Jon Call proposed sending a letter of interest to gauge project interest, with specific application requirements to follow. The Board ultimately agreed to the 10% minimum investment but left room for higher percentages to be weighted favorably.

Board Member Cevering motioned to approve the RDA Grant Program Letter with a 10% minimum investment requirement. Board Member Watson seconded the motion.

#### Voting on the motion:

Board Member Barker excused
Board Member Cevering aye
Board Member Dalpias aye
Board Member Pulver aye

The motion passed unanimously.

### 11. <u>DISCUSSION AND/OR ACTION TO ADJOURN THE RDA MEETING AND</u> CONVENE IN THE REGULAR CITY COUNCIL MEETING

2:16:50 Board Member Watson motioned to adjourn the RDA Meeting and convene to Regular City Council Meeting. Board Member Pulver seconded the motion.

#### Voting on the motion:

Board Member Barker	excused
<b>Board Member Cevering</b>	aye
<b>Board Member Dalpias</b>	aye
<b>Board Member Pulver</b>	aye
<b>Board Member Watson</b>	aye

The motion passed unanimously

#### 12. <u>DISCUSSION AND/OR ACTION FOR THE PURCHASE OF WEBER COUNTY</u> <u>SURPLUS PROPERTY, PARCEL 17-045-0030</u>

2:17:48 Community and Economic Development Director, Scott Hess, explained that the City was approached by Weber County regarding a piece of property acquired through a delinquent tax sale, which the County wishes to sell to the City. The property, located near 300 East North of Elberta and west of Washington Boulevard in North Ogden, is seen as a potential future road right-of-way. Staff recommends the City acquire the property to prevent it from being sold to private individuals who might hinder development by holding it for a higher price. The proposed purchase price is \$308.00. The funds for the purchase will come from the City's Miscellaneous General Fund account.

Council Member Dalpias motioned to approve the purchase of Weber County Surplus Property, Parcel 17-045-0030. Council Member Cevering seconded the motion.

#### Voting on the motion:

Council Member Barker	excused
<b>Council Member Cevering</b>	aye
Council Member Dalpias	aye
Council Member Pulver	aye
Council Member Watson	aye

The motion passed unanimously.

#### 13. COUNCIL DEPARTMENT REPORTS:

a. Council Member Watson – Administration & Recreation Departments

2:21:22 Council Member Watson stated that during a recent conversation with the HR Director, updates were provided on various employees and announcements.

Dylan Hill from Public Works received praise for assisting a mother and son during a snowstorm, earning recognition from a citizen.

School Resource Officer Preece was commended for her kind and caring demeanor. Trent Wilkins, the Sanitary Sewer Superintendent, helped a resident with a sewer backup, saving them from expensive repairs.

Retirement announcements were made for several individuals, including Chief Quinney after 28 years of service to North Ogden, Lieutenant Crowther after 44 years of service, Lieutenant Hindes after 24 years of service, and Sergeant Dives after 22 years of service. Additionally, two promotions to Lieutenant and three to Sergeant were announced.

In recreation, the lifeguarding class began with 15 new participants.

Council Member Watson announced the transition from Movies in the Park event to Flick and Floats.

Swim lesson registrations are set to open on April 1, 2024.

#### b. Council Member Pulver – Public Works Department

2:24:39 Council Member Pulver announced that water runoff has begun, causing some issues for residents near the reservoir that is currently under construction. Efforts are underway to address issues related to dirt overloading.

The Public Safety Building also requires attention to various minor tasks. Council Member Pulver stated he plans to become more involved in overseeing Public Works activities moving forward.

#### c. Mayor Berube – Finance Department

2:25:30 Mayor Berube began by announcing an upcoming Open House at the new Public Safety Building, inviting the public to attend.

He then discussed the City's financial situation, noting potential shortfalls in revenues and overspending on expenses. Despite some positive aspects, such as higher excavation fees and sales tax revenues, the overall financial outlook indicates a potential \$200,000 shortfall.

The Mayor also highlighted some budget priorities requested by Council members, which could further strain finances. Mayor Berube emphasized the need for careful consideration and decision-making moving forward, particularly regarding potential fee increases and budget allocations. His presentation ended with a discussion on fluctuating sales tax revenues and a call for remaining optimistic amidst financial challenges.

(See Attachment B – Financial Report)

#### d. City Manager/Attorney Jon Call – Capital Projects

2:38:26 City Manager/Attorney Call began by presenting the plans for a play feature at the proposed Waterworks Park, detailing a system where kids can manually pump water from holding tanks into troughs and other structures, including an Archimedes screw. He emphasized the uniqueness of this interactive feature and its funding through a Development Agreement.

Additionally, updates on various City projects were provided, including the completion of the water reservoir, the upcoming move to the new Public Safety Building, progress on the Lomond View pickleball courts with considerations for nearby residents, and advancements in the 2550 Detention Basin project.

Mr. Call also mentioned a newly approved major piping project which will be spanning two years and clarified that the Council's commitment to the second year's funding was not required at this time.

Overall, the projects aim to enhance city amenities and infrastructure while addressing community needs and future challenges.

2:49:59 Mayor Berube took the opportunity to acknowledge Chief Quinney's retirement after 28 years of service, highlighting the challenges and sacrifices associated with being a Police Chief.

The Mayor expressed appreciation for Chief Quinney's dedication to North Ogden City and his care for his officers during his five-year tenure and emphasized the importance of recognizing Chief Quinny's contribution to the community.

#### 14. PUBLIC COMMENTS

2:51:32 Brenda Ashdown, a North Ogden resident expressed a concern about the water conservation aspect of the proposed waterpark and questioned the use of the artesian well if it wasn't utilized for the waterpark. City Manager/Attorney Jon Call responded, explaining that the water from the well would be directed to the 2550 Basin to prevent stagnation and would likely be reused in the City's water system.

Brenda also shared her opinion on the RDA 50/50 funding model, advocating for businesses to fully invest in beautification projects without relying heavily on City funding.

Additionally, she expressed gratitude to Chief Quinney, acknowledging him as the best Police Chief she had encountered and wishing him well in his retirement.

2:54:01 Kevin Burns, a North Ogden resident clarified a point regarding RAMP (Redevelopment Agency Municipal Project) grants, stating that while a 50/50 grant is not required for RAMP applications, having more money can lead to scoring more points. He emphasized that no money has been received yet this year from RAMP and that the decision is still pending from the County Commission.

The City Manager/Attorney Jon Call acknowledged the clarification and noted that they haven't officially received the funds yet.

Mr. Burns suggested reaching out to the Weber Housing Authority for insights on housing proposals for first responders and teachers.

Additionally, he reminded everyone that RAMP is on the ballot this year, urging consideration of its impact on the budget.

2:56:17 Susan Kilborn, a North Ogden resident expressed sadness at Chief Quinney's departure and proposed an amendment to the donation program to organize a retirement party for him. She offered to plan the event and joked about her cost being only smiles.

2:58:12 Kerry Wangsguard, a North Ogden resident raised concerns about the maintenance of the detention basin once completed, citing examples of poorly maintained ponds in other areas. He expressed worries about potential challenges and costs associated with maintenance, highlighting issues such as rodent infestation, mosquito breeding, and contamination.

Mayor Berube and City Manager/Attorney Jon Call responded, mentioning preliminary estimates of water usage for maintenance, and acknowledged the importance of addressing potential challenges.

#### 15. MAYOR/COUNCIL/STAFF COMMENTS

The opportunity for input from the Mayor, Council, and Staff was not afforded.

#### 16. <u>ADJOURNMENT</u>

Council Member Watson motioned to adjourn the meeting.

The meeting adjourned at 9:00 p.m.

#### **ATTACHMENTS**

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

- A. Approval Voting Presentation
- B. Financial Statement

S. Neal Berube, Mayor

Rian Santoro City Recorder

> City Council Meeting Minutes February 27, 2024 Page 13

3/24/24
Date Approved



## Approval Voting

Savings, Simplicity, and Security

ATTACHMENT A

### What is Approval Voting?

- Voting 'yes' or 'no' for each candidate, rather than 'yes' to only one
- The candidate with the most 'yes' votes, the highest approval rating, wins

Current Ballot  Vote for ONE Candidate		Approval Ballot Mark ALL NAMES you approve of		
Business Betty		<b>Business Betty</b>		
Education Eddy		Education Eddy		
Parks Pablo	$\bigcirc$	Parks Pablo		
Public Transit Tiana	$\bigcirc$	Public Transit Tiana		
Taxes Terry		Taxes Terry	$\bigcirc$	

### How is Approval Different?

	Current System (Plurality)	Approval Voting
Elects based on	Exclusive support	Favorability rating
Tends to favor	Candidates with a passionate base of support	Candidates with broad- based appeal
Works well with	Races with only 2 candidates	Races with any number of candidates

### Why Approval Voting?

- Better reflects voter values
- Produces broadly supported consensus winners
- Limits vote splitting and spoiled elections
- Incredibly cost-effective
- Cost savings (if no Primary Election)
- Secure, transparent, easily audited
- Simple and easy to administer and explain
- More expressive

Approval Voting
Support your favorites

Alice

**4** 

Bob

\_\_\_\_

Carey



Drew

4

Edith

Adaptertelespen

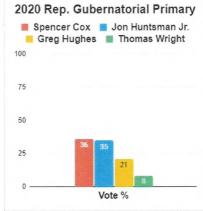
Frank

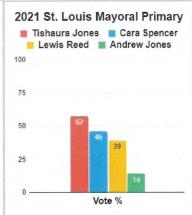
### Voter Values and Consensus Candidates

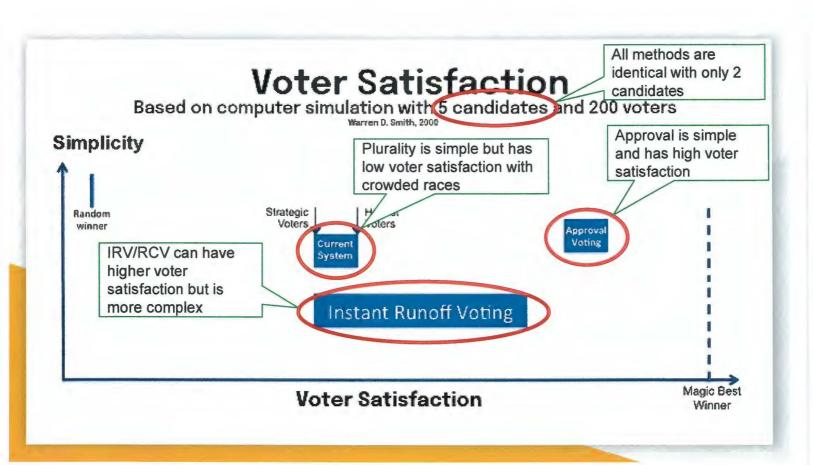
- Higher winning percentage gives winner stronger mandate to lead
- Shows true levels of support for each candidate
- No splitting the vote -> Broadly supported candidates
- Candidates have a simple strategy: appeal to as many people as possible



#### Approval Election







### Security and Administration

- Precinct summable unlike other alternatives
- The county clerks have stated approval voting is the only alternative that "has an audit trail they are comfortable with"
  - Ricky Hatch, Weber County Clerk, is supportive of implementing approval voting if cities want to try it
- Fewer spoiled ballots

### **Cost-Effectiveness**

- No new voting machines or software
- Ballot size stays the same (mail-in and printing)
- Voter education is extremely cost efficient and simple
  - o Candidates don't need to explain the method
- No additional cost for administration like RCV

Number of participating municipalities	P	liocated costs	Number of participating municipalities	A	lloca
1	\$	36,156	13	\$	2,
2	\$	18,078	14	\$	2,
3	\$	12,052	15	\$	2,
4	\$	9,039	16	\$	2,
5	\$	7,231	17	\$	2,
6	\$	6,026	18	\$	2,
7	\$	5,165	19	\$	1,
8	\$	4,520	20	\$	1,
9	\$	4,017	21	\$	1,
10	\$	3,616	22	\$	1,
11	S	3,287	23	\$	1,
12	\$	3,013			

**Additional RCV Costs** 

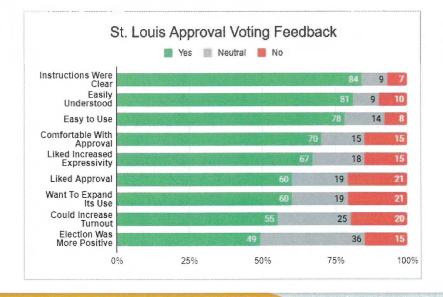
*Estimated	Ranked	Approval
Costs	Choice	Voting
Voter Education	\$31,950	\$10,650

\*Estimates based on per capita spending by other cities

North Ogden 2021	Primary	General
Election Costs	\$11,354	\$21,447

### Where has Approval Voting been used?

- International Elections
  - Papal Conclaves
  - o Venice, Italy
  - o Greek Legislature
  - UN General Secretary
- US Elections
  - o Fargo, ND
  - o St. Louis, MO



### Comparison of Voting Systems

	Current System	Approval	Ranked Choice
Cost	High (2 elections)	Low (1 election)	Moderate
High Winning Percentage	No	Yes	Yes (Artificial)
Voter Satisfaction	Low	High	Moderate
Ballot Spoilage	Moderate	Low	High
New Voting Software	No	No	Yes
Ballot Size	Small	Small	Large
Counting Complexity	Low	Low	High
Precinct Summable	Yes	Yes	No
Voter Education	Low	Moderate	High

### Questions?



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Parks and Rec Dept Head

**Events Coordinantor** 

Sidewalks Officer

3% Salary

Shortfall

Revenues

revenues	ricaacca / iiiioaiii
Building Permits	(\$100,000.00)
Recreation	(\$30,000.00)
Public Safety Impact Fees	(\$35,000.00)
Excavation Fees (Increased amount)	\$70,000.00
	(\$95,000.00)
Expenses	
Retirements	\$170,000.00
Budgeted Retirements	(\$90,000.00)
Health Insurance Adj	\$22,000.00
	\$102,000.00
Over Budget	(\$197,000.00)
Sales Tax	\$140,000.00
Interest Income	\$0.00
	(\$57,000.00)
Insurance next year	(\$42,000.00)

\$850,000.00

\$125,000.00

\$50,000.00 \$200,000.00

\$150,000.00

\$225,000.00

\$100,000.00

**Reduced Amount**