

**NORTH OGDEN CITY COUNCIL
MEETING MINUTES**

April 17, 2018

The North Ogden City Council convened in an open meeting on April 17, 2018 at 6:03 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 April 12, 2018. Notice of the annual meeting schedule was published in the Standard-Examiner on December 31, 2017.

PRESENT:	M. Brent Chugg	Mayor
	Blake Cevering	Council Member
	Cheryl Stoker	Council Member
	Phillip Swanson	Council Member
	Carl Turner	Council Member

STAFF PRESENT:	Jon Call	City Administrator/Attorney
	Annette Spendlove	City Recorder/HR Director
	Lance Call	Chief of Police

VISITORS:	Jay D. Dalpiaz	Leonard Looney	Susan Clements
	David Myers	Don Manley	Bekah Clements
	Don Johnson	Nathanial Toole	Mitch Warren
	Tara Warren	Kurt Child	Al Trout
	Amy Williams	Linda Trout	Denise Austin
	Richard Austin	Blake Welling	Kira Welling

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

ACTIVE AGENDA

1. PUBLIC COMMENTS

Al Trout, 2670 N. 750 E., addressed the proposed rezone of the Powell property, which is not listed on tonight's meeting agenda, but it will be presented to the Council soon. He distributed to each Council Member a packet of materials regarding the proposed rezone and indicated that he and many of his neighbors have signed the letter included in the packet. He stated that he and his neighbors were not aware of the rezone until the

application had worked its way through the development review process with the Planning Commission; he received a letter the day before a Planning Commission meeting about the application and they will be holding another meeting tomorrow and will likely make a final decision regarding the recommendation to be forwarded to the Council. He stated this same packet of materials will be given to the Planning Commission tomorrow and it cites some of the reasons that he and many of his neighbors are opposed to the rezone. The main reason for their opposition is that the rezone is not in compliance with the City's General Plan and it is not in the spirit of rural zoning that is common in North Ogden.

Mitch Warren, 2678 N. 750 E., echoed Mr. Trout's comments and referenced a map included in the packet of materials distributed by Mr. Trout. He stated that the map very clearly highlights the contrast between the proposed zoning for the Power property and the existing zoning of property surrounding that parcel. He stated that the average lot size for the project to be completed on the Powell property is 0.147 acres while the average lot size for surrounding properties is 0.604 acres; this is a dramatic contrast and he does not feel it is in line with the City's General Plan. He added that the nearby development in the vicinity of Rice Creek is more in line with the General Plan and he would be more comfortable with that type of development on the Powell property. He stated that he gathered his information from actual documents that have been submitted with the rezone application.

Jay D. Dalpias, 734 E. 2700 N., stated that while his feelings about the rezone are not as strong as those expressed by his neighbors, he does agree that the sizes of the lots to be included in the Powell Estates project are extremely small when compared to surrounding properties. He stated that the smallest lot size in the Legacy PRUD Development in the City, which is also geared towards the 55 and older community, is 0.13 acres, but most lots are larger. He stated that he is concerned about locating so many small lots in one development. He then asked if there will be traditional sidewalks and walking paths in the development. He concluded he does not feel the proposed development is compatible with the area and he asked that the Council consider that matter.

Tara Warren, 2678 N. 750 E., stated that she received notification of the proposed rezone via letter from the City; that letter was delivered approximately 11 days before the hearing with the Planning Commission. The letter indicated that those unable to attend the meeting in person could submit written comments to the City no later than eight days before the meeting. She stated that the person in charge of handling written comments was out of town and this overlapped with spring break in the community, during which many residents were out of town. She stated she would recommend that the residents in the area be given more time to do research before the Planning Commission makes a decision.

Nate Toole, 2694 N. 750 E., agreed with Mr. Trout and Mr. Warren and their comments about the proposed rezone; he does not believe the proposal is in line with the City's General Plan nor compatible with surrounding development.

Kurt Child, 2695 N. 850 E., stated that the Powell Estates project would surround him; if it were to move forward as proposed, he will be looking into two new backyards from his own backyard. He stated he knows it is not possible to stop development from happening, but it is ridiculous to allow this kind of development across the street from the existing developments, which contain nice sized lots with big homes. He asked the Council to consider the Rice Creek development and stated if they were to picture that development with 10-more homes they would have a clear picture of what the Powell Estates development would look like. He stated he is the person that would be most impacted by the development and he feels it will destroy his property value. He stated his lot is one-acre in size and he would hate to see it be devalued so drastically.

Council Member Turner stated that Rice Creek is directly behind his home; when the development on that property was first proposed, the plan contained 25 to 30 homes. Residents, including his wife, were very vocal about the proposal and they ended up changing the course of the development. He stated he appreciates the comments that have been made tonight and asked that the residents continue to stay involved and to trust the process and the development review system.

City Administrator/City Attorney Call stated the Planning Commission has not applied a zone to the Powell property; an application has been made for the new R-1-5 zone for the property, but no decision has been made at this point. A rezone application is a legislative matter and the City Council will have the final decision.

2. DISCUSSION AND/OR ACTION TO CONSIDER THE VICTIMS OF CRIMES GRANT AND A PART-TIME VICTIM'S ADVOCATE

A staff memo from Police Chief Call explained the Police Department would like to avail itself of a VOCA Grant opportunity (Victims of Crime Act) which would pay 80% of the cost of a part-time victim advocate's position with the North Ogden Police Department. NOPD would be responsible for 20% of the cost of the victim advocate's position, but can meet that contribution through "in-kind" contributions. The in-kind contributions can be met through the value of existing office space, office equipment, office supplies, utilities, vehicle, vehicle maintenance, and training. The projected value of those in-kind contributions would meet NOPD's 20% contribution requirement without having to produce any cash outlay for the victim advocate.

Projected Numbers	
VOCA Grant (Victim Advocate Wages)	\$35,191
NOPD's 20% In-Kind Contribution	\$ 9,100

NOPD has been assisted in the preparation of the grant application by the State's Crime Commission and Juvenile Justice (CCJJ) Office and locally by the YCC. The list of in-kind contributions has been tentatively approved.

Given the high amount of the federal VOCA grant money available, being awarded the grant is highly likely. And once accepted, annual renewal is generally extended. The grant acceptance notification would occur in mid-May to early June, allowing agencies to have the victim advocate hired by July 1, 2018 when the grant funding is available.

NOPD deals with around 210 domestic violence/family disturbance/sexual assault crimes per year. That averages 4 incidents a week. A victim advocate would be an invaluable resource in assisting crime victims in making connection with available resources, and assisting the victim's through the criminal justice system.

The memo concluded that staff believes there will be no cash outlay to accepting this grant due to the in-kind contributions.

Chief Call reviewed his staff memo.

Mayor Chugg asked if this type of grant is awarded annually. Chief Call answered yes and indicated the City will need to seek annual renewal of the grant each year.

Council Member Swanson asked Chief Call if he would create a new position to be funded by the grant or utilize existing staff. Chief Call stated that he will create a new civilian position; the employee would work 30 hours per week and provide victim advocate support services.

Council Member Turner motioned to approve the Victims of Crimes Grant and a part-time victim's advocate. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

3. DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH THE MONTESSORI SCHOOL FOR AN EASEMENT TO INSTALL STORM WATER PIPELINE

A staff memo from City Administrator/City Attorney Call explained City Administration has been working with the Montessori school to reach an agreement on getting a storm water pipeline installed across the western edge of their property. This is a vital project

for the future pond and we wanted to get it constructed while the school is out and they are completing the Jr. High portion of their school. This is a large pipeline which qualifies as an impact fee eligible project so the school has given the easement in partial exchange for the payment of their storm sewer impact fees.

The City would owe the school additional monies for the easement because of the size of the easement; the City will pay \$16,726.30 which is an impact fee eligible expense. Currently the storm water fund has approximately \$1,000,000 approved for this project. The majority of the expenses are being pushed of until fiscal year 2018-19 but we will still have this purchase and part of the piping project which will occur in this year.

The agreement is attached and has already been signed by the chairman of the school's board as well as approved by their attorney.

Mr. Call reviewed his memo and facilitated a brief review of the terms of the agreement. He stated he would recommend that the City proceed with the agreement at this time in order to make the improvements in advance of the construction of the new Junior High School in the area.

Council Member Swanson motioned to approve Agreement A8-2018 with the Montessori School for an easement to install storm water pipeline. Council Member Turner seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

4. DISCUSSION AND/OR ACTION TO CONSIDER BENEFITS FOR PERMANENT PART-TIME EMPLOYEES

A staff memo from City Recorder/HR Director Spendlove explained City Administration is seeking approval in offering benefits to permanent part time employees who are working 20 hours or more. These benefits would include either a 401K match or the URS:

	General Fund	Utility Funds	Total
URS Retirement			
All-positions	\$31,003	\$7,427	\$38,430
4-year vested	\$9,359	\$0	\$9,359
401K Match 6%			
All Positions	\$10,728	\$2,670	\$13,398
4-year vested	\$3,214	\$0	\$3,214
401K Match 3%			
All Positions	\$5,364	\$1,335	\$6,699
4-year vested	\$1,607	\$0	\$1,607

Implementing this proposal would increase the morale of those valuable employees who are dedicated to the City and wanting to remain with the City, but don't want to work full time. Some of them that have been here a few years approached me with this and wanted to know if it were possible as they would like some type of retirement when they leave the City.

The memo concluded staff has discussed this in their last two meetings and Ms. Spendlove is now approaching the Council for consideration. She is also collecting feedback from other municipal employers and will provide that information once available.

Ms. Spendlove reviewed her memo and noted that many Departments in the City have suffered due to significant turnover in permanent part time positions and all Department Heads are interested in addressing that issue. It is difficult for the City to compete with other entities that offer certain benefits, such as paid holidays or 401K matches to their part time employees. She asked that the Council support the concept of funding benefits for part time employees and indicated the Department Heads are committed to making budget cuts that would fund the total amount of \$38,430.

Mayor Chugg expressed his support for the proposal and indicated he is aware of many public and private sector employees that offer minimal benefits to part time employees, which improve retention of quality individuals.

Council Member Stoker motioned to bring to the Council the budget for URS and holiday pay option for benefits for permanent part-time employees. Council Member Cevering seconded the motion.

Council Member Turner stated he would like for the Council to be made aware of budget cuts that will be made to fund the proposal of providing part time benefits. Mr. Call stated all pertinent information will be presented in the budget report to be provided to the Council in the coming weeks.

Voting on the motion:

Council Member Cevering	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

5. PUBLIC COMMENTS

There were no public comments.

6. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Swanson reported that he will be sending information to the Mayor and Council about the option of partnering with Pleasant View City to perform crack sealing for the Fire District; this will reduce the costs paid by the District, which are covered by tax dollars.

Mr. Call noted that the City's budget currently includes a four percent merit adjustment for City employees and he recently learned that most cities across the State that are offering a merit adjustment have also decided on four percent. He stated he simply wanted the Council to know that what staff is proposing seems to be in line with the market. He then stated that the City received an email recently regarding panhandling and so he conducted research about the matter and found that a law that was passed last year by the State Legislature made it possible for one city to successfully defend a panhandling ordinance that was focused on pedestrian and vehicular safety on high speed roads. He stated that it may be possible for the City to consider a similar ordinance to address the matter.

Ms. Spendlove reported the Utah League of Cities and Towns (ULCT) mid-year conference will be held next week and it is necessary to cancel the April 24 meeting to allow Council Members to attend.

Police Chief Call thanked the Council for their support of the grant application to fund a Victim Advocate. He then stated there has been much discussion recently on Brent Taylor's Facebook page regarding enforcement of activities occurring in crosswalks in the City. He stated he has reached out to the State Highway Safety Council because of his plans to utilize grant funding to perform targeted enforcement in crosswalks in the City over the next five weeks. The crosswalks to be monitored are located on 2550 North, 2600 North, and 2900 North.

7. **ADJOURNMENT**

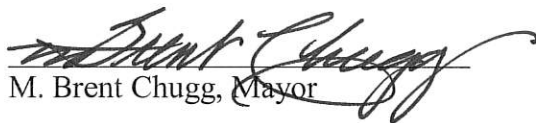
Council Member Swanson motioned to adjourn the meeting. Council Member Stoker seconded the motion.

Voting on the motion:

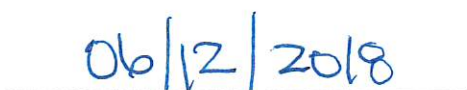
Council Member Cevering	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

The meeting adjourned at 6:54 p.m.


M. Brent Chugg, Mayor


S. Annette Spendlove, MMC
City Recorder


Date Approved