

NORTH OGDEN CITY COUNCIL MEETING MINUTES

May 23, 2023

The North Ogden City Council convened in a Council meeting at 6:00 p.m. on May 23, 2023 at the North Ogden City Office at 505 East 2600 North. The meeting was also on Zoom. Recording can be found on YouTube:

<https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos>. 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 May 18, 2023. Notice of the annual meeting schedule was published in the Standard-Examiner on December 16, 2022.

PRESENT:	S. Neal Berube	Mayor	
	Ryan Barker	Council Member	
	Blake Cevering	Council Member	
	Jay D Delpias	Council Member	
	Charlotte Ekstrom	Council Member	
	Phillip Swanson	Council Member	
STAFF PRESENT:	Jon Call	City Manager/Attorney	
	Joyce Pierson	Deputy City Recorder	
	Jami Jones	Finance Director	
	Scott Hess	Planning Director	
	Bryce Nelson	Administrative Services Manager/Treasurer	
	Dave Espinoza	Assistant City Manager/Public Works Director	
	Dylan Hill	Public Works Inspector	
	Nate Davis	Building Official	
VISITORS:	Keith Ashdown	Brenda Ashdown	Chris Pulver
	Doug Anderson	Sandy Cochran	Stefanie Casey
	Reed Miller	Kevin Burns	

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

CONSENT AGENDA

1. CALL FOR CONFLICT OF INTEREST DISCLOSURE

Mayor Berube asked if any member of the Council had a conflict of interest to declare. No declarations were made.

2. **DISCUSSION AND/OR ACTION TO CONSIDER THE APRIL 11, 2023, CITY COUNCIL MEETING MINUTES**

Council Member Swanson motioned to approve April 11, 2023, City Council Meeting minutes as presented. Council Member Ekstrom seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpias	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

3. **DISCUSSION AND/OR ACTION TO CONSIDER THE APRIL 15, 2023, CITY COUNCIL MEETING MINUTES**

Council Member Dalpias offered a few corrections to names listed in the public comment portion of the meeting.

Council Member Cevering motioned to approve April 15, 2023, City Council Meeting minutes as amended. Council Member Dalpias seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpias	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

4. **DISCUSSION AND/OR ACTION ON CONDITIONAL ACCEPTANCE OF SPRING MEADOWS SUBDIVISION**

Public Works Inspector Hill explained that conditional inspection of the Spring Meadows Subdivision has been completed and it has been found to be in compliance with City Code and standards. The original sum of the escrow is \$147,356.27 for improvement costs, which have been released throughout the improvement process. Escrow releases show a remaining

\$51,498.97. A total of \$51,498.97 shall remain with the escrow agent through the one-year period after conditional acceptance by the City Council.

Mayor Berube asked if there were wetland issues associated with this project. Mr. Hill answered yes and indicated the City Engineer has been in communication with the Army Corps of Engineers regarding those matters.

Council Member Ekstrom motioned to approve Conditional acceptance of Spring Meadows Subdivision. Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Delpias	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

ACTIVE AGENDA

5. PUBLIC COMMENTS

Keith Ashdown, North Ogden resident, reported that he walks his grandson to school each day and he has observed a safety issue on Pleasant View Drive at 300 East. He asked that a school crossing zone be implemented at that location because it is a very busy intersection for children to be navigating.

Mayor Berube asked the City Manager to make note of the recommendation and confer with the Police Chief on the matter.

6. PRESENTATION BY BUDGET REVIEW SUBCOMMITTEE MEMBERS

Doug Anderson provided an introduction for this agenda item; last year the City Council considered a property tax increase, which required that the City follow the Truth in Taxation process identified in State Law. He noted 103 people attended the Truth in Taxation hearing and over 40 spoke against the proposed tax increase while none spoke in favor. Toward the end of the meeting, a motion was made to create a citizens Budget Review Subcommittee to aid the City in reducing expenses. Later, many residents volunteered to join the Subcommittee, and several were eventually appointed. There have been many ideas raised during the Subcommittee meetings and all were given consideration; some were good enough to be included in the recommendations to the City Council, while others were voted down. All ideas have been

presented to the City Council regardless of whether the Subcommittee supported them. The Subcommittee realizes they have no control over the final budget document and that their only power is that of suggestion.

Chris Pulver then used the aid of a PowerPoint presentation to summarize the Budget Review Subcommittee's review of the Fiscal Year (FY) 2023-2024 budget; the Subcommittee received training on the City's budget process and laws that the City must comply with regarding budget adoption. The following documents were provided to the Subcommittee for review:

- Department Yellow sheets – very detailed listing of expenses minus personnel costs
- Financial Statements with Auditor's Report, 6/30/2022
- Full budget breakdown for FY2023/24 with prior year comparisons

The Subcommittee was briefed by each Department Head regarding the specifics of their budget; each line of the yellow sheet was discussed and any increases/decreases from the previous budget year was noted/explained. The Subcommittee came away from the budget review process with the following impressions:

- City budgeting is complicated since revenue is not stable:
 - Sales tax fluctuate year to year and month to month; and
 - Grant monies are never certain,
- City employees actively work to reduce costs:
 - Several employee initiatives have reduced costs; and
 - Forward looking helps to anticipate needs to avoid unbudgeted expenses.
- Many big expenses are straight pass throughs (not controlled by city):
 - County/State fees – e.g., garbage dumping, Weber County elections and services; and
 - Insurance and employee benefits increase.
- Final committee recommendations were based on majority vote and were not necessarily 100 percent unanimous.

Subcommittee recommendations were sorted into five categories: savings quantified, savings general, savings neutral, cost increases, and proposed ideas that were not accepted.

- Savings – Quantified:
 - Stick to budget and don't add cost to budget unless urgent need:
 - The city council spent \$111,000 extra over the past year.
 - Sound/lights at Barker Park Amphitheater – current city budget \$150K – reduce to \$75k by pushing for donations, “right sizing” the need, or reducing the overall scope.
 - Remove/Return Flock cameras – current city budget \$30k - \$30k saved.
- Savings – General:
 - With fiber optic coming to North Ogden, investigate a competitive bidding process to provide for all city internet services including all available providers such as Comcast, CenturyLink, All West, etc.
 - Implement an “idle free” policy for all city vehicles.
 - Continue to maximize interest income from high interest rates.

- BYOB – have folks bring their own beverages to city meetings – minimizes bottled water/environmental impact.
- Savings – Neutral:
 - Review depreciation log to ensure future major acquisitions are being covered.
 - Create/maintain a “triage” of the city budget if any 2008 like crash happens where sales tax revenue drops significantly:
 - Committee understands the city maintains a rainy-day fund and encourages this practice.
 - Use free energy reviews from RMP and Dominion to prioritize building upgrades to reduce utility bill.
 - Maintain retention expenses to avoid time spent hiring/retraining:
 - Hiring/retention struggles drive biggest cost (personnel/benefits).
 - Continue to press for all County/State/Federal grants to minimize city projects costs to citizens.
 - Continue with Granicus transfer from current outsourcing of minutes.
- Cost increase
 - Increase transparency to citizens as property taxes may increase due to inflation.
 - Consider a specific city council meeting to discuss property taxes.
 - Review Police Dept growth balancing both national average and response time.

The following are ideas that were proposed but were not accepted by the Subcommittee:

- Street sweeper – current city budget \$50K – reduce by 50% and have citizens clean in front of their homes.
 - Can’t do it due to state/EPA requirements.
- Connections magazine –current city budget \$10K – reduce to quarterly or go online if there is cost reduction.
 - Too many unknowns – and info still needs to get to citizens.
- Stop printing meeting agendas – current cost 6.5 cents a color copy –maybe \$100 per year savings.
 - People still use the paper handout.
- Raise the cost of second garbage can or charge residents for each tip.
 - The overall goal was to reduce garbage weight – but since this is a straight pass through to residents, it really is not a savings to city.
- Review cost trade-off of hiring extra code enforcement to increase fine revenue – also avoids neighbors being the direct “snitch”.
- Ensure capital projects are the correct ones – i.e., what do most citizens want - Flashvote Survey software may help.
- Review bank fees when the next contract is considered – if possible, switch to lower cost structure.
 - Limited qualified banks and city already does this.
- Give local companies a chance to match funding for city supplies.
- Reduce HR budget for major events.
- Regular yearly truth in taxation public hearing – regardless of tax increase.
 - Not really cost related.

- HR to consider all options for major parties.

Sandy Cochran then thanked the City Council for creating the Subcommittee and she named the total membership of the group; she then noted the most gratifying aspect of their undertaking was seeing how little was actually in the budget that could be cut. Department Heads have determined what they need to do their job and the most cost-effective way of doing so. The Subcommittee wishes to specifically thank many individuals who were instrumental in helping them carry out their objectives; all Department Heads were exceptionally prepared and helpful. The Mayor and Council Member Swanson, and other Council Members, attended Subcommittee meetings. Community and Economic Development (CED) Director Hess was always willing to help the Subcommittee. Finance Director Jones, City Manager/Attorney Call, and Public Works Director Espinoza went above and beyond; they thoroughly explained the budget process over and over. She again thanked the City Council for allowing the group to participate in this process, it has been enlightening and enjoyable.

Council Member Barker asked the Subcommittee if they wished to continue and participate in the next FY budget process. Ms. Cochran answered yes; she noted that some of the current members would like to remain on the Subcommittee, but they have had discussions with the Mayor about recruiting additional members to get more residents involved.

Council Member Ekstrom thanked the Subcommittee members for their time and interest in the budget process. Mayor Berube echoed Council Member Ekstrom's gratitude and noted he plans to write an article for the next edition of the Connection Magazine regarding the involvement of the Subcommittee in the budget process.

Council Member Dalpiaz also thanked the Subcommittee and noted that he watched all of their meetings.

7. DISCUSSION ON NORTH OGDEN PARK TENNIS COURTS

Council Member Barker stated that over the past few weeks, City staff has learned that the Lomond View Pickleball Courts will not be completed on schedule and the earliest they will be done is August. He asked for input from the Council regarding painting pickleball lines on the North Ogden Park tennis courts and using portable pickleball nets at that location. Public Works Director Espinoza discussed the specifics of the proposal; two pickleball courts could be accommodated at North Ogden Park while also preserving one tennis court. A tournament will be held in the community at the end of the summer, and it will be necessary to rent pickleball courts at Pleasant View Park for the event.

There was brief discussion among the Council and staff regarding the anticipated completion of the Lomond View courts; the demand for pickleball and the option of making the conversion of a tennis court at North Ogden Park permanent; the current amount of use of the tennis courts; and the cost of the converting one tennis court to pickleball courts. Council Member Barker stated that painting new lines is inexpensive, and people can bring their own nets to the court to use as

they desire. Mayor Berube suggested proceeding with painting the lines since the cost is minimal, but he would like for the Council to be presented with detailed information about total costs of expanding the pickleball projects in the community. Council Member Dalpiaz stated that this item feels rushed to him and there are still some in the community who want access to tennis courts; he is comfortable with a temporary solution at this point, but would like more discussion before final modifications are made to the tennis courts.

8. COUNCIL DEPARTMENT REPORTS:

a. COUNCIL MEMBER DALPIAS – BUILDING AND PLANNING

Council Member Dalpiaz reported that the City is trying to hire a full-time Planner and any qualified individuals are encouraged to apply. He then offered a year-to-date comparison of plan check fee revenues; last year the City had received \$39,415 and this year the City has received \$24,205. This trend is related to the slowing of the development market due to increased interest rates. The FY 2023-2024 revenue line items have been adjusted responsive to this trend. He then noted that last year the City had received \$437,000 in total building permit revenues and this year, the City has received \$293,000, which is about \$150,000 under budget. The Department is hopeful that larger building projects will commence before the end of the current FY budget in order to impact those revenue line items in the budget, or that money will be frontloaded in the next FY budget.

b. COUNCIL MEMBER SWANSON – FINANCE

Council Member Swanson noted the City has not received the March sales tax revenue from the State of Utah. He added that Departments continue to be conservative in their budget spending and they are under budget at this time. He asked for the opportunity to report during the next City Council meeting as he believes that the City will have received the March sales tax report by that time, and it will be clear if the downward trends are persisting.

9. PUBLIC COMMENTS

Brenda Ashdown, North Ogden resident, stated that she was also a member of the Budget Review Subcommittee and she noted that anyone who has questions about the work done by that group can view the recordings of all of their meetings online. She offered some clarification to the information provided in the presentation about the \$111,000 amount that the City was over budget and she noted that overage was a result of the decisions of the City Council; \$5,000 was related to the Chalk It Up event, \$25,000 was the additional money given to the Cherry Days Committee, \$75,000 for the Barker Park Amphitheater was supposed to be collected through fundraising efforts, and \$6,000 was for the additional drone for the Police Department that was not originally included in the budget. And now tonight the Council is discussing additional

expenses for pickleball, which also was not included in the budget. She stated she anticipates she will not be asked to continue as a member of the Subcommittee due to these comments, and she is fine with that. She then asked a question regarding commitments made by a developer; if a developer does not follow through with promises made relating to a certain project, can the City do anything about that failure. City Manager/Attorney Call noted the City can only require a developer to follow through on a promise if that promise is clearly stated in a development agreement for the project. All other matters would be civil and would need to be handled privately. Ms. Ashdown stated that does not seem fair to her. Mr. Call stated that when it comes to real estate, if a commitment is not in writing, it is not enforceable. Ms. Ashdown asked if there is a requirement for a developer to document the promises they have made to neighboring property owners. Mr. Call answered no; only promises made to the City Council are included in a development agreement, but a development agreement is not required for all developments in the community. Ms. Ashdown suggested a change to laws to require all developers to enter into a development agreement when they are pursuing a project in the City. She cited specific promises that a developer has made to neighboring property owners; she asked if the only option available to residents is to come to the City and ask for these types of things to be included in a development agreement. Mr. Call stated that residents could also ask a developer to document the commitments they are making to other property owners; that documentation could be used in litigation of the matter.

Chris Pulver, North Ogden resident, asked if the City has a forester employee. Mr. Call stated that the City lost its certified arborist and has been working to get another employee certified in that area. Mr. Pulver then cited a dangerous spot on 3550 North between 575 East and 600 East where there is a dip in the road, and it is difficult to see oncoming traffic; he asked that the City examine that area and consider options for increasing safety for motorists. He then reported a trailer that has been located on the hillside that should be removed as it is parked illegally. He also cited a property with weeds that violate the City's ordinances, and he asked that code enforcement personnel be dispatched to the property.

Doug Anderson, North Ogden resident, stated he would be interested in feedback from the Council responsive to the recommendations and information provided to the City Council by the Budget Review Subcommittee. Mayor Berube suggested an additional meeting would be helpful and the Council could provide feedback after having time to thoroughly review the Subcommittee's report.

10. COUNCIL/MAYOR/STAFF COMMENTS

Mr. Call stated that the City has been receiving complaints from residents who have experienced damage to the infrastructure in their park strip as a result of installation of a fiber network. The work has been performed by a private contractor and the City did not enter into a contract with them; therefore, residents should reach out to the contractor directly and he provided their phone number to Council Members in order for them to provide it to their constituents. He noted he is aware that the project is moving fairly quickly and should be completed by August in order for connections to homes to be made in October. He then stated that he and Mr. Espinoza would like

to have a discussion with the Council in the near future regarding the City's no-fault insurance policy and the option of increasing insurance limits. He then provided a report of ongoing flooding issues in the community; water is still flowing from strange areas and residents are advised to keep sandbags in place until the flooding risk is no longer an issue.

Council Member Cevering stated he has spoken with a representative of All West Communications, the fiber contractor, and he was very responsive and helpful. He advised residents to contact the company to get assistance with restoring their landscaping.

Council Member Swanson thanked the Budget Review Subcommittee for their efforts to participate in the budget process. He added that if he has any say, Ms. Ashdown will remain on the Subcommittee. Mayor Berube stated he hopes that the creation of the Subcommittee is evidence of the City's commitment to transparency; he also thanked the Subcommittee for their efforts.

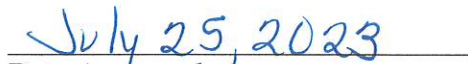
11. ADJOURNMENT

Council Member Ekstrom motioned to adjourn the meeting.

The meeting adjourned at 7:04 p.m.


S. Neal Berube, Mayor


Joyce Pierson
Deputy City Recorder


Date Approved