

NORTH OGDEN CITY COUNCIL MEETING MINUTES

July 25, 2023

The North Ogden City Council convened in a Council meeting at 6:00 p.m. on July 25, 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 July 21, 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 Dalpias	Council Member	
	Charlotte Ekstrom	Council Member	via Zoom
	Phillip Swanson	Council Member	
STAFF PRESENT:	Jon Call	City Manager/Attorney	
	Joyce Pierson	Deputy City Recorder	
	Scott Hess	Planning Director	
	Dave Espinoza	Assistant City Manager/Public Works Director	
	Eric Casperson	City Engineer	
VISITORS:	Stefanie Casey	Susan Kilborn	Christina Watson
	Rob Sant	Sandy Cochran	Kevin Burns
	Tim Billings	Chris Pulver	Brent Jones
	Tate Secrist	Jeanette Sweet	Rosemary
	Nicole Martin	Terry Cevering	Doug Anderson
	Libby Fife	Madison Marston	Madeline Robles
	Randy Winn	Brenda Ashdown	Kyle Hunter

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

PRESENTATIONS

1. PRESENTATION ON FRISBEE GOLF

Council Member Cevering reported he was contacted by a resident who wants to present the idea of creating a frisbee golf course at one of the City's parks or perhaps on the six acres near the Equestrian Park at the east end of Mountain Road.

Kyle Hunter used the aid of a PowerPoint presentation to summarize his proposal; he discussed the increased popularity of disc golf and the demand for facilities. There are very few disc golf courses in the area and nothing in North Ogden. A few nearby courses are actually being eliminated as the land they are located on is being sold for development. He believes the City-owned property near the Equestrian Park is the best option and he summarized the reasons the property would be great. He presented a conceptual design of the property for use as a disc golf course and indicated the costs would be minimal and a great deal of work can be done by volunteers. Maintenance needs are minimal and dependent upon whether the City owns and operates the course or if it is operated by a private club. He concluded that he is willing to consider other properties for the facility and thanked the Mayor and Council for their attention to his presentation.

Discussion among the Council and Mr. Hunter centered on the permanence of equipment that would be installed as part of development of the disc golf course, after which Mayor Berube noted the City is not in a position to make a decision this evening regarding the request, but will take the matter under consideration and reach out if more information is needed.

2. PRESENTATION BY WEBER CTC (COMMUNITIES THAT CARE)

Madeline Robles discussed the goals and objectives of the Weber Communities That Care (CTC) Coalition and noted today, she would like to discuss the "Live On" Suicide Prevention Campaign. The CTC has funding to market the campaign in its service areas and she has spoken with Council Member Swanson about the manner in which they would like to advertise the campaign. Council Member Swanson noted the City has created "Heroes Boulevard" along a portion of Washington Boulevard; the banners that have been placed in that area are five years old and they are falling into disrepair and need to be replaced. He was contacted by Ms. Robles about the "Live On" Campaign and he believes that the poles where the hero banners are currently located could be utilized to promote suicide prevention for the month of September. He cited some suicide data and statistics; in eastern Weber County, 33 people have died by suicide since 2017 and in the State of Utah, in 2021, 507 men and 103 women died by suicide. Suicide is a great risk among young people as well, especially teenagers and young adults and he feels the "Live On" Campaign is very important and one that he supports marketing to the community. Mr. Swanson recommended replacing the hero banners for the month of September, during Suicide Prevention Month, and then re-hanging the hero banners in advance of Veteran's Day in November. He presented images of what the banners will look like and the encouraging messaging they will include.

Discussion among the Council centered on orientation of the banners and whether the messaging will be educational in nature. Council Member Swanson stated that the CTC is working with Bonneville Communications, who are the experts in messaging, and he would wait for a recommendation from that group. The Council offered their support for the program and thanked Ms. Robles and Council Member Swanson for the information provided this evening.

In conclusion, there was also a brief discussion about the process for re-hanging hero banners along Washington Boulevard after the CTC banners are removed.

3. PRESENTATION FROM SEWER BOARD

There was no representative of the Sewer Board present, and Mayor Berube asked City Manager/Attorney Call to briefly review the information in the presentation that was provided by the Board, which was also included in the Council meeting packet. The presentation discussed the proposal for increasing the Sewer District's impact fee to address increased operational costs and mandates from the Federal Emergency Management Agency (FEMA). The Sewer Board will hold a public hearing on August 14, 2023 at 6:00 p.m. to discuss the matter further and to receive input from the public.

CONSENT AGENDA

4. CALL FOR CONFLICT OF INTEREST DISCLOSURE

Mayor Berube asked if any member of the Council had a conflict of interest to declare. Council Member Cevering indicated he will recuse himself from discussing and voting on agenda item 12.

5. DISCUSSION AND/OR ACTION TO CONSIDER THE MAY 5, 2023, CITY COUNCIL MEETING MINUTES

Council Member Dalpias motioned to approve May 5, 2023, City Council Meeting minutes. Council Member Cevering 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.

6. **DISCUSSION AND/OR ACTION TO CONSIDER THE MAY 9, 2023, CITY COUNCIL MEETING MINUTES**

Council Member Barker motioned to approve May 9, 2023, City Council Meeting minutes. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

7. **DISCUSSION AND/OR ACTION TO CONSIDER THE MAY 23, 2023, CITY COUNCIL MEETING MINUTES**

Council Member Swanson motioned to approve May 23, 2023, City Council Meeting minutes. Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

ACTIVE AGENDA

8. **PUBLIC COMMENTS**

Brent Jones, North Ogden resident, stated he is looking to build a detached garage on his property, and he applied for a permit and learned of some interesting regulations in North Ogden for this type of project. If he were to attach his four-car garage to his home, he could place it in his desired location, it could be 35 feet tall, and only provide a 10-foot side yard setback. However, he wishes to build a detached garage, and this means he must locate it 16 feet from the property line, and it can only be 21 feet tall.

He stated that it makes sense to him that a detached garage in the same spot as an attached garage should be regulated the same as he does not believe that the detached garage will impact any neighboring property owner's view. He stated that he reached out to planners in other cities and none of them have regulations similar to North Ogden's and the strictest he found was a five-foot setback, with increased heights for each foot from the property line.

Mayor Berube asked Council Member Dalpiaz to meet with Community and Economic Development (CED) Director Hess to see if Mr. Jones' concerns can be addressed. Council Member Dalpiaz answered yes.

Chris Pulver, North Ogden resident, addressed the information provided by the Sewer District, stating that at one point in time, it seemed the City was helping them perform sewer line repairs and he wondered if the City had received any credit for those efforts which could reduce fees that are passed onto North Ogden. Mayor Berube stated that the District has considered charging based upon usage, but metering the system would cost millions of dollars; however, those cities that are relining their pipes have asked for some kind of credit from the District and a decision has not been made on that matter as of yet. Mr. Pulver then addressed the agenda item relating to the construction of storage units in the City and he asked if there will be any requirement for mixed use development as part of a storage unit project. Mayor Berube stated that Mr. Hess will address that matter later in the meeting.

Doug Anderson, North Ogden resident, complimented the City for the minutes that are being kept of City proceedings; the volume and accuracy of the minutes is amazing to him. However, he did notice a typographical error on page 4 of the May 23 minutes, the word 'natural' should be changed to 'neutral'. He then complimented the entire City Council, but Council Member Swanson in particular, for the handling of the subject of control of the urban deer population. He is happy that the decision was made to not try to control the population. He then noted that in the Pledge of Allegiance, there is no comma between 'One Nation' and 'Under God' and the phrase should be voiced accordingly. He then referenced the presentation about hanging banners along Washington Boulevard and suggested that rather than switching the hero banners out for the suicide prevention banners, the City should reach out to the people who currently have banners hanging and have new banners made for those that would like their loved one to still be recognized. This will allow for the banners to be switched at the same time to avoid a gap in the presence of banners and having to explain the reasoning behind the change. He stated he does not believe that suicide prevention is not important, but suggested that the banners discussing that topic should be hung below the hero banners and both banners could be displayed simultaneously.

Randy Winn, North Ogden resident, stated that due to the location of his home, he is able to observe activities at Barker Park and he has been gratified to see how it is being used. There were concerns in the past about the potential for large commercial events to be hosted at the park, but that concern has not been realized and the park is a very lovely place for the community. He proposed to name the Barker Park Amphitheater after former Mayor Brent Taylor, who initiated the project and did a great deal of work to bring it to fruition. He believes naming the facility for him would help to unify the community. He referenced previous

discussions about the hero banners on Washington Boulevard and noted Mayor Taylor gave his life in the service of his community while on leave of absence in his role as Mayor.

Sandy Cochran, North Ogden resident, stated she loves the disc golf idea and hopes that the Council will take it under advisement and help to support the endeavor. She then asked if there will be a closing report for the Cherry Days celebration, to which Council Member Baker answered yes and noted the report will take place during the next City Council meeting.

Jeanette Sweet, North Ogden resident, stated she lives on Lakeview Drive where there is a great deal of construction happening. The area has dealt with flooding and many other changes associated with the construction and many residents have suffered significant losses. Additionally, due to the construction on the hillside, the Council approved the use of jake brakes for large vehicles driving down the hill, and this created significant noise nuisances for residents in the area. Many trucks do not cover their loads and she cited an instance where a truck lost a large boulder, almost killing a bystander. Speed is an issue as well and travelers have a perception that they can speed up and down the hill because of the width of the road. She noted that from the top of Lakeview Drive to 3100 North is a straight shot and cyclists are using it as a 'training run' for upcoming races and this is also problematic for residents. Residents are dismayed after seven years of complaining with no resolution, and this has been further worsened by approval of a project on 3100 North that has an associated speed sign, though residents in her neighborhood were denied similar considerations. She has spoken with the City Engineer who told her there were a plethora of tools at the City's access for mitigating the negative aspects of construction on the hillside, but they were not deployed, and this is very disappointing. She then cited nuisances on various properties throughout the neighborhood and noted that these issues have been reported to the City with minimal response from the City's Code Enforcement. Most of the people that live in that area are concerned about being ignored. She asked that members of the City Council sit down with her neighborhood, Police Chief Quinney, and the City Engineer to discuss the matter; it is inevitable that someone will eventually die due to the dangerous activities occurring there with little enforcement.

Mayor Berube thanked Ms. Sweet for her comments and asked Mr. Call to coordinate with Chief Quinney and City Engineer Casperson to respond to Ms. Sweet's concerns.

Christina Watson, North Ogden resident, stated she loves the disc golf idea, as well as the idea of naming the Amphitheater after Mayor Taylor. She asked how long suicide prevention signs on Washington Boulevard would be in place, noting that she would be saddened by the removal of the hero banners for a long period of time and supported the idea of placing both the hero banners and the suicide prevention banners on the poles at the same time.

9. **DISCUSSION AND/OR ACTION TO CONSIDER A DONATION IN SUPPORT OF JUNIOR LIVESTOCK PROGRAM**

Nicole Morgan stated she is a teacher in the Agricultural Department at Weber High School and is also part of the Junior Livestock Association in Weber County. She distributed a flyer illustrating the fact that over \$800,000 went through the Weber County Fair system due to the students in the Junior Livestock Program and due to that, the Weber County Auditor recommended that the Livestock Association be separated from the Fair and become its own entity. The Association is navigating uncharted territory and is seeking a \$1,000 donation from all the Weber County cities to provide a buffer in their budget until they start generating sales.

The Council then heard from Libby Fife about her experience showing and selling animals at the Annual Livestock Show at the Weber County Fair.

Discussion among the Council and Ms. Morgan centered on the reasoning behind separating the Association from the Weber County Fair, the manner in which the \$1,000 donations will be used, the manner in which the \$800,000 was distributed between the participants and the Fair, and the future of the Association. Ms. Morgan emphasized that the \$1,000 donation request will be a one-time thing as the Association anticipates earning enough money at the upcoming Fair to fund their operations going forward.

Council Member Swanson stated he is unsure the Council should take action tonight without first reviewing the budget and determining another area of the budget that can be reduced to offset the impact of the donation. Mayor Berube asked Ms. Morgan if the Association could wait a few weeks. Ms. Morgan stated the Fair begins in two weeks and she would appreciate an answer from the City tonight. She noted that five other cities have committed to providing a donation to the Association. Council Member Dalpias stated he has the same concern as Council Member Swanson; he would prefer to develop a policy to govern the manner in which the City will consider donation requests.

Council Member Swanson asked Ms. Morgan when the Association was notified that they would be separated from the County, to which Ms. Morgan answered December of 2022.

Council Member Barker motioned to make a donation of \$1,000 to support the Junior Livestock Program. There was no second and the motion died.

Mayor Berube stated that this does not necessarily mean that the matter cannot be discussed further or reconsidered. He added he also believes there may be a resident or multiple residents in the community who may be willing to donate to the cause. He advised Ms. Morgan to follow up with Council Member Swanson, who serves as the liaison to the finance division of the City.

Mayor Berube added he would be supportive of developing a policy governing the manner in which the City will handle donation requests.

10. DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH URBAN AND MAIN CONSULTING

Robert Sant, Urban and Main Consulting, joined the meeting electronically and provided a presentation regarding changes to laws regarding creating and funding Redevelopment Agency (RDA) and Economic Development activities in municipalities. He engaged in discussion with the Council regarding differences between the past, the current, and the new RDA laws, as well as the potential difficulty in engaging other taxing entities and receiving their support for new types of redevelopment areas.

City Manager/Attorney Call noted that City Administration published a request for proposals (RFP) in an effort to hire a consultant that could assist the City in navigating the new laws and considering opportunities for creating new types of redevelopment areas in the community. Urban and Main responded, and the City staff recommends that the Council authorize a contract with them. He briefly reviewed the terms of the agreement, noting the fiscal impact is \$13,860. If the Council has concerns or questions, staff is willing to move this item to a future agenda for more discussion. Council Member Cevering stated he is unclear on the potential tax implications of the new types of redevelopment areas/activities, and he would like to have more discussion and provide more public information before taking action. He would also like to wait to take an action until after the City's Budget is adopted and the Truth in Taxation process regarding the City's property tax rate has concluded.

A brief high-level discussion continued about the work that must be done to develop a redevelopment recommendation before any final action could be taken or before the City could approach other taxing entities to seek their participation; Mr. Sant noted it is a months long process. The Council concluded they would like to take time to digest the information provided tonight and have more discussion about the issue before voting on this agreement.

Council Member Swanson motioned to table action on the proposed agreement with Urban and Main Consulting until the first meeting in September. Council Member Ekstrom seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

**11. DISCUSSION AND/OR ACTION TO CONSIDER DEFERRING THE
SIDEWALK WIDENING IMPROVEMENTS FOR THE FRONTAGE OF 2251
NORTH AND 2284 NORTH WASHINGTON BOULEVARD AS PART OF THE
LOMOND VIEW SUBDIVISION LOT 1 AMENDMENT**

Community and Economic Development (CED) Director Hess explained the applicant is requesting that the City Council grant a deferral from installing additional sidewalk to widen an existing sidewalk from 5 feet to 10 feet along the frontage of their businesses on Washington Boulevard. The Lomond View Subdivision Lot 1 Amended was approved by the Planning Commission on March 17, 2023. As part of the approval, the Subdivision was required to meet the City Ordinances and Streetscape Standards. Washington Boulevard has an updated sidewalk standard that requires 10-foot sidewalks for new developments and subdivisions. There is an existing sidewalk, so this requirement would be for the widening of the existing infrastructure. The applicant noted the large cost of this improvement as it relates to a minor subdivision and building expansion, and has requested a deferral from the City Council. The applicants, Rich Wangsgard and Tate Secrist, are requesting that the City Council grant a deferral. The City Council heard information on this deferral in February 2022. At that time, there were several options including: having the applicant build the sidewalk, deferring to a time-dependent date, reviewing the Code to make sidewalk enhancements only relate to new development, or reviewing the Public Works Standards to determine if wider sidewalks are necessary along Washington Boulevard. Since that time, the Subdivision Application was updated, approved, and the applicants are now making a formal request for deferral. Staff has been on site, spoken with the applicant, and considered the future of Washington Boulevard. It is clear that there is a need for this corridor to operate multi-modally and provide safe alternatives for vehicles, public transportation, pedestrians, and bikes. There are other developments in the City that have been required to meet the wider sidewalk installation requirement, so this is not an unprecedented request. The City is in the beginning stages of an Active Transportation Plan which will review appropriate pedestrian and bike infrastructure along this high-speed transportation corridor. Staff's opinion is that Washington Blvd. should be a multi-modal corridor that meets the needs of all users. The Active Transportation Plan will be a public process allowing the voice of North Ogden residents to be heard for what their future transportation needs are. Staff recommends that a sidewalk deferral be provided for this project to a time-dependent date. The Active Transportation Plan will assist with a future plan for this corridor and will guide the City on whether it makes more sense to focus on sidewalk installation as a City versus improving sections piece by piece over time. He concluded the City Council is the decision-making authority for deferrals and there are no specific criteria for granting a deferral.

Council Member Swanson inquired as to the amount of money the City would be dedicated to the improvements if they were required to be constructed now, to which Mr. Hess answered zero dollars. Council Member Swanson noted the Deferral Agreement provides for City participation in the project. Mr. Hess stated that if the City were planning to complete a project in the area, the City may elect to install five feet of the width of the sidewalk that is subject to the Deferral Agreement, but would seek monies from the other parties to the agreement for the remaining improvements. He noted this situation is unique in that the improvements are not part of a new development, but a renovation of an existing development.

The Mayor and Council engaged in philosophical discussion with Mr. Hess regarding whether 10-foot sidewalks are necessary and/or desired by the residents. Mr. Hess stated the Council could choose to place a Moratorium on these types of improvements until an Active Transportation Plan can be developed for downtown North Ogden.

He noted he personally believes wider sidewalks are beneficial along corridors such as Washington Boulevard because cars are traveling at high rates of speed, and it is good to get as much pedestrian and bicycle traffic off the road shoulder as possible.

Council Member Dalpiaz stated that in this situation, he is comfortable with a deferral, but may not be supportive of deferrals for other new developments in the City. Mayor Berube stated he is trying to understand why a deferral would be appropriate for a modification of an existing development, but not for a new development. He stated selective enforcement of land use laws and regulations is concerning to him. Council Member Barker stated that the sidewalk improvements are being required for what he feels is a minor modification to the subject property; the parking lots are being combined, but the front of the property is not being changed at all. Mayor Berube stated he wants to be clear about the reasoning behind granting a deferral.

Council Member Swanson stated there have been many sidewalk deferrals granted in the past and most of them have never been followed through on; if the deferrals had not been granted, the City would have thousands and thousands of feet of sidewalk. The Council has discussed this issue several times in the past and a decision was made to grant no additional deferrals. He added that he sees the reasoning behind granting this deferral, but if it is going to be granted, he feels all sidewalk improvements for properties along Washington Boulevard should be considered and granted regardless of whether the project is new development or a modification of an existing development. If the City is developing an Active Transportation Plan and the decision has not been made to require 10-foot sidewalks throughout the downtown area, he feels all sidewalks should be deferred. He is not willing to enforce the requirements on three projects, but not the fourth. Council Member Dalpiaz noted that past deferrals have not been tied to an escrow account; that is not the case for this deferral. Council Member Swanson suggested the same opportunity be offered for other properties along Washington Boulevard that are pending development. Council Member Dalpiaz noted that other 10-foot sidewalks have already been built adjacent to the other three properties that are pending development; the same is not true for the property that is subject to this agreement. Mr. Call agreed and noted the closest section of 10-foot sidewalk to the subject property is in front of the car wash at the Village at Prominence Point.

Council Member Cevering stated he would be willing to consider an Ordinance Amendment that would address the type of activity on a property that would trigger a sidewalk improvement. Mayor Berube stated that an Ordinance Amendment cannot be considered tonight, but the Council can direct staff to review the Ordinance and prepare a recommendation for the Council to consider.

Council Member Dalpiaz motioned to approve deferral of the sidewalk widening improvements for the frontage of 2251 North and 2284 North Washington Boulevard as part of the Lomond View Subdivision Lot 1 Amendment, with a note that money is in an escrow and that the agreement be reviewed within a reasonable time.

Mayor Berube asked Council Member Dalpias to define the term ‘reasonable time’. Council Member Dalpias stated that the agreement should be reviewed upon completion of the active transportation plan and policy.

Council Member Barker seconded the motion.

Council Member Swanson offered an amendment to the motion to include deferrals for other properties along Washington Boulevard that would be subject to the 10-foot sidewalk requirement until such time that the active transportation plan has been vetted and decided upon.

Council Member Dalpias stated he does not accept the amendment to his motion.

Council Member Cevering offered an additional amendment to indicate that 10-foot sidewalks will only be required if something is being done on the east side of properties on the west side of Washington Boulevard.

Council Member Ekstrom stated that she has tried to observe use of the sections of 10-foot-wide sidewalk and has not noticed an abundance of people using them; she does not see the need for sidewalks of that width unless the number of pedestrians in the City dramatically increases. She added that for areas that are already completely developed, she does not see the need for wider sidewalks. She agreed that no 10-foot sidewalks should be required until after the City has finalized its active transportation plan.

Council Member Ekstrom seconded Council Member Swanson’s amended motion.

The Council discussed the implications of the motion before them and agreed that a comprehensive review of the Ordinance requiring 10-foot sidewalks is needed.

Voting on the amendment to the motion:

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

The motion passed 4-1.

Voting on the amended 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.

The applicants asked for the opportunity to address the Council regarding their project. Mr. Secrist noted that for his property, the concrete would have been the most minimal expense relative to the sidewalk improvements. The costliest was to move the utilities in order to install a 10-foot-wide sidewalk. The cost was very high and is much higher for those who are redeveloping a property versus those who are pursuing new development. He added that the utilities are located in the area owned by the Utah Department of Transportation (UDOT) and navigating the process of determining which improvements are required on the property has been very frustrating.

12. DISCUSSION AND/OR ACTION TO CONSIDER A DEVELOPMENT AGREEMENT FOR PROPERTY AT APPROXIMATELY 1651 NORTH WASHINGTON BOULEVARD

Community and Economic Development (CED) Director Hess summarized the terms of the Development Agreement that has been drafted to regulate the development of a storage unit facility at the corner of 1700 North and Washington Boulevard. He added there are additional steps that must be completed, such as amending the City's Manufacturing Zoning Ordinance to allow this use before the project can move forward.

Mayor Berube stated he feels that the agreement should provide a timeframe for the developer to complete commercial development in the project or requiring the commercial development to be completed before the storage uses can be built. He then noted that he does not believe that a Development Agreement should be approved ahead of the Council's consideration of appropriate zoning of the property. City Manager/Attorney Call reviewed the minutes from the last meeting when this project was discussed and confirmed that the Zone Text Amendment that would allow for the project to go forward has not yet been acted upon; land use matters must be first considered by the Planning Commission before the Council can take action. Mayor Berube asked if it would be appropriate to add language to the Development Agreement to indicate that the zone text amendment must be approved before the project can commence. Mr. Call stated that Section 8 of the Agreement already references the need for the project to comply with zoning ordinances, but that language can be clarified to specify that a Zone Text Amendment must be made before the project can proceed. Council Member Swanson asked if approval of the Development Agreement can be conditioned upon later approval of the Zone Text Amendment, to which Mr. Call answered yes.

Council Member Swanson motioned to approve Development Agreement A08-2023 for property at approximately 1651 North Washington Boulevard, contingent upon a Zone Text Amendment in the C-1 Zone to allow storage units be considered by the

Planning Commission and acted upon by the City Council. Council Member Barker seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

13. **DISCUSSION AND/OR ACTION TO ADOPT FIRE CODE**

Council Member Barker reported the State Legislature has adopted the 2021 International Fire Code (IFC) and the North View Fire District is asking that the municipalities it serves amend their ordinances to refer to the 2021 IFC.

Council Member Ekstrom motioned to approve Ordinance 2023-14 adopting Fire Code as outlined by Fire Marshal Barker. 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.

14. **DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH TECSERV FOR COMPUTER SERVICES**

City Manager/Attorney Call reviewed an agreement included in the City Council packet for computer services. The Contractor that is party to the Agreement has been providing services to the City and Administration would like to extend the Agreement for one year. He explained that this action requires Council approval because the contract amount is over \$25,000 per year. Next year, the City will go out to bid for the service in accordance with the City's procurement policy.

Council Member Cevering motioned to approve Agreement A09-2023 with TecServ for Computer Services. Council Member Ekstrom seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

15. COUNCIL DEPARTMENT REPORTS:

a. COUNCIL MEMBER CEVERING – POLICE

Council Member Cevering stated Chief Quinney has asked that he remind the Council and public about the upcoming National Night Out Against Crime event on August 1, 2023, at 6:00 p.m. at Barker Park.

There was a brief discussion about the status of the Public Safety Building Project, with City Manager/Attorney Call reporting that the expected completion date is January of 2024.

b. COUNCIL MEMBER EKSTROM – PUBLIC WORKS

Council Member Ekstrom reported on the ongoing Water Tank Project as well as the upcoming Water Audit/Survey intended to determine if the City's water system is functioning safely and appropriately.

Mayor Berube noted he has been made aware of water line breaks along 1700 North and Ogden City has helped to install some pressure relieving valves in that area. He asked for an update on that issue at the next meeting.

C. COUNCIL MEMBER BARKER – PARKS & RECREATION

Council Member Barker reported that efforts are underway to help the parks that were involved in the Cherry Days celebration to recover. He noted that a volunteer group cleaned up the pond at Bicentennial Park and it is now being filled. Additionally, the playground equipment at Wadman Park is mostly installed, but staff is waiting for a completion date commitment from the contractor for that project.

Mayor Berube noted that he looks forward to the report from the Cherry Days Committee at the next meeting. He also asked about the status of the survey regarding the Cherry Days celebration. Mr. Call noted that the survey will be sent this week. He added he has received a request to delay the Cherry Days Report by two weeks since not all Council Members will be present next week. Mayor Berube suggested that the missing Council Member participate in the meeting electronically rather than delay the report.

16. PUBLIC COMMENTS

Doug Anderson, North Ogden resident, asked where there are currently 10-foot-wide sidewalks. Council Members informed Mr. Anderson of the locations of the wider sidewalks.

Randy Winn, North Ogden resident, stated that he appreciated the active and thorough discussion the Council had regarding the issue of sidewalks; the conclusion was wise and well thought out.

Chris Pulver, North Ogden resident, referenced the contract for computer services and noted there could be some training offered to City employees in order to reduce reliance on the contractor. He then referenced the Development Agreement regarding storage units and noted that no member of the Council asked that the agreement address businesses on the ground floor of the buildings in the storage unit project. He added it sounded as if the Council just approved storage units in any C-1 Zone in the City, which is concerning. Mayor Berube stated that is not the case and the Council still needs to act upon a Zone Text Amendment for the Commercial Zone.

Nicole Morgan, non-resident, referenced the earlier discussion regarding the donation request for the Junior Livestock Association; she researched the questions the Council asked earlier, and she reached out to find out who at the County had recommended that the Association split from the Fair and could not get an answer to that question, but was referred to the County Commissioners. She added that the reason for the delay between the time that the Association was notified they would be splitting from the County in December and the time that they started asking for donations, was that it took six months for the Association to become an official entity that could solicit donations and funding. No accounting could be done by the entity until the entity was created. She added that the individuals who were trying to coordinate a time to speak to the Council had some difficulty in connecting with City staff, so that is why this is the first time they were able to speak with the Council. She added that the group does not necessarily need funding before the fair, but a commitment of funding would be very helpful.

Council Member Swanson asked if the Association is a 501(c)(3) Entity, to which Ms. Morgan answered yes.

Susan Kilborn, North Ogden resident, stated the Cherry Days celebration was wonderful and that when the idea of privatizing and making changes to the event was first discussed, she did not believe that it would be successful, but she ended up volunteering to help and she loved everything about the event. She then addressed the topic of placing suicide prevention banners

on the poles along Washington Boulevard and spoke to the importance of accentuating good mental health and avoiding the mention of suicide on the banners.

Doug Anderson reapproached and addressed Ms. Morgan's comments; he noted he personally understands the benefits of learning to raise animals in one's youth. It teaches benefits that cannot be taught any other way. He suggested that entities with worthy, charitable causes be advised to reach out to wealthy residents in the community rather than seeking donations from the City, which is funded by taxpayer dollars.

17. COUNCIL/MAYOR/STAFF COMMENTS

City Manager/Attorney Call reported the environmental hearing for the pond project will be held August 9, 2023, from 4:30 to 6:30 p.m. The federal entity that is administering the Grant for the project will be represented at the meeting. Mr. Call stated that he has been asked about letters sent to new homes regarding landscaping requirements and code enforcement; there was some confusion internally in the City about which Department would be handling the distribution of those letters, but they have since been sent. He added that City staff does their best to help Land Use Applicants understand the requirements of the City Code but should not be placed in the 'driver's seat' for project applications. He acknowledged some frustration on the part of an applicant whose application was discussed tonight, but noted that staff has provided very detailed information and instructions and the applicant did not follow through on that information.

Council Member Swanson addressed Ms. Kilborn's comments about the suicide prevention banners; the banners will not use the word 'suicide', but will include positive messaging aimed at improving mental health. Mr. Swanson noted that the lights at Bicentennial Park are dim and asked that someone look into what needs to be done to increase their brightness. He then offered to make a donation to Ms. Morgan and the Junior Livestock Association following the meeting.

Council Member Cevering noted that he has been informed by the current Youth Council Advisor that she can no longer serve in that capacity; he asked the Council if they would like to seek a new Advisor or discontinue the Youth Council Program. The Council indicated they would like to publish an opening for the Advisor position as the Youth Council brings a great deal of value to the community.

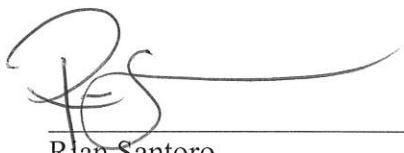
Council Member Barker referenced the previous discussion about Redevelopment Agency (RDA) laws in the State of Utah; he noted that the North View Fire District pays \$145,000 to the City's RDA each year, and this year, it has an \$80,000 budget deficit, which is why the District is considering a tax increase this year. He stated it is not 100 percent correct to state that RDA activities are tax neutral. Mr. Call stated he understands that position, but advised Council Member Barker to ask the District's Accountant how much tax revenue the District receives due to development activity that has occurred in the City's redevelopment areas, which include Smith's Marketplace.

18. ADJOURNMENT

Council Member Swanson motioned to adjourn the meeting.

The meeting adjourned at 9:04 p.m.


S. Neal Berube, Mayor


Rian Santoro
City Recorder



9.12.2023
Date Approved