

NORTH OGDEN CITY COUNCIL MEETING MINUTES

September 10, 2024

The North Ogden City Council convened on September 10, 2024, at 6:00 p.m. at the North Ogden City Public Safety Building at 515 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 September 6, 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: <https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos> or by requesting a copy of the audio file from the North Ogden City Recorder.

PRESENT:

S. Neal Berube	Mayor
Ryan Barker	Council Member
Blake Cevering	Council Member
Jay D Dalpiaz	Council Member
Chris Pulver	Council Member
Christina Watson	Council Member

STAFF PRESENT:

Jon Call	City Manager/Attorney
Rian Santoro	City Recorder
Scott Hess	Community and Economic Development Director
Dave Espinoza	Public Works Director/Assistant City Manager
Ryan Nunn	Planner
Bryce Nelson	Administrative Services Manager
Eric Casperson	City Engineer
Paige Hamblin	Police Records Supervisor (Zoom)

VISITORS:

Reed Miller	Phillip Swanson (Zoom)
Kevin Burns	Merrill Sunderlund (Zoom)
Megan Stephens	
Kim Barker	
Melanie Ewing	

0:0:02 Mayor Berube called the meeting to order and Council Member Pulver offered the invocation and led in the Pledge of Allegiance.

PRESENTATION

1. PRESENTATION ON THE 2024 CHERRY DAYS CELEBRATION

0:01:17 Cherry Days Committee Member Megan Stephens began with a recap of the significant changes made to this year's event, including moving the parade to Washington Boulevard on the Fourth of July, which was well-received. Event times were adjusted, with little effect on participation, and hosting the pickleball tournament at North Ogden reduced costs. The selection of marketplace vendors was streamlined, leading to fewer but higher-quality vendors. Other successful changes included a more efficient luau catering service, bringing back the medallion hunt, and a successful foam party, though costly. A teen dance party was attempted but had a low turnout. Cherry Day-themed swag was introduced, with sizes running out quickly. The event saw about 1,000 children participate in the ping pong ball drop and the kids' marketplace was well-received. While some events had a similar turnout as last year, others, like the concert and carnival, remained expensive to put on.

Financially, it was noted that overall revenue decreased, partly due to a drop in sales and sponsorship. Participation remained relatively steady despite increased spending on marketing, entertainment, and fireworks. The City ended up breaking even, although there was an outstanding \$1,000 shortfall from a donation issue.

Questions from Council Members touched on potential cost-saving measures, such as rethinking the concert, carnival, and stage expenses, as well as possibly charging for certain events like the luau. The conversation shifted to the challenges of fundraising, sustaining volunteer participation, and balancing community engagement with financial considerations. Several Council Members and the Mayor emphasized the importance of maintaining the event's community-building purpose over profit-making, though concerns about divisiveness in the community were also raised.

There was consensus that while certain aspects could be reduced, the event's primary goal should remain focused on bringing the community together. The discussion concluded with reflections on the importance of maintaining a tradition that fosters unity, even in the face of rising costs and challenges with volunteer retention.

CONSENT AGENDA

2. CALL FOR CONFLICT OF INTEREST DISCLOSURE

0:29:53 No conflict of interest was disclosed.

3. **DISCUSSION AND/OR ACTION TO CONSIDER THE AUGUST 13, 2024, CITY COUNCIL MEETING MINUTES**

0:31:04 Council Member Barker motioned to approve the August 13, 2024, 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 Pulver	aye
Council Member Watson	aye

The motion passed unanimously.

4. **DISCUSSION AND/OR ACTION TO CONSIDER THE DISBANDMENT OF THE BARKER PARK COMMITTEE**

0:31:31 City Manager/Attorney Jon Call informed the Council that due to challenges in meeting the goals of the Barker Park Committee, it was decided to discontinue the Committee and instead hold smaller meetings to gather input. A new plan, incorporating feedback from previous plans, including the 2016 and 2017 plans, and the Barker Park Committee, is being drafted by City Engineer Eric Casperson, with a target to present it to the Council before the end of October.

Mayor Berube thanked Council Member Dalpiaz for providing valuable feedback from the Committee and acknowledged the contributions of the Committee Members. The plan will allow citizens to provide final input and will focus on ensuring proper infrastructure placement to avoid duplications in utilities such as stormwater, electricity, and sewer.

Council Member Dalpiaz motioned to approve the disbandment of the Barker Park Committee. Council Member Pulver seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Pulver	aye
Council Member Watson	aye

The motion passed unanimously.

ACTIVE AGENDA

5. PUBLIC COMMENTS

0:34:14 Kevin Burns, a North Ogden City resident, began by expressing appreciation for the efforts of the now-dissolved Cherry Days Committee, particularly their work on events for Cherry Days. Drawing from his own experience organizing events, including the Ogden Marathon, he acknowledged the difficulty of volunteering and noted the disappointment many of the Cherry Days Committee Members must feel with how things ended. He advised the Council to ensure they are passionate about any project they take on, as doing it without enthusiasm could lead to dissatisfaction.

Kevin then shifted focus to his neighborhood road, where he thanked Public Works Director/Assistant City Manager Dave Espinoza for improvements but criticized Anderson Asphalt, the company responsible for phase 3 of the project. He described several issues with their work, including poor communication about road closures, confusion regarding garbage collection, and threats to tow cars left on the street, which he found unjustified and overly aggressive. Kevin emphasized the inconvenience caused by the company's failures and recommended that Anderson Asphalt be barred from future projects in North Ogden, citing frustration as a taxpayer.

6. DISCUSSION AND/OR ACTION TO CONSIDER THE ZONING TEXT AMENDMENT FOR 11-3: HEARING AND PUBLICATION NOTICE PROVISIONS

0:39:23 Planner Ryan Nunn described this ordinance amendment as a cleanup effort to align the City's Code with updates made by the State Legislature regarding public hearing notice requirements. The amendment was initially presented to the Planning Commission about a year ago but is now being formally brought before the City Council. The changes to the City Code are minor and primarily reflect the State's new requirements.

Council Member Pulver asked whether these updates would result in a significant increase in time, effort, or costs for the City, to which it was explained that Weber County has a streamlined process for issuing notices, and no substantial cost increase was anticipated.

Council Member Pulver motioned to approve Ordinance 2024-18 the Zoning Text Amendment for 11-3. Council Member Dalpiaz seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Pulver	aye
Council Member Watson	aye

The motion passed unanimously.

7. **DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2024-17
AMENDING THE PARKING SETBACK AND LANDSCAPE BUFFER
REQUIREMENTS – REINSTATING ZONING TEXT AMENDMENT 2022-01**

0:43:09 Community and Economic Development (CED) Director Scott Hess discussed a Zoning Amendment related to parking setbacks along major roadways, particularly Washington Boulevard and other key streets. The amendment is a cleanup of a previous ordinance from 2022, which was inadvertently left out during a recent overhaul of Title 11. The current ordinance mandates that parking areas must be at least 20 feet from the property line on major roads, while the updated proposal would reduce this setback on smaller roads to 14 feet from the top of the curb or 16.5 feet from the asphalt, resulting in parking starting approximately five feet behind the sidewalk.

The Planning Commission had already reviewed and unanimously recommended the reinstatement of the original parking setback ordinance, which was brought to the City Council for approval.

Council Member Dalpiaz raised concerns about inconsistencies in setback rules for buildings compared to parking, using examples of properties along Washington Boulevard.

CED Director Scott Hess explained that buildings can be closer to the road due to allowances for urban development and walkability improvements, while parking is still set back 20 feet, reflecting a shift toward form-based codes that prioritize aesthetics and urban design.

Council Member Watson motioned to approve Ordinance 2024-17 amending the parking setback and landscape buffer requirements – reinstating Zoning Text Amendment 2022-01. Council Member Pulver seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Pulver	aye
Council Member Watson	aye

The motion passed unanimously.

8. DISCUSSION ON THE FRUITLAND DRIVE AND 2100 NORTH INTERSECTION

0:50:01 City Engineer Eric Casperson addressed the Council regarding the problematic intersection at 2100 North and Fruitland Drive. He shared photographs highlighting the poor visibility of the stop sign due to obstructions like pine trees, which only become visible approximately 75 feet away. The intersection's design lacks sufficient sight distance, with the current 150-foot radius falling short of the 371 feet required for a 35 mph road. Eric noted that the discomfort drivers experience at this intersection ironically makes it one of the safest due to caution, despite multiple close calls over the years. Eric proposed two options for improving the intersection. The first option involves straightening the road and moving it eastward, which would meet the required road radius and avoid taking residential property. This option is less costly and has fewer grading challenges compared to the second option of moving the road westward, which would require taking a home and potentially involve legal challenges through eminent domain. Both options would address the current hazard posed by the booster station located near the intersection, which also requires relocation due to its current state of corrosion and disrepair.

Regarding funding, Eric and Public Works Director/Assistant City Manager Dave Espinoza discussed that the budget includes plans to move the booster station, but grants from the Wasatch Front Regional Council (WFRC) are not available until 2031. The estimated costs for the road realignment are \$700,000 to \$900,000, with a roundabout option potentially costing up to \$2 million, including the purchase of a home if needed. There was clarification on the financial plan, with the booster station and road realignment listed in the five-year Capital Project Plan for 1.5 million, set for next year. The booster station is a separate, but related, project, and would likely be moved east due to its proximity to the water tank.

The discussion also touched on the difficulties of purchasing land for the realignment, with property owners historically unwilling to sell. Some Council Members expressed concerns about the potential impact on affected families, even if eminent domain is used. In addition to safety concerns, Council Member Dalpiaz raised the issue of water drainage problems impacting nearby residents, suggesting the need for curb installation or other measures to address ongoing water issues.

Council Member Watson raised safety concerns, particularly for pedestrians, and asked if curb, gutter, or sidewalks could be added. City Manager/Attorney Jon Call confirmed that while sidewalks are typically required during subdivision development, they are not mandated for City road improvements. However, the City has considered adding sidewalks for pedestrian safety, particularly because there is unlikely to be much future development in the area. He also suggested that this project could be suitable for funding through the Transportation Utility Fee.

Council Member Pulver noted that the booster station is already budgeted at 1 million for FY 2026, indicating that the necessary funds might already be in place.

Lastly, Council Member Barker, who drives the road daily, mentioned that the intersection is not as unsafe as it appears, given the low number of accidents, and expressed strong opposition to the use of eminent domain for this project unless the landowners were willing to sell. He did, however, support realigning the road in a way that respects the landowners' wishes.

9. DISCUSSION ON THE RIGHT TURN LANE ON 400 EAST 2600 NORTH

1:12:45 City Engineer Eric Casperson discussed the possibility of adding a right turn lane at the McDonald's corner, which UDOT supports. The plan involves narrowing the southbound lanes from 12 to 11 feet to gain additional space for a wider sidewalk, which would be about 6 feet wide from the corner up to just before the fire hydrant.

UDOT initially decided against this improvement due to low traffic volume, but it's been reconsidered.

The estimated cost for the project is around \$125,000. This includes relocating a large power pole, which Rocky Mountain Power would handle at their own expense. Eric sought feedback from the Council before moving forward with a detailed plan and discussions with UDOT.

Mayor Berube expressed safety concerns, noting that traffic backups lead drivers to cut through parking lots or encroach on crosswalks. He emphasized the need to address these safety issues and sought the Council's opinions on whether to proceed with the project. Council Member Pulver suggested using UDOT's at-large representative to push for the project. He also questioned the cost and feasibility of lane adjustments, proposing that the cost could potentially be reduced by adjusting lane widths.

Council Member Dalpiaz inquired about the possibility of funding through the Redevelopment Agency (RDA), which is feasible if aligned with the RDA project area plan.

The consensus was to proceed with drafting the plan, seek approval, and potentially use RDA funds or adjust other project budgets if necessary. The Council acknowledged that narrowing lanes could increase collision risks, similar to other intersections, but overall supported moving forward with the project.

10. DISCUSSION ON THE 2550 DETENTION BASIN RELOCATION/IRRIGATION STORAGE/COMMUNITY PARK

1:23:58 City Manager/Attorney Jon Call explained that the City is in the process of relocating a critical storm basin currently situated near O'Reilly's on 300 East. This basin handles water flow from various sources, including springs and groundwater, and its relocation is crucial due to its role in managing water that impacts neighboring areas, especially Farr West. To manage the approximately 19 acre-feet of water while the current basin property is developed for commercial use, the City is exploring temporary solutions. Options under consideration include expanding existing basins, though this could risk hillside instability, or finding alternative temporary holding areas. Potential locations for these temporary measures include expanding basins at Lakeview Park and near the Public Works facility.

The City is also awaiting a federal grant to fund a full-scale basin project, with the full project estimated to cost around \$3.5 million for the basin alone, or up to \$5 million including park development. A temporary basin could be constructed in the meantime, but this may result in additional costs if it needs to be altered or removed later.

The City has a signed contract to sell the basin property, appraised at \$2.95 million, but the commercial development is contingent upon receiving more concrete commitments

from potential tenants. The timing and necessity of the temporary basin are closely linked to the success of this development.

Funding and budget considerations are also being reviewed, including the possibility of deferring other stormwater projects or seeking additional funding from the County. The City is debating whether to use existing budgeted funds for the Mud Creek Detention Basin for temporary solutions or to wait for further clarity on the developer's plans. The Council was advised to be cautious about committing significant funds without firm commitments from the developer. Any major expenditures or changes to plans will require Council approval, and the City will ensure that any decisions align with available funding and development timelines.

11. Council Department Reports:

a. Council Member Dalpias – Police Department

1:44:27 Council Member Dalpias reported several updates from the Police Department. Firstly, a new Police Officer, Tyler Jackson, is set to join the Department soon. Jackson brings extensive experience from North Ogden City, Pleasant View, and Weber County, and has a background in canine and armory operations. Additionally, Council Member Dalpias shared information from Chief Eynon regarding the Flock system, a surveillance tool used by the police. The Chief provided details about the system's quarterly audits and policies governing access and data retention. These audits ensure that information accessed is relevant to investigations, and access is tiered and monitored. Council Member Dalpias will forward the detailed policy and audit information to the Council. Mayor Berube suggested pursuing an independent audit of Flock to ensure compliance with policies and to verify that data retention practices are followed correctly. Council Member Dalpias agreed to follow up on this request.

b. Council Member Cevering – Building and Planning Departments

1:48:57 Council Member Cevering reported on several updates received from CED Director Scott Hess. The Village at Prominence Point Trail is complete, and the two apartment buildings there will soon receive their Certificates of Occupancy. He reported that upcoming developments are progressing in the City. Additionally, work is ongoing at Cooperstown, located south of the Cold Water Animal Hospital, and building permits are being processed efficiently.

c. Council Member Barker – Parks Department

1:49:52 Council Member Barker requested to provide his report for the Parks Department at the next Council Meeting.

12. PUBLIC COMMENTS

No public comment was made.

13. MAYOR/COUNCIL/STAFF COMMENTS

1:51:58 Council Member Pulver expressed concern about the high-density development west of Washington Blvd, particularly between 1700 North and 1500 North, and at Cooperstown. He noted a lack of essential amenities, like gas stations and grocery stores, in these high-density areas, which affects the walkability of the City. He emphasized the need for better commercial planning to support the growing population. Mayor Berube acknowledged the need for commercial development and mentioned potential interest in a gas station. He noted that some commercial parcels are separate and might be challenging to develop together. City Manager/Attorney Jon Call agreed to follow up with relevant parties to address these concerns.

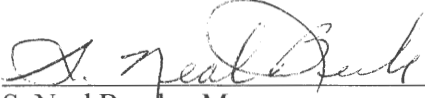
1:54:42 City Manager/Attorney Jon Call announced that the updated City Code, covering Chapters 1 through 10 (excluding Chapter 3), will soon be ready for review. It will be sent to the Council and posted on the website for public access, with a 2-3 week review period expected due to its length.

Regarding the Connection Magazine, Jon Call mentioned that the September issue has not yet been released, and while there will be an October issue, its format may be smaller. The Mayor or a Council Member needs to prepare a message for the October issue and the upcoming newsletter. Mayor Berube suggested working with the Council to draft this message, which can be used in both the Connection Magazine and the newsletter.

14. ADJOURNMENT

Council Member Watson motioned to adjourn the meeting.

The meeting adjourned at 7:58 p.m.


S. Neal Berube, Mayor


Rian Santoro
City Recorder



10/1/24
Date Approved