

**.NORTH OGDEN CITY COUNCIL
MEETING MINUTES**

December 10, 2024

The North Ogden City Council convened on December 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 December 5, 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 (Arrived at 6:15 p.m.)
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
David Espinoza	Public Works Director/Assistant City Manager
Scott Hess	Community and Economic Development Director

VISITORS:

Kevin Burns	Terry McCulloch
Sandy Cochran	David Gordon
Reed Miller	Stefanie Casey (Zoom)
Travis Taylor	Susan Kilborn (Zoom)
Phillip Swanson	Brenda Ashdown (Zoom)
Jason Westbroek	

0:00:01 Mayor Pro Tempore Barker called the meeting to order and Council Member Cevering offered the invocation and led in the Pledge of Allegiance.

CONSENT AGENDA

1. CALL FOR CONFLICT OF INTEREST DISCLOSURE

0:01:43 No conflict of interest was disclosed.

2. APPOINTMENT OF A CITY COUNCIL MEMBER TO THE SENIOR CITIZEN BOARD

0:2:21 Council Member Watson expressed appreciation for the opportunity to serve on the Senior Center Board, acknowledged the previous contributions of Council Member Dalpías in the same position, and noted his enthusiasm for returning to the role.

Council Member Watson motioned to approve Council Member Dalpías to the Senior Citizen Board. Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpías	aye
Council Member Pulver	aye
Council Member Watson	aye

The motion passed unanimously

ACTIVE AGENDA

3. PUBLIC COMMENTS

0:4:03 Reed Miller, a North Ogden City resident, expressed appreciation for Council Member Cevering's invocation and emphasized the community's shared love for North Ogden. He encouraged efforts to assist others in the City to foster a sense of community spirit and address any needs that may arise.

0:4:46 David Gordon, a North Ogden City resident, informed the Council that he and his wife, Karen, are the JustServe representatives for the North Ogden area.

He encouraged the City to contact them for posting or fulfilling community project needs through the JustServe website, noting it as a modern alternative to projects traditionally completed by Eagle Scouts.

0:5:57 Susan Kilborn, a North Ogden City resident, addressed the Council to inquire about helping North Ogden residents in need. She and a few friends wish to assist individuals struggling with basic needs, such as utility payments, during the holidays. She asked if there is a City contact person for such efforts. Council Member Barker directed her to Public Works/Assistant City Manager Dave Espinoza for City utilities-related assistance.

4. **DISCUSSION AND/OR ACTION TO APPROVE THE DEVELOPMENT AGREEMENT A19-2024 WITH WESTATES COMPANIES**

0:08:04 Community and Economic Development Director Scott Hess initiated an in-depth discussion regarding a development agreement with Westates Companies, focusing on construction timelines, park placement, and housing density. A key topic was the timeline for building a clubhouse, with debate over whether to allow 24 or 30 months for its completion. Council Member Barker supported the 30-month timeline, citing construction realities like potential delays related to a pool, while others, including Mayor Berube, leaned toward 24 months to encourage timely development. The Council also considered the broader implications of this timeline on the phased construction process. The placement and size of a park within the development became another significant point of discussion. Council Member Watson strongly advocated for guaranteeing the park on the southern border to provide accessible green space for neighboring properties and ensure consistency with the City's general plan. The Developer presented conceptual plans showing 0.8 acres allocated for park space but noted flexibility based on overall unit counts and other site planning factors. Some Council Members expressed concern that if the project reduced its density to fewer than 290 units, the park might not be guaranteed or adequately sized.

The Council also debated the reduced building setbacks proposed by the developer, which allowed for a higher concentration of townhomes while maintaining flexibility in unit types. While this provided design benefits, Mayor Berube and others raised questions about whether the reduced setbacks should necessitate additional public benefits, such as a larger or more defined park area.

The developer highlighted the need for flexibility, explaining that plans were conceptual and subject to change during site planning.

Council Member Barker motioned to approve Development Agreement A19-2024 with Westates Companies with the amendments as discussed. Council Member Dalpias seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	nay
Council Member Dalpias	aye
Council Member Pulver	aye
Council Member Watson	aye

The motion passed on a 4 to 1 vote.

5. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2024-20 ANNEXING 20.500 ACRES LOCATED AT APPROXIMATELY 1661 N WASHINGTON BLVD.

0:56:52 Community and Economic Development Director Scott Hess summarized the annexation proposal for 20.5 acres at approximately 1661 North Washington Boulevard, emphasizing that the City Council had previously reviewed this matter on October 22. The Council postponed its decision at that time to allow further negotiation and agreement between the City and the developer. Scott highlighted the benefits of addressing the development agreement details before finalizing the annexation, as resolving these issues upfront streamlines the process and avoids complications later.

Council Member Dalpias motioned to approve Ordinance 2024-20 annexing 20.500 acres located at approximately 1661 N Washington Blvd. Council Member Pulver seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpias	aye
Council Member Pulver	aye
Council Member Watson	aye

The motion passed unanimously

6. DISCUSSION AND/OR ACTION ON THE RDA GRANT PROGRAM APPLICATIONS

0:59:44 The Council discussed the allocation of remaining RDA (Redevelopment Agency) grant program funds and reviewed the outcomes and changes following a prior Work Session. Staff clarified that seven applications remained after some were excluded due to lack of economic benefit, project completion before application, or prioritization of other projects by the same applicant. The total allocated funds stood at \$1.3 million, approximately \$78,000-\$80,000 over budget. Staff noted this overage was relatively minor in the context of total allocations and anticipated cost adjustments after final bids. The Council reviewed the list of recommended projects, which include City projects such as improvements to Bicentennial Park and the Aquatic Center. It was noted that the funds must be allocated by year-end, and any overage could be addressed through future budget adjustments or project refinements.

Concerns were raised about specific projects, including parking improvements at Big O Tires and landscaping at another site. It was clarified that Big O's project would widen the parking lot, adding approximately five stalls and addressing drainage issues. The applicant clarified that no unnecessary items occupied parking spaces and addressed questions about winter parking and on-street parking policies.

Staff confirmed all remaining applicants had been contacted, and agreements were reached to proceed with a dollar-for-dollar match, ensuring project viability. Discussions also covered the method of adjusting allocations to balance the budget, with suggestions to reduce funding for City projects to meet the available budget. City Manager/Attorney Jon Call provided clarity on the funding mechanism, explaining that this is a reimbursement program where applicants must spend funds first and provide receipts to receive reimbursement. He also emphasized that while the Council's approval authorizes funding, individual projects must still undergo the full site plan approval process, which may introduce additional adjustments or requirements. This ensures all projects meet regulatory and design standards before implementation.

The Council also discussed how to handle unspent or reallocated funds. Council Member Barker made a motion to approve the RDA grant applications with the stipulation that any unspent funds be directed toward North Ogden City projects, specifically the Aquatic Center or future development initiatives. There was a debate on whether funds should be allocated solely to the Aquatic Center or remain flexible to address other city priorities. It was ultimately decided that any reallocated funds would require additional Council oversight and approval through a formal budget amendment process. The RDA Board will convene in January 2025 for the final consent to these decisions for transparency.

Throughout the discussion, the Council emphasized balancing immediate project needs with long-term City goals, ensuring careful stewardship of funds while maintaining adaptability to shifting priorities.

Council Member Barker motioned to approve the RDA Grant Program Application awards as presented. 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

**7. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2024-21
ADOPTING THE 2025 PUBLIC MEETING SCHEDULE**

1:26:42 City Recorder Rian Santoro presented Ordinance 2024-21, which proposed adopting the 2025 public meeting schedule. Rian explained that this is an annual task and outlined key updates made to the schedule. These included the removal of commissions that have been decommissioned, adjustments to meeting dates, and updates to meeting locations. The schedule designates the second and Fourth Tuesdays of each month for City Council regular meetings, with the first and third Tuesdays reserved for Work Sessions as needed. Planning Commission meetings are scheduled for the first and third Wednesdays of each month unless otherwise noted. The meeting schedule also specifies that Work Sessions will take place at City Hall, while regular meetings will continue to be held at the North Ogden Public Safety Building.

Council Member Cevering motioned to approve Ordinance 2024-21 adopting the 2025 Public Meeting Schedule. 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 AND/OR ACTION ON SPECIFIC IMPROVEMENTS TO BE MADE TO THE AQUATIC CENTER INCLUDING INITIAL BUDGET ITEMS

1:29:03 Public Works Director/Assistant City Manager David Espinoza led the discussion regarding the upgrades needed at the North Shore Aquatic Center. David explained that the project, which has been in the works for nearly a year, has reached its final stages, and the total cost for the necessary upgrades is estimated at \$2.4 million. However, due to budget constraints, the focus is now on prioritizing the upgrades. Staff have categorized the upgrades into five groups, with the first category representing the most urgent needs that should be completed within the next year. David emphasized that priority one items amount to \$1.9 million, which exceeds the available budget. City Manager Jon Call highlighted the uncertainty surrounding the cost of some of the more expensive items, such as the pool liner. Bids for the liner have ranged widely, from \$270,000 to nearly \$900,000, depending on the vendor. Additionally, costs for the pool cover cannot be determined until decisions are made regarding the playground design. Mayor Berube raised concerns about the funding for the project, questioning where the money would come from if it is not generated through pool revenues, which are insufficient to cover such large expenses. David suggested alternatives, such as purchasing only one of the two boilers needed and utilizing existing secondary pumps, in an effort to reduce costs. Jon Call mentioned that a recommended increase in the gate fee could generate \$100,000 to \$200,000 annually, which could help cover depreciation for pool assets not included in the current list of priorities. The Mayor pointed out the challenge of increasing fees without reducing attendance, and Council Member Watson suggested checking neighboring pools' rates to ensure the fee increase is competitive. Jon Call confirmed that the pool's current fee is the highest in the region, and any fee increase would need to be carefully considered. The Council debated the potential need for substantial increases in property taxes or fees to cover the operational costs, which were estimated at \$250,000 to \$300,000 per year.

Mayor Berube raised the question of balancing government spending on "wants" versus "needs," noting that there were other park improvements that also needed funding. Some Council Members echoed this concern, acknowledging the necessity of setting aside money for future maintenance and repairs, possibly through an increase in taxes.

Council Member Delpias noted that, while RDA funds were helping sustain the pool for now, the City needed to start planning for the future, including allocating funds for long-term costs. The Council also discussed the possibility of the pool closing in 10 years if financial challenges weren't addressed. In response to these concerns, City Manager/Attorney Jon Call proposed moving forward with the priority repairs, which would be covered by the allocated \$1.7 million budget, with the understanding that any additional funding requirements would be reviewed later.

The Council agreed to move forward with the repairs while continuing to monitor the pool's financial needs and its long-term sustainability. They also acknowledged the need for a more structured approach to budget for future maintenance and operating costs, recognizing that decisions made today would impact the City's finances for years to come.

Council Member Pulver motioned to approve specific improvements to be made to the Aquatic Center including initial budget items. Council Member Barker seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Delpias	aye
Council Member Pulver	aye
Council Member Watson	aye

The motion passed unanimously

**9. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2024-22
ADOPTING THE NEW NORTH OGDEN CITY MUNICIPAL CODE**

1:52:42 City Manager/City Attorney Jon Call presented a comprehensive rewrite of the City's Code, excluding Title 3 (Finance) and Title 11 (Land Use - which was updated 3 years ago). The rewrite addresses minor amendments and updates to bring the City Code into compliance with State laws.

He noted that the document, originally 50 pages longer, had been streamlined and now consists of 300 pages. The final version had some formatting issues, but these would be corrected online. Some changes were suggested by consultants, while others were made by City staff in areas such as business licensing and public works. Jon acknowledged that while the document isn't perfect, it serves as a good baseline for the City.

The Council also discussed amendments, including Council Member Watson's question about allowing City-sponsored events at the Amphitheater to go beyond 10 p.m. without needing additional approvals. The Mayor suggested that this change be extended to all events, not just City-sponsored ones, to ensure consistency and fairness. They debated whether events should be allowed to exceed the 10 p.m. limit with prior approval from the Council. Additionally, there was a discussion about potential concerns related to moral decency and community standards for events at the Amphitheater, particularly concerning First Amendment issues.

Jon pointed out that the City's current policy aligns with State decency standards and that any event could be reviewed and adjusted if necessary. He also addressed several minor corrections, such as adjusting the number of dogs or cats allowed per household and clarifying the reserve titles in the code.

The new City Code will go into effect on January 1, 2025.

Council Member Pulver motioned to approve Ordinance 2024-22 adopting the new North Ogden City Municipal Code. 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

10. Council Department Reports

a. Council Member Dalpiaz – Police Department

2:08:28 Council Member Dalpiaz provided an update on a new hire in the Police Department, scheduled to start on December 30, which will help maintain staffing levels.

He reminded everyone about the winter parking ordinance prohibiting overnight on-street parking due to potential snow, advising residents to be mindful of the rule. Mayor Berube added that the Council had supported the policy, allowing one warning for parking violations, after which vehicles could be towed. City Manager/Attorney Jon Call mentioned that Ogden City has implemented a similar rule and is aggressively enforcing it. The Mayor emphasized that the ordinance is a safety measure for both drivers and citizens and the importance of spreading the word.

b. Council Member Cevering – Building and Planning Departments

2:10:24 Council Member Cevering reported that the Views at Rockwood Phase 2 will be presented to the Planning Commission next week. Several other subdivisions have applied and had technical review meetings, but some are still waiting for updated plans before moving forward. He also highlighted Ryan Nunn's excellent work in keeping land use and building permits on track.

c. Council Member Barker – Parks Department

2:11:01 Council Member Barker reported that maintenance and paint repairs are currently being done on park facilities, such as bathrooms, and pavilions. Bids are being collected and the final plan for Orton Park is being finalized before the playground is demolished. He also mentioned the success of the North Pole event, which began on Saturday.

Council Member Watson reminded everyone of the upcoming Santa hours: Saturday, December 14, from 11 a.m. to 1 p.m., Monday, December 16, from 5:30 p.m. to 7:30 p.m., and the official North Pole event will take place from Friday, December 20, through Monday, December 23, each day from 6 p.m. to 8 p.m.

Mayor Berube highlighted the upcoming presentation of a plan for Barker Park, which includes soccer fields, and noted that the plan is nearing finalization after meeting the 45-day requirement. The focus now is on figuring out how to execute the plan effectively.

11. **PUBLIC COMMENTS**

2:14:22 Sandy Cochran, a North Ogden City resident, expressed concern about the Westate developer's progress in contacting the homeowner across from the theater, as discussed in a previous Council meeting. She inquired if any efforts had been made, and the Mayor clarified that while the developer has no control over the property, he is open to working with the homeowner to create an entrance on Washington Blvd.

Sandy emphasized the importance of addressing this matter as other developments in the area progress.

2:16:36 Terry McCulloch, a North Ogden City resident, expressed disappointment that certain aspects of the development agreement were not more firmly secured, referencing a developer's previous attempt to ensure better terms. She emphasized that the Council's role is to prioritize the well-being of North Ogden residents, not just the developer's profits. Mayor Berube acknowledged Terry's concerns and assured that the Council aimed to balance the development's progress with the best interests of the community.

2:18:36 Susan Kilborn, a North Ogden City resident, offered her help to anyone who wanted to contribute to providing water or other basic needs to individuals in North Ogden. She then shifted her focus to the Aquatic Center, sharing her personal experience of teaching water aerobics there. She voiced her disappointment over the negative comments calling it a "money pit." Susan emphasized that the pool is an important resource for the community, particularly for seniors, young mothers, and families with children. She passionately urged the City Council to allocate funds for the pool's upkeep and continued operation. To conclude, she wished the Council a Merry Christmas and a Happy New Year.

12. MAYOR/COUNCIL/STAFF COMMENTS

2:23:18 Council Member Dalpiaz shared two topics of discussion. First, he mentioned feedback from a resident regarding the green waste area, specifically asking if a large sign could be placed to inform residents about the winter recycling schedule, as the resident doesn't use the internet. Council Member Dalpiaz confirmed that the sign had already been ordered. The resident also suggested adding a third recycling day but noted that the current schedule is a new trial and should be evaluated first. Second, Council Member Dalpiaz brought up the idea of potentially directing all impact fees to Barker Park in the future. While not certain, he suggested considering an ordinance that would allocate impact fees specifically for the park, recognizing the park's significant needs. He acknowledged that this idea could have pros and cons and suggested further discussion.

2:24:51 Mayor Berube discussed several topics. He mentioned the importance of reviewing property taxes and their impact on the Police Department, suggesting that this should be addressed in the coming years. He also suggested adding information about green waste to the City newsletter, as it's a good platform for communication.

Additionally, he acknowledged the Police Department's Sub for Santa event and expressed appreciation for the officers involved in community events like Shop with a Hero. He noted the positive relationships between officers and community members who have had negative experiences, highlighting the Police Department's efforts to support families in the community.

2:26:48 Council Member Pulver mentioned that they are still seeking additional members for the Citizens Budget Subcommittee, which will begin next year. Currently, 3 members have signed up, and it would be beneficial to have a few more participants.

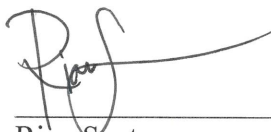
2:27:15 City Manager/Attorney Jon Call announced that there are two available seats on the Planning Commission, with selection starting in January. Applications are due next Friday, and the City encourages people to apply. He also reminded everyone about the upcoming holiday party on Thursday.

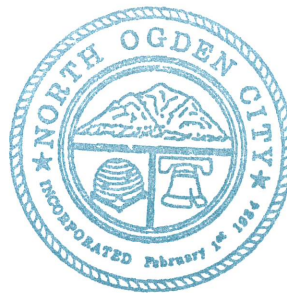
13. **ADJOURNMENT**

Council Member Watson motioned to adjourn the meeting.

The meeting adjourned at 8:29 p.m.


S. Neal Berube, Mayor


Rian Santoro
City Recorder



1/7/2025
Date Approved