

**NORTH OGDEN CITY COUNCIL
MEETING MINUTES**

March 11, 2025

The North Ogden City Council convened on March 11, 2025, at 6:00 p.m. at the North Ogden 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 March 6, 2025.

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 11, 2024.

Note: The timestamps 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.

CITY COUNCIL MEMBERS PRESENT:

S. Neal Berube	Mayor	
Ryan Barker	Council Member	Excused
Blake Cevering	Council Member	
Jay D Delpias	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
Casey Hunsaker	Treasurer
Trent Wilkins	Sanitary Sewer Superintendent
Paige Hamblin	Police Records Supervisor Zoom

VISITORS:

Kevin Burns	Jason Westbroek
Phillip Swanson	Merrill Sunderland
Spencer Faulkner	Chris Van Ribbink Zoom
Heather Honstein	Danny Wall Zoom
Dave Meents	Susan Kilborn Zoom
Reed Miller	

0:00:05 Mayor Berube called the meeting to order, and Council Member Dalpiaz offered the invocation and led in the Pledge of Allegiance.

CONSENT AGENDA

1. CONFLICT OF INTEREST DISCLOSURE

0:01:41 No conflict of interest was disclosed.

2. DISCUSSION AND/OR ACTION TO APPROVE THE FEBRUARY 25, 2025, CITY COUNCIL MEETING MINUTES

0:01:45 Council Member Cevering motioned to approve the February 25, 2025, City Council Meeting Minutes. Council Member Watson seconded the motion.

Voting on the motion:

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

The motion passed unanimously

ACTIVE AGENDA

3. PUBLIC COMMENTS

0:03:59 Spencer Faulkner, North Ogden City resident, addressed the City Council regarding ongoing issues with a neighbor whom he claims has been using City resources to harass and intimidate him. The dispute initially centered around leaves from trees on his property, despite positive feedback from other neighbors about the cleanliness of his yard. He stated that the conflict escalated in February 2024 when the neighbor circulated a petition to have him removed from the subdivision, which only garnered two signatures.

Following this, the neighbor allegedly began calling the police frequently, leading to an injunction protecting him and his family for three years. He also reported that Code Enforcement was repeatedly contacted about minor issues, including leaves in a neighbor's yard and a complaint about his carport, which resulted in a denied permit request due to property constraints. Spencer expressed frustration that the City has consistently acted on these complaints without considering the broader context, leading to his decision to move. He requested that City officials grant him relief from enforcement actions given the unique circumstances or help prevent further misuse of City resources against him.

0:06:55 Dave Meents, North Ogden City resident, addressed the Council regarding delays and confusion surrounding the RDA grant process for improvements at North Ogden Plaza. He noted that after submitting a proposal with bids last June, he experienced a lack of communication and unclear funding allocations. Despite being informed in December that his grant was approved, he has received no follow-up since. Dave expressed frustration over discrepancies in the funding breakdown, particularly regarding the percentage allocations for different project elements such as parking, landscaping, and signage. He also sought clarification on a proposed 90/10 funding split for UDOT property improvements. He asked for assistance in understanding the funding calculations and whether his grant amount should be higher based on the stated percentages. Mayor Berube indicated that the RDA grants were scheduled that evening for discussion and suggested he follow up with City Staff after the meeting for clarification.

4. **DISCUSSION AND/OR ACTION TO CONSIDER THE APPOINTMENT OF A NEW NORTH OGDEN CITY FINANCE DIRECTOR**

0:13:02 Mayor Berube introduced the recommendation for Peter Brown to be appointed as the Finance Director for North Ogden City. He highlighted Peter's extensive government experience, including his current role as Chief Deputy Clerk and Auditor for San Juan County, as well as his familiarity with budgeting processes. Peter's references were positive, and Mayor Berube expressed confidence in his ability to contribute effectively to the City. Due to his current responsibilities, Peter will initially work part-time and remotely to assist with the budgeting process. He will transition to full-time remote work in May and begin working on-site in June. Council Member Dalpiaz, who participated in the interview process, expressed confidence in Peter's qualifications, noting his concise and knowledgeable responses.

He stated that Peter would likely transition smoothly into the role with minimal ramp-up time and respected his decision to delay his full-time start due to prior commitments.

Council Member Dalpias motioned to approve the appointment of Peter Brown as the new North Ogden City Finance Director. Council Member Pulver seconded the motion.

Voting on the motion:

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

The motion passed unanimously

5. DISCUSSION AND/OR ACTION TO APPROVE THE 2024 MUNICIPAL WASTEWATER PLANNING PROGRAM WITH THE UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY

0:17:32 Trent Wilkins, Sanitary Sewer Superintendent, presented the 2024 Municipal Wastewater Planning Program Survey, which is an annual requirement for all entities with sewer systems. The City is responsible for wastewater collection but does not handle treatment. The survey ensures compliance with State regulations and reports on system operations, including staffing, maintenance, and financial planning.

The City has six operators in collections with various certification levels. The report also tracks system backups and overflows, with none reported in the past year. Additionally, it outlines the City's maintenance efforts, which include cleaning and inspecting one-third of the sewer lines annually. Financial reporting ensures the State is aware of funds set aside for repairs and replacements. The system includes approximately 100 miles of sewer lines, with the largest City-owned line being 18 inches in diameter, while a 21-inch line is owned by Central Weber Sewer District.

Mayor Berube highlighted the importance of maintaining an adequate fund balance for sewer maintenance and repairs. He also noted that Central Weber Sewer District recently approved a cost increase that will be passed on to the City.

Council Members acknowledged the complexity of the report and the necessity of compliance with State requirements.

Council Member Watson motioned to approve the 2024 Municipal Wastewater Planning Program with the Utah Department of Environmental Quality. Council Member Cevering seconded the motion.

Voting on the motion:

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

The motion passed unanimously

6. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2025-03, ADOPTING TITLE 1-10 ESTABLISHING RULES RELATING TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT

0:22:48 Rian Santoro, City Recorder, presented Ordinance 2025-03, which establishes rules for government access and records management in North Ogden. The ordinance provides a framework for managing, preserving, and disposing of City records in compliance with State laws, ensuring efficient access and historical preservation. Staff recommended its approval to enhance efficiency, transparency, and record-keeping responsibility.

Additionally, Rian announced a change in how agreements will be titled. Previously, agreements were numbered, but after discussions with department heads, it was determined that the numbering system was not being used beyond the Recorder's Office. Going forward, agreements will be titled and filed by project name for easier access and transparency. Ordinances and resolutions will still be numbered as required by law. Council Members raised concerns about potential unintended consequences of the change but were reassured that records would remain easily searchable. Rian explained that the decision was based on best practices from other cities and feedback from City staff. The City's digital records system allows keyword searches, making project names a more effective method of organization.

Council Members discussed whether certain agreements, such as development agreements, should be made available on the City website for public access. Mayor Berube suggested looking into the feasibility of posting development agreements online while excluding other agreements such as service contracts.

Council Member Cevering motioned to approve Ordinance 2025-03, adopting Title 1-10, establishing rules relating to Government Records Access and Management. Council Member Pulver seconded the motion.

Voting on the motion:

Council Member Barker	excused
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 A LEGISLATIVE APPLICATION AMENDING THE COOPERSTOWNE SUBDIVISION DEVELOPMENT AGREEMENT TO MODIFY THE BOUNDARY AND TOTAL RESIDENTIAL UNITS

0:31:09 Scott Hess, Community and Economic Development Director, explained that this item was tabled at the previous meeting due to numbering confusion. Given the new filing system for agreements, as previously outlined by the City Recorder, this agreement will be filed as "Cooperstown Development Agreement First Amendment."

City Manager/Attorney Jon Call emphasized that subsection eight of the amendment specifies that any unamended provisions from the original agreement remain in effect. The amendment removes all development south of 1500 North from the project, eliminating those units and associated landscaping from North Ogden City's jurisdiction. However, when development occurs in that area, residents may still have access to the planned community space north of 1500 North.

Council Member Dalpiaz inquired whether Walker Cinema had responded to a previous discussion regarding a potential gated entrance between properties.

Jon stated that the developer had been responsible for those discussions but had not reported back with an answer.

Council Member Watson motioned to approve the Legislative Application amending the Cooperstowne Subdivision Development Agreement to modify the boundary and total residential units. Council Member Cevering seconded the motion.

Voting on the motion:

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

The motion passed unanimously

8. DISCUSSION AND CONSIDERATION OF PLACER AI SOFTWARE FOR PROACTIVE ECONOMIC DEVELOPMENT IN NORTH OGDEN CITY

0:35:12 Scott Hess, Community and Economic Development Director, presented Placer AI software, which is used for data analytics and economic development, with the help of Placer AI representative Chris Van Ribbink. If purchased, the software would be available to all City departments and could provide insights into park usage, road maintenance, retail attraction, and economic planning. The cost for a two-year contract is \$21,200 per year, or \$24,000 for a single-year contract, which includes support from an assigned Placer AI staff member.

Council Members debated whether the software would be a worthwhile investment or an unnecessary expense.

Some Council Members suggested that occasional consultant services might be a more cost-effective alternative, while others highlighted the benefits of having real-time, ongoing data for City planning. The discussion referenced a previous study for the South Town Center, which cost nearly \$20,000 for a one-time analysis, as a point of comparison.

The software could be used for various applications, including identifying retail leakage, assisting developers with site selection, optimizing resource allocation for parks and infrastructure, and improving grant applications. The ability to provide data-driven reports to businesses and developers was seen as a potential advantage in attracting the right retailers to the City and ensuring commercial properties are utilized effectively. Council Members also discussed the potential return on investment, noting that the data could help increase sales tax revenue and enhance City services.

Some Council Members expressed concerns about the cost, especially in a tight budget year. They requested additional information, including case studies from similar-sized cities using the software, data on potential financial returns, and contact information for City representatives who have implemented Placer AI. Mayor Berube emphasized the need to determine whether this would be an expense or an investment, stating that if it generates sales tax revenue or offsets other costs, it could be a worthwhile expenditure. The discussion concluded with a decision to gather more information before making a final decision during the upcoming budget process. The Council will review case studies, financial projections, and feedback from other cities to determine if Placer AI aligns with the City's economic development and planning needs.

9. **DISCUSSION ON THE RDA GRANT PROGRAM CONTRACT FOR APPROVED AWARDEES**

1:13:08 Scott Hess, Community and Economic Development Director, led a discussion regarding the RDA grants and presented a contract for Council review, which would authorize Mayor Berube to sign agreements with each applicant. He acknowledged the need for improved spreadsheet formatting for future presentations and referenced a prior meeting on December 5, 2024, where the grant allocations were initially decided. The discussion included a breakdown of awarded amounts, totaling various grants for businesses and City projects. Scott clarified that the match amounts were based on conversations with applicants about their potential contributions and did not necessarily reflect how funds were allocated in December. Scott explained that projects range in complexity, with some requiring only administrative approvals while others necessitate Planning Commission review and further investment. The reimbursement process involves applicants spending their funds first, providing receipts, and then receiving matching RDA funds. Some projects will require phased reimbursements, while others can proceed as lump sum payments based on proof of expenditures. Concerns were raised about flexibility in the use of funds if project costs or applicant contributions changed.

The Council agreed that while no additional funds would be allocated, adjustments could be made within the approved limits to accommodate changing circumstances. Specific questions regarding certain applicants and property owners were addressed, including potential reallocations if projects did not proceed as originally planned.

Mayor Berube emphasized that the goal was to ensure transparency and adherence to the RDA's intended purpose. The Council agreed that unused funds could be reassigned within the RDA system, as long as overall allocations remained within the approved budget. The discussion concluded with Council Members expressing support for the proposed contract structure, and Staff committed to finalizing agreements to proceed with the projects.

10. DISCUSSION AND/OR ACTION TO APPROVE A CONTRACT FOR CITY EVENTS AND FUNDRAISING EFFORTS

1:22:31 Jon Call, City Manager/Attorney, outlined two key updates: replacing Arbor Day with the Children's Entrepreneur Market as an event and modifying the compensation structure for an individual involved in fundraising for City events, including Cherry Days. The new structure incentivizes fundraising efforts by offering a percentage of the funds raised, except for donations from long-standing sponsors like Lee's, Best Realty, and Ultimate Express Car Wash. In-kind donations and volunteer contributions would not be eligible for compensation.

Mayor Berube clarified that the individual would only receive compensation on new or increased sponsorships beyond existing donor contributions. The discussion also confirmed the renewal of the events contract, which expired on December 31, for the same \$25,000 amount as in previous years. Mayor Berube emphasized that this arrangement remains cost-effective compared to hiring a full-time events coordinator with benefits.

Jon noted that Cherry Days' fundraising has historically covered its costs, generating around \$60,000–\$65,000 annually, making the new compensation structure viable. Mayor Berube also suggested applying for a RAMP (Recreation, Arts, Museums, and Parks) grant for Cherry Days, similar to other community events, to further reduce the City's financial burden. Council Member Watson sought clarification on the contractor's role, confirming that while they would not manage Cherry Days, they would handle its fundraising. The contractor has approved the contract terms.

Council Member Watson motioned to approve a contract for City events and fundraising efforts. Council Member Cevering seconded the motion.

Voting on the motion:

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

The motion passed unanimously

11. DISCUSSION AND/OR ACTION ON THE 2025 CHERRY DAYS CELEBRATION PLANNING

1:29:32 Jon Call, City Manager/Attorney presented key topics for the City's Cherry Days celebrations, including the event schedule, parade route, fireworks, and logistical concerns. The plan is to consolidate most activities on Friday, July 4th, to reduce strain on staff and volunteers. However, challenges included securing a fireworks vendor willing to do the display on the Fourth of July and determining an alternative launch site. A major debate centered on moving the parade route from Washington Boulevard to 3100 North for safety reasons, as public safety officials expressed concerns over controlling traffic access points on Washington. Some Council Members preferred Washington Boulevard, citing tradition and accessibility, but others supported 3100 North for its safety and efficiency in directing attendees to North Ogden Park. Ultimately, the Council leaned toward keeping the parade on 3100 North.

There was also discussion on condensing the celebration into one primary day while allowing some events, like the luau and car show, to take place on different nights. Some Council Members worried that holding everything on the Fourth of July might conflict with residents' traditions and reduce attendance at newer events like the luau. The Council agreed to focus on minimizing the duration of the celebration while still ensuring that popular events are well-attended. The City will continue working on event details, including logistics for vendors, performers, and public safety measures.

12. COUNCIL DEPARTMENT REPORTS

a. Council Member Delpias – Police Department

1:47:56 Council Member Delpias announced that there is still an open peace officer position and encouraged anyone interested in joining the department to apply.

b. Council Member Cevering – Building and Planning Departments

1:49:05 Council Member Cevering reported there were no significant updates from the Building and Planning Departments, though some applications are in progress. Mayor Berube requested an economic development report at the end of the quarter.

c. City Manager/Attorney Jon Call – Parks Department

1:49:55 City Manager/Attorney Jon Call shared that the most exciting development in parks is the new playgrounds. By next year, all playgrounds will be updated within a 15-year cycle. The Water Works Park is expected to start installation in three weeks, with plans for it to be operational by June 1.

Mayor Berube acknowledged the achievement of updating the parks and emphasized the need for a plan for Barker Park, with ideas from Jon needing to be formalized for future decisions.

13. PUBLIC COMMENTS

1:51:25 Merrill Sunderland, a North Ogden resident, began by acknowledging the hard work of the Council, City Staff, and the Mayor, despite not always agreeing with their decisions. He discussed the use of AI in retail, noting that it has been used for a long time through databases for various purposes. He raised a question about which municipalities currently use or have used the software being discussed, suggesting that a more relevant question would be which municipalities had used it in the past and decided to stop using it due to its inefficiency or poor value for the city.

1:54:14 Phillip Swanson, a North Ogden resident, expressed support for the Council's decision regarding the Placer AI software, suggesting that RDA funds could potentially be used for it, though he was unsure of the remaining balance. He emphasized the potential benefits of using AI to proactively attract businesses that align with the City's needs, such as sit-down restaurants, and match them with resident desires.

Phillip also proposed reorganizing the City's Economic Development Committee with clear goals and expectations for performance, noting that previous committees had not

always been effective. Finally, he urged the Council to ensure that if they invest in the Placer AI software, it is used effectively and not left unused, as happened with past investments.

1:57:07 Susan Kilborn, a North Ogden resident, shared her thoughts on the Placer AI software, agreeing with Mayor Berube's suggestion to carefully weigh the investment versus the return. She recommended exploring multiple businesses and competitive pricing in the AI market, citing her son's involvement in the field. She also commented on North Ogden's Cherry Days, emphasizing that while the event attracts visitors from outside the City, it should remain a local celebration. She suggested using a Flash Vote to gather input from citizens to increase volunteer involvement and participation in decisions. Finally, she proposed a fun fundraising idea for Cherry Days—a dunk tank featuring local officials like the Mayor and others, which she thought would raise money and engage the community.

14. MAYOR/COUNCIL/STAFF COMMENTS

2:01:17 Mayor Berube addressed the question regarding a carport that may not comply with City ordinances. He acknowledged that the City has limited control over how neighbors treat each other but asked City Manager/Attorney Jon Call to explain the situation and the steps that can be taken regarding the non-compliant carport. The Mayor suggested that the neighbors could contact the police if necessary but clarified that the City's response would be dependent on the specifics of the situation.

City Manager/Attorney Jon Call explained the issue of the carport not meeting city ordinances, mentioning that the situation would be further discussed at a Work Session on April 1. He noted that there are certain rules regarding accessory buildings, like requiring a six-foot separation between the structure and the home. He also mentioned that a variance could be sought, but the process can be lengthy and costly, involving planning staff, public hearings, and potential ordinance changes. The Mayor added that if someone wants to challenge an ordinance or seek a variance, they must go through a formal process. The City will also review whether the current ordinances make sense for the situation or need changes.

2:09:37 Mayor Berube emphasized the importance of creating an appropriate marketing plan for Cherry Days, ensuring that citizens understand the event's details, expectations, and the issues surrounding it.

He challenged the Staff to come up with a marketing plan to present to the Council and residents.

2:11:04 Council Member Pulver discussed the formation of an Economic Development Committee, noting that he's been in talks with David Sawyer from Ogden City, who is interested in helping North Ogden. The Committee's goal would be to support the Planning Department and guide the City in areas like economic development. Mayor Berube mentioned that, while the Committee's structure has been attempted before and sometimes veered off course (like turning into a beautification committee), having clear expectations and guardrails would help focus the group on achieving its objectives. He also referenced the importance of keeping the committee's work aligned with City goals and under the Community and Economic Development Director's direction.

2:13:38 City Manager/Attorney Jon Call requested Council participation in the Cherry Days event to help with specific roles, like finding speakers and organizing the sunrise ceremony, while City Staff handles logistics.

15. **DISCUSSION AND/OR ACTION TO ADJOURN INTO A CLOSED MEETING FOR REASONS PERMITTED UNDER UTAH CODE ANNOTATED §52-4-205(1)(A) REGARDING THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL**

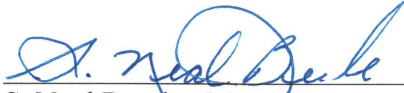
2:15:32 Council Member Watson motioned to adjourn into a Closed Meeting for reasons permitted under Utah Code Annotated §52-4-205(1)(a) regarding the character, professional competence, or physical or mental health of an individual. Council Member Pulver seconded the motion. All those in attendance voted aye.

Council Member Watson motioned to adjourn the Closed Meeting and reconvene the Public Meeting. Council Member Cevering seconded the motion. All those in attendance voted aye.

16. ADJOURNMENT

Council Member Watson motioned to adjourn the meeting.

The meeting adjourned at 9:58 p.m.


S. Neal Berube, Mayor




Rian Santoro
City Recorder

3/15/15
Date Approved