

**NORTH OGDEN CITY COUNCIL
MEETING MINUTES**

April 8, 2025

The North Ogden City Council convened on April 8, 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 April 3, 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
Blake Cevering	Council Member Excused
Jay D Dalpiaz	Council Member
Chris Pulver	Council Member
Christina Watson	Council Member

STAFF PRESENT:

Jon Call	City Manager/Attorney
Rian Santoro	City Recorder
Dave Espinoza	Public Works Director/Assistant City Manager
Brian Eynon	Chief of Police
Scott Hess	Community And Economic Development Director

VISITORS:

Phillip Swanson	Connie Eden
Kevin Burns	Brenda Ashdown
Paula Magnuson	Reed Miller
Teresa Larson	Merrill Sunderland
Allan Robison	Susan Clements
Chuck Crippen	Amber Hodges
Sandra Cochran	Mike Larsen
Connie Hughes	

0:00:06 Mayor Berube called the meeting to order, and Council Member Pulver offered the invocation and led in the Pledge of Allegiance

CONSENT AGENDA

1. CONFLICT OF INTEREST DISCLOSURE

0:01:40 No conflict of interest was disclosed.

2. DISCUSSION AND/OR ACTION TO APPROVE THE MARCH 18, 2025, CITY COUNCIL MEETING MINUTES

0:01:45 Council Member Pulver motioned to approve the March 18, 2025, City Council Meeting Minutes. Council Member Watson seconded the motion.

Voting on the motion:

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

The motion passed unanimously

3. DISCUSSION AND/OR ACTION TO APPROVE CONDITIONAL ACCEPTANCE OF SUBDIVISION IMPROVEMENTS AT WHITE ROCK PHASE 3

0:02:52 Public Works Inspector Dylan Hill presented information regarding White Rock Phase Three, a seven-lot subdivision recorded in April 2024. He reported that public improvements, including sewer, water, curb and gutter, sidewalk, guard rail, which is located just below the divide, and street lights have been completed and meet City code and standards. He recommended approval of the subdivision's conditional status and the start of the one-year warranty period.

Council Member Dalpias motioned to approve the Conditional Acceptance of Subdivision Improvements at White Rock Phase 3. Council Member Watson seconded the motion.

Voting on the motion:

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

The motion passed unanimously

4. DISCUSSION AND/OR ACTION TO APPROVE FINAL ACCEPTANCE OF SUBDIVISION IMPROVEMENTS AT PATRIOT POINTE PHASES 1A, 1B, AND PHASE 2

0:04:34 Public Works Inspector Dylan Hill provided an update on Patriot Point Phases 1A, 1B, and 2, a townhome project consisting of approximately 80 units. The subdivision was recorded in September 2022 and received conditional approval from the Council at that time. Dylan reported that public improvements, including 150 East and 2300 North roadways, sewer, water, storm drain, sidewalks with ADA ramps, and street lights, have been completed and meet City code and standards. The City engineer, Eric Casperson, has recommended final acceptance of the improvements, as the warranty period has expired. North Ogden City would now take over responsibility for the public roadways and improvements. It was explained that street signs on 150 East indicate which roads are public and which are private.

Council Member Watson motioned to approve the Final Acceptance of Subdivision Improvements at Patriot Pointe Phases 1A, 1B, and 2. Council Member Pulver seconded the motion.

Voting on the motion:

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

The motion passed unanimously

ACTIVE AGENDA

5. PUBLIC COMMENTS

0:07:22 Paula Magnuson, a North Ogden City resident, provided public comment regarding the City's chicken coop regulations. She noted that in 2018, the policy required chicken coops to be located 75 feet from neighboring dwellings and 20 feet off the property line. Recent changes now classify coops as accessory buildings, allowing placement three feet from the property line but still requiring 75 feet from adjacent dwellings. She expressed concern about inconsistencies in the City code, including outdated language in section 14-4-7 and the discontinued \$5 permit for coops. Paula urged the Council to maintain the 75-foot setback requirement due to noise concerns and potential impact on neighboring properties. She also recommended stricter enforcement of rodent control and coop cleanliness standards to minimize odor.

0:11:45 Allan Robison, a North Ogden City resident and the newly elected President of the Legacy North HOA, spoke on behalf of the association to request that the City consider assuming full or partial responsibility for maintaining the asphalt on the roads within the Legacy North community. He explained that the roads are currently private due to their narrow width of 26 feet, resulting from a developer's decision to maximize housing density in the 80-home community. While the HOA would continue handling snow removal, they are requesting the City take over asphalt maintenance. Robinson noted that the road is frequently used by others outside the community and emphasized that the narrower roads would be less costly for the City to maintain compared to wider public roads elsewhere in North Ogden. He estimated the area in question to be approximately 2,114 feet of roadway, including four small cul-de-sacs.

Mayor Berube asked about the process to address this issue, and City Manager/Attorney Jon Call explained that the next step would involve the City Engineer evaluating the current road condition, followed by possible drafting of an agreement if the Council is supportive. It was also noted that such requests are becoming more common due to rising asphalt maintenance costs.

0:16:21 Connie Hughes, a North Ogden City resident, addressed the Council regarding inconsistencies in the chicken coop ordinance. She noted conflicting information regarding required setbacks, with some documents stating 25 feet from adjacent dwellings and others stating 75 feet. She expressed concern over the confusion this has caused, particularly as Animal Control informed her the 75-foot rule is being enforced, which many properties cannot accommodate. She requested that the City establish a clear and consistent standard to avoid further confusion and contention. She also asked about enforcement in the interim and was advised to contact the police in cases of harassment. City Staff clarified that the Planning Commission is scheduled to review the ordinance and provide a recommendation, with potential discussion beginning in May. Additionally, it was explained that while permanent building permits are not required for movable coops, a Land Use Permit is still necessary.

0:20:57 Susan Clements, a North Ogden City resident and liaison for the North Ogden Historical Museum, addressed the City Council to express appreciation for the City's continued support in allowing the museum to use a City-owned building. She highlighted recent assistance from City Staff, including cleaning gutters, inspecting the roof, and removing an unstable deck. However, she also shared ongoing safety and maintenance concerns. These include the need for a railing on the patio due to a dangerous drop-off, removal of a dead tree in the front yard, and replacement of damaged siding. She noted that siding had been temporarily secured but does not match the existing structure, and City Staff indicated that City permission is needed to proceed. Additionally, she requested the removal of the old railing that is no longer usable. Susan expressed surprise that no funding is currently allocated for the museum's maintenance despite being part of the Parks and Recreation Department. She urged the City to include museum upkeep in the upcoming budget discussions. City Staff responded that these issues would be addressed under the government buildings section of the next meeting's agenda and noted that the current agreement with the museum is due for review and revision to better reflect the City's role in supporting building maintenance.

0:26:52 Amber Hodges, a North Ogden City resident, voiced concerns about traffic and safety issues related to Tri-City Exchange near 2100 Washington Boulevard.

She reported regularly seeing pedestrians walking in the middle of the road, creating near-accidents, and noted vehicles parked improperly in the center lane. She also expressed frustration over the lack of available parking at nearby businesses and the difficulty of entering or exiting Washington Boulevard, especially on Friday afternoons. Amber emphasized the impact on traffic flow and safety at the intersection near Cannery Creamery and Bullfrog Spas, mentioning that her brother has even been blocked from accessing his own driveway due to patrons parking there. While supportive of the Tri-City Exchange's purpose, she urged the City to consider law enforcement presence or other solutions, such as possible rezoning, to address these safety and traffic concerns.

0:29:28 Phillip Swanson, a North Ogden City resident, addressed the City Council with concerns regarding the potential acceptance of HOA private roads as public streets. He reminded the Council that the City is already facing a \$100 million shortfall in road maintenance for existing public roads built to City standards. While expressing empathy for HOA residents burdened by road maintenance costs, he emphasized that those residents made that choice when purchasing homes in such developments. Phillip urged the Council not to set a precedent that would shift the financial responsibility of private roads onto the general taxpayer.

0:30:31 Sandy Cochran, a North Ogden City resident, shared concerns regarding the operations and safety issues surrounding the Tri-City Exchange. While acknowledging the value of the services they provide, particularly with anticipated increased demand, she highlighted the traffic congestion and safety risks in the area, especially on Fridays between 11 a.m. and 5 p.m. Sandy recounted personal experiences where parked vehicles obscured visibility and individuals unexpectedly entered the roadway to direct traffic, creating dangerous situations. She also noted widespread community confusion about the organization's business status, licensing, and compliance with City codes. Sandy emphasized that, despite Tri-City's positive mission, the location is no longer suitable for their operations due to its impact on traffic and public safety.

0:32:48 Reed Miller, a North Ogden City resident, expressed concerns about the treatment of homeowners' associations (HOAs) and their private roads. He shared his personal experience living in an HOA, pointing out that residents like himself paid taxes just like other citizens but did not have a choice regarding the narrow roads initially built in the area. Reed argued that without a gate separating the roads from public access, there should be more consideration for the residents of such developments. He emphasized that, as equal taxpayers, they should not be at a disadvantage compared to other City residents, and he advocated for fair treatment, especially regarding City involvement with the maintenance and responsibilities of private roads.

Mayor Berube responded by clarifying that all property taxes are allocated specifically for public safety. He reminded those in attendance that property taxes are not used for road maintenance.

6. **DISCUSSION ON TRI-CITY EXCHANGE**

0:35:09 Scott Hess, Community and Economic Development Director, presented a staff report regarding Tri-City Exchange in response to the Council's request for clarification on the site's compliance with City code. The report included a history of the site plan application submitted in early 2021 and outlined various noncompliance issues, including lack of hard-surface parking, stormwater retention, ADA-compliant restrooms, and proper refrigeration facilities. It was noted that refrigerated tractor-trailers are being used continuously in place of a permanent building, and the operation lacks a current, approved site plan. Additionally, the business has not provided its 501(c)(3) documentation or updated its business license to the City, though nonprofits are exempt from license fees under State law.

Scott clarified that the Planning Department responded to the 2021 application with required code corrections but received no follow-up. He emphasized that planning staff are not responsible for enforcement, only for reviewing applications and communicating deficiencies. Safety concerns, particularly regarding traffic and pedestrian issues along Washington Boulevard on Fridays during food distribution, have elevated the urgency of addressing the matter.

Council members expressed a shared concern about both the valuable community service provided by Tri-City Exchange and the growing safety and zoning compliance issues. Some Council members supported the idea of waiving reapplication fees to encourage progress, recognizing the site's importance and limited resources.

The operator of Tri City Exchange, Mike Larsen, addressed the Council to provide clarification and context. He explained the shift from a for-profit venture (Advanced Armor) to the nonprofit food bank in 2020 during the COVID-19 pandemic, citing a drastic increase in food insecurity. He stated that the organization has maintained its licensing with State and County Health Departments and is an active 501(c)(3). He acknowledged communication gaps and expressed a strong willingness to work with the City to address concerns. He also noted infrastructure limitations such as lack of three-phase power (needed for permanent refrigeration), and ongoing efforts to upgrade equipment and minimize disturbances.

Mike shared that the organization is exploring relocation to a larger property within the City, which could include a new facility and a commercial bakery partnership that could generate additional tax revenue and support a local farmers market. He emphasized the need to balance required investments in the current site with the likelihood of relocation. Mayor Berube and the Council reiterated appreciation for the service Tri-City Exchange provides and supported a collaborative approach to resolve outstanding issues. It was proposed that Scott Hess and Chief Eynon work directly with Mike to identify and prioritize safety improvements and develop a phased plan toward compliance, factoring in the potential move. The Council showed support for waiving fees related to a new site plan application if progress continues.

The discussion concluded with a mutual commitment to find a reasonable path forward that ensures public safety while maintaining the essential services Tri-City Exchange provides to the community and surrounding areas.

7. **DISCUSSION AND/OR ACTION ON CODE ENFORCEMENT POLICY
RECOMMENDATIONS FROM CITY STAFF**

1:25:35 Scott Hess, Community and Economic Development Director, led a comprehensive discussion on the City's current code enforcement practices, departmental responsibilities, and staff recommendations for improving processes. He explained that although Title 11 of the City's Land Use Code contains numerous enforceable standards, the Planning Department is not directly responsible for enforcement. Instead, code enforcement relies primarily on community service officers (CSOs) and a complaint-driven system initiated through Weber Dispatch. To address growing concerns, Scott convened a multi-departmental team (Planning, Building, Business Licensing, Police) to identify procedural improvements. Key staff recommendations included:

- Reinstating and utilizing the "iWorQ" software system to track code enforcement cases and coordinate interdepartmental input.
- Aligning initial department-generated letters with formal code enforcement notice timelines to eliminate delays.
- Clarifying whether department staff should be allowed to initiate proactive enforcement in addition to reactive, complaint-based approaches.
- Establishing semiannual or quarterly priorities for code enforcement based on safety and community impact.
- Considering policy updates that would remove fine and time-specific enforcement criteria from code language and allow administrative flexibility.

- Budgeting for at least one additional full-time CSO to accommodate increased call volume and support proactive enforcement efforts.

Scott noted that CSO calls have increased significantly in recent years (from 166 in 2021 to over 800 by 2024), while staffing has remained static. CSOs are tasked with various responsibilities, including animal control, evidence management, property checks, speed trailers, and enforcement, often stretching capacity.

The Council discussed concerns about prioritizing egregious violations, especially those posing fire or life safety hazards, and generally expressed support for proactive enforcement within reason. There was consensus that Staff should be empowered to address known, significant violations without waiting for citizen complaints. However, it was acknowledged that “egregious” is subjective and consistency would be necessary across departments. Mayor Berube and Council members affirmed that while enforcement should be pursued in a balanced and fair manner, legislative backing would be necessary to ensure Staff were supported during potential public pushback. It was also suggested that City ordinances be reviewed and amended as needed to eliminate outdated or unenforceable provisions that could be misused. The Council also acknowledged the fiscal impact of hiring additional personnel and agreed to consider a new CSO position in the upcoming budget process, though final approval would depend on broader financial considerations.

8. **DISCUSSION ON THE 2025-2026 BUDGET FOR ENTERPRISE FUNDS, STREETS, MOTORPOOL, AND PARKS**

2:06:19 David Espinoza, Public Works Director/Assistant City Manager, presented key budgetary needs and capital improvement priorities for the upcoming fiscal year. He began by outlining major equipment requests, including a new striping machine and a portable digital message board. He explained that the current striping equipment is unreliable and inadequate for safety markings throughout the City. The message board would be used for emergencies, construction alerts, and public communication during events.

David discussed ongoing concerns about street maintenance, emphasizing the City's long-term road maintenance deficit, which currently exceeds \$100 million. He cautioned against the City taking responsibility for additional private roads, referencing a request earlier in the meeting from a homeowners' association seeking City maintenance for narrow private roads. He noted that accepting such requests would add to the City's infrastructure burden and recommended that any such consideration be preceded by an engineering evaluation and Council review.

David detailed several stormwater needs, including outdated drainage infrastructure, the need to replace undersized culverts, and the importance of keeping up with State and Federal regulations. David emphasized that multiple areas of the City experience flooding concerns and that additional funding is needed to address them systematically.

In the sewer and water systems, David reported aging infrastructure, with some lines breaking repeatedly. He said depreciation is currently outpacing revenue in both utility funds, which could limit the City's ability to complete necessary repairs in the future. He asked the Council to consider long-term solutions, including incremental rate adjustments or phased replacement schedules, to avoid major future failures. He also requested funding for garbage can replacements, stating that many are outdated or broken and need to be cycled out over time. He proposed a gradual replacement program to ensure consistent service quality and better curb appeal.

David spoke about supporting City-sponsored events, especially Cherry Days, and the need for additional infrastructure such as restroom trailers, vendor spaces, signage, and equipment. He also requested funding for safety and accessibility improvements at the City skate park, which has been impacted by vandalism.

Concerns were also raised about the aging Aquatic Center, which continues to depreciate and incur rising maintenance costs. David suggested that the City begin planning for significant capital investment in that facility.

David encouraged better coordination among City departments to aid in effective grant-seeking and long-term infrastructure planning.

9. DISCUSSION ON THE 2025 CHERRY DAYS MARKETING PLAN

3:06:40 Jon Call, City Manager/Attorney, presented a summary of plans for the Cherry Days celebration, outlining the key activities scheduled for the event, including the 5K race, main parade, kids' parade, vendor fair, fireworks, medallion search, and car show. While not every event was detailed, the focus was on how the City intends to share information with residents and the broader community. The current outreach strategy centers on electronic communication and social media platforms due to the absence of funding for a City-wide mailer. The City plans to use targeted signage at high-traffic locations, such as Lee's Marketplace and Smith's, featuring A-frame signs with QR codes to direct viewers to event details. There was a discussion about using postcards as an additional outreach method. Council members expressed that a half-sheet postcard might be cost-effective and worthwhile. Social media was emphasized as a primary tool, with platforms like Instagram, Facebook, and TikTok being used. Staff and council were encouraged to share posts through personal networks to increase visibility.

Several Council members also suggested interactive promotions, such as contests or raffles that involve tagging others or submitting photos to help boost engagement. Jon noted high demand from vendors to participate and shared that City staff have worked to creatively accommodate multiple similar vendors across different Cherry Days events. The City has already received significant community interest and excitement surrounding the event.

Mayor Berube and Council members emphasized the importance of starting outreach early so families can plan their holiday activities. Jon noted that a 2025 Cherry Days webpage is already active and accessible via the city website.

Additional suggestions were made to involve the new Barker Park group in promoting the park during the July 4th events. Ideas included hosting free children's games with small prizes or organizing trail tours to increase awareness about City-owned land and future park development. The discussion concluded with general agreement that Cherry Days planning is well underway, and efforts will be made to maximize community involvement and awareness while maintaining the event's local, community-focused character.

10. COUNCIL DEPARTMENT REPORTS

a. Council Member Dalpias– Police Department

3:16:29 Council Member Dalpias reported that a conditional job offer has been extended to a police officer candidate currently self-sponsored through the Weber State Police Academy, with graduation expected on May 2. Background investigations are also underway for two lateral police officer candidates. Additionally, Officer Griggs and his K-9 have completed all certifications and are now ready for deployment. Lastly, Chief Eynon is working on an updated departmental policy manual, which is expected to be published in the coming weeks.

b. Council Member Cevering – Building & Planning Departments

3:18:08 CED Director Scott Hess provided updates on Council Member Cevering's behalf. He reported that building activity remains steady in North Ogden. Home permits are being submitted for North View Phase 9, and the first unit of the Freedom Courts townhomes, located near 1700 North and south of the Village at Prominence Pointe, has begun construction following underground utility work. The Planning Department continues to see progress at Barker Depot, and the site plan for the America First Credit Union is currently under review. The Hansen-Barker annexation request is also moving through the Planning Commission process.

The Planning Commission recently received training on housing variety and monitoring and is actively exploring ways to address the City's housing needs. As a result, the City Council can expect forthcoming recommendations on general planning and zoning updates to support future growth.

Mayor Berube requested that future reports from the Planning Department include updates on major developments, such as Prominence Point, Century Farms, and Cooperstowne, to better inform decisions around park impact fees and long-term planning for Barker Park and other City priorities.

Scott Hess provided a brief update on three major developments: Village at Prominence Point, Cooperstowne, and Century Farms. He stated that all three projects have seen recent activity, primarily in the form of internal reviews of improvement drawings. At Village at Prominence Point, a minor subdivision is under review. Cooperstowne submitted minor revisions to its site plan, including a request to adjust the use of its clubhouse space. Due to the removal of some residential units, the developer is proposing to retain the building size but repurpose a portion of it for alternate uses such as daycare or office space. No final plans or building permits have been submitted yet, but Scott confirmed he would include updates on these projects in future reports.

c. Council Member Barker – Parks Department

3:21:20 Council Member Barker reported that the Orton Park playground has been fully demolished, and site preparation for the new playground is underway. The concrete border and sidewalk have been poured, and the new playground equipment is expected to arrive shortly, with installation beginning soon after. Water has been turned on to all park bathrooms, and necessary repairs are being made with the goal of having them open by the end of the week. Mowing of parks has begun where needed, though only the full-time crew is currently active; seasonal staff will start later in April or May.

Council Member Barker also shared that he and Council Member Watson met with CTC (Communities That Care) members regarding the proposed signage at the skate park. The group wishes to install banners or signs promoting positive messaging to support youth mental health and behavior. CTC also expressed interest in painting skate ramps and adding a mural to the softball field wall; however, there are concerns about likely vandalism of both the artwork and signs. While initial funding for the project would come from a grant, future repair or replacement costs would fall to the City. The Council was asked to consider whether it would be willing to support the effort, with a formal proposal expected at a later meeting.

Additionally, staff is exploring the construction of a mobile camera trailer, similar to those used at retail stores, to help deter vandalism in city parks, particularly at the skate park.

11. PUBLIC COMMENTS

No Public Comment was made.

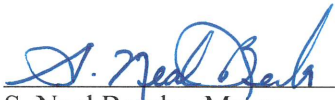
12. MAYOR/COUNCIL/STAFF COMMENTS

3:25:37 City Manager/Attorney Jon Call reminded the Council that volunteer help will be essential for upcoming Cherry Days events. He emphasized that it is a family-friendly opportunity where children and spouses are welcome to assist. Due to the significant effort involved, he asked that responsibilities be shared more broadly rather than falling on the same group of volunteers each day. He also noted that candidate filing for City Office opens in early June and said those running for office will also be invited to volunteer and may wear campaign shirts while doing so, similar to participation in parades or fairs. Jon mentioned that specific assignments for Council members have not yet been distributed but will be discussed soon. He invited Council members to express interest in roles such as emceeding events like the luau.

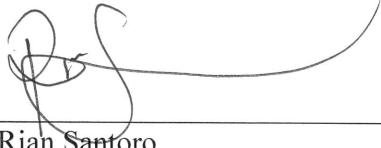
13. ADJOURNMENT

Council Member Watson motioned to adjourn the meeting.

The meeting adjourned at 9:29 p.m.


S. Neal Berube, Mayor





Rian Santoro
City Recorder

5/11/2025

Date Approved