

**NORTH OGDEN CITY COUNCIL  
MEETING MINUTES**

March 20, 2018

The North Ogden City Council convened in an open meeting on March 20, 2018 at 3:05 p.m. at the North Ogden City Office at 505 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 15, 2018. Notice of the annual meeting schedule was published in the Standard-Examiner on December 31, 2017.

PRESENT:	M. Brent Chugg	Mayor
	Blake Cevering	Council Member
	Cheryl Stoker	Council Member
	Phillip Swanson	Council Member
	Carl Turner	Council Member

STAFF PRESENT:	Jon Call	City Administrator/Attorney
	Annette Spendlove	City Recorder/HR Director
	Evan Nelson	Finance Director
	Jami Jones	Treasurer
	Lance Call	Chief of Police
	Tiffany Staheli	Parks and Recreation Director
	Dave Espinoza	Public Works Director

VISITORS: Julie Anderson

Mayor Chugg called the meeting to order. Jon Call, City Administrator/Attorney, offered the invocation and led the audience in the Pledge of Allegiance.

**CONSENT AGENDA**

**1. DISCUSSION AND/OR ACTION TO CONSIDER FEBRUARY 13, 2018 CITY COUNCIL MINUTES**

**Council Member Cevering motioned to approve the February 13, 2018 City Council Meeting minutes. Council Member Swanson seconded the motion.**

**Voting on the motion:**

<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Turner</b>	<b>aye</b>

**The motion passed unanimously.**

## **ACTIVE AGENDA**

### **1. PUBLIC COMMENTS**

There were no public comments.

### **2. PRESENTATION OF QUARTERLY FINANCIAL REPORT**

A staff memo from Finance Director Nelson referenced the Quarterly Financial Report for the quarter ending December 31, 2017. The detail report provides revenue, expenditure, and balance sheet information for all City funds. A summary sheet is included to provide a visual representation of sales tax trends, and a revenue and expenditure comparison to budget.

Sales Tax revenues are strong, showing the strength of the local and statewide economy. Actual revenues are 3.08% or \$41,368 ahead of projections and 7.8% or \$100,291 ahead of last fiscal year at this point. This economic strength is expected to continue in the near-term. However, some economists expect an economic slow-down in coming years.

The summary graph shows the status of revenues and expenditures compared to budget. Below are some brief explanations:

The annual principal bond payment was made on the Aquatic Center, causing expenditures to exceed revenues. This should balance out as the fiscal year progresses.

Transportation Utility and Transportation Impact Fee revenues are being reserved for the widening of 400 East and 2600 North.

Expenditures exceed revenues in the Capital Improvement Fund because of budgeted use of fund balance and road project expenses at the beginning of the fiscal year.

Expenditures exceed revenues in the Sewer Fund because of budgeted use of fund balance for the new sewer trailer.

Expenditures exceed revenues in the Storm Fund because of budgeted use of fund balance and unfunded depreciation.

Expenditures exceed revenues in the Motor Pool Fund because of vehicle and equipment purchases at the beginning of the fiscal year.

Department Notes: Most departments have expended less than 50% of approved budgets with half of the fiscal year elapsed. Some are more than 50% expended.

Legislative and Judicial Departments are slightly higher than 50% expended. These should come into line as the fiscal year progresses.

Non-departmental is 76% expended. This is due to annual subscriptions and insurance premiums paid in the first half of the fiscal year.

Maintenance costs have been higher than expected in the General Government Buildings Department. This budget is for City Hall, the Police Station, and the Senior Center. Staff will monitor this in the coming months and propose an amendment if needed.

The Building Department is approximately 55% expended. The Council approved changing the part-time inspector position to full-time, making use of surplus building revenues. An amendment to the budget will be proposed to facilitate this change.

In conclusion, the City's financial position remains healthy and continues to grow in an expanding economy. Several large projects are in process which will have significant impacts to current and future budgets. Staff will continue to monitor revenues, expenditures, and budgets as we continue through the fiscal year, and will work with departments to accomplish the budget priorities established by the City Council.

Mr. Nelson reviewed his staff report.

### 3. **BUDGET RETREAT**

Finance Director Nelson stated the focus of today's budget retreat is the General Fund, Aquatic Center Fund, and Capital Improvement Fund. He indicated he will provide a major general fund revenue projection, discuss personnel requests, and other general fund requests.

Mr. Nelson then reviewed the following memo included in the Council packet for the meeting:

City Department Heads have been meeting for the past several weeks to review budgets and to discuss proposals. The attached General Fund budget includes many of the requests submitted by departments. (Right column, titled 2018-19 Tentative Budget) Rather than providing a fully balanced budget to the City Council, Department Heads would like to discuss requests with the Council and seek input on priorities. The current

version of the General Fund budget has a deficit of \$151,844. The Aquatic Center budget is balanced using a transfer from the General Fund. The Capital Improvement Fund is also balanced.

Some of the most significant General Fund budget requests relate to personnel. The personnel requests included in the budget are shown below:

4% Salary Increase; 5% Police Officer Salary Increase	\$132,621
20 <sup>th</sup> Police Officer	\$77,535
Vehicle for 20 <sup>th</sup> Officer	\$35,380
Sergeant Rank Advancement	\$7,110
Part-time Parks Employee converted to Full Time	\$28,397
Additional Flower Waterers	\$22,516
Bailiff for Court (filled by Police Officers)	\$18,507
Planning Intern	\$5,010
Retirement Leave Payouts	\$67,946

Alternative General Fund Salary Increase Scenarios are shown below:

3% Salary Increase	\$88,309
4% Salary Increase	\$117,731
3% Salary Increase; 4% Police Officer Salary Increase	\$103,621

Mr. Nelson noted that also included in this packet are two staff reports that explain the personnel requests in the Police Department and the Parks Department. Information on other requests that have been included in the budget will be reviewed with the City Council during this meeting.

Mr. Nelson then used the aid of a PowerPoint presentation to delve into General Fund budget information. He reviewed a chart illustrating Major General Fund Revenues for sales tax, property tax, utility tax, building permits, and class C roads dating back to FY2007; the charts also included an estimate of revenues for the current FY and a projection for FY2019, all of which are very conservative or based upon factual data.

He then revisited the previously referenced general fund personnel requests:

4% Salary Increase; 5% Police Officer Salary Increase	\$132,621
20 <sup>th</sup> Police Officer	\$77,535
Vehicle for 20 <sup>th</sup> Officer	\$35,380
Sergeant Rank Advancement	\$7,110
Part-time Parks Employee converted to Full Time	\$28,397
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3% Salary Increase	\$88,309
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Mr. Nelson stated there is a currently a deficit of \$142,000 in the General Fund proposal when considering the personnel requests and he asked for Council discussion to prioritize the requests. There was a brief focus on the reason for recommending a higher salary increase for Police Officers than general City employees, with Police Chief Call offering that he and his Department would prefer the 20<sup>th</sup> Officer over the higher salary increase. He briefly discussed the current market for Police Officers; there are a great number of open public safety positions throughout the State and it is difficult for the City to consider trying to compete with total compensation packages offered by several agencies, specifically those in the Salt Lake area. Mayor Chugg recommended keeping the higher increase for Police Officers in the budget for the purposes of this discussion.

Chief Call then provided an explanation for the request for an additional Police Officer position, which would increase the total number of Police Officers to 20 by reviewing his memo that was included in the Council packet:

#### Maintaining a Safe Officer to Population Ratio

The current population of North Ogden is 19,500. Immediate housing developments will bring 680 additional families to the city's population within the year (Cherry Springs -80 units, Village at Providence Point -600 units). If the average occupancy of each unit is 4 people, the city's population is about to increase by at least 2,720 people, bringing the city's population to 22,220 people. (This population projection doesn't factor in the continued growth in single family dwellings.) These numbers also don't speak to the fact that the police department receives more calls for service from rental properties than we do from home owners. The current officer to population ratio is .97 officers per thousand of population. If the population increases to 22,220 the ratio will drop to .86 officers per thousand of population. The addition of the 20th officer will bring the officer/population ratio to .90 officers per thousand of population. When Mayor Taylor suggested adding a new officer's position, it was his desire to "get in front" of the public safety needs of the community versus adding a position after the ratio has dropped and service is adversely impacted (grow the police department at the same rate as the community is growing). When the officer/population ratios are low, it results in longer wait times ("back logging" of calls) for service by the community and increased hazard to the officers and the citizens. There aren't enough officers to respond promptly to calls and the officers many times don't have adequate backing officers to assist in critical calls for service (domestic violence, disorderly, and crimes in progress calls for service).

#### Officer and Community Safety

Increased staffing eliminates the number of hours during the week where there is only one officer on duty. Currently, there are 28 hours of the 168 hours of a week where there

is only one officer on-duty in a city of 19,500 people. The officer has no backup and is forced to rely on neighboring agencies for assistance. If the neighboring agencies are busy with their own calls, there is no backup available to our officers. The officer then must make the decision to attempt to handle the call himself or delay his response - neither of which is acceptable to the community. Officer safety is greatly increased with the addition of the 20th officer. The 20th officer allows greater coverage, and the assurance there is support and assistance (backing) as the initial officer responds to potentially dangerous calls for service (family fights, traffic stops, warrant services, intoxicated arrestees, etc.).

#### Reducing Potential Liability to the City

In addition to the 28 hours of the week where there is only one officer on duty, a number of our officers are new and inexperienced. Currently, 36% of the patrol division has less than 18 months experience. When these new officers are on the shifts where they are alone, the city is trusting/hoping their judgement is sound and they'll make the proper decisions (especially in use-of-force situations). When there are two officers on duty, the likelihood of the officers making correct decisions increases dramatically reducing the potential liability to the city.

Chief Call then reviewed charts highlighting the number of Officers deployed by hour for each day of the week to illustrate the hours of the day when only one Officer is on duty. He likened the times when only one Officer is on duty to the City playing 'Russian Roulette', because it is very dangerous for an Officer to respond to calls for crimes in progress on their own. Instead, an Officer is instructed to wait for an Officer from another agency to respond and offer support. To make his point, Chief Call offered information about a case that occurred in the City earlier this year. At 5:37 a.m. on the morning of February 13, 2018 a 42-year-old mother of two heard the kitchen sliding door from the backyard open, and a man enter her house. The woman's husband had left minutes earlier and she was home alone with the children. The woman bolted from her bed and locked the bedroom door just as the intruder attempted to open the bedroom door from the other side. She then heard the intruder retreat back down the hallway towards the kitchen. The woman, who had called "911", was giving the details of what was happening to the police dispatcher. The dispatcher, in turn, was relaying the information to the three North Ogden Police Officers who were responding. The officers soon arrived and went to the backyard patio to block the intruder's potential escape. The officers crossed the patio and entered the house through the open sliding door. After entering the home, they encountered the 6'8" intruder pawing through baskets on top of the refrigerator. The officers gave immediate commands for the intruder to prone out on the floor which he refused to comply with. As the officers continued to give the intruder commands, he turned away from them towards the hallway which led back to the woman's bedroom and the bedrooms of her children. Fearing the intruder would gain access to the family's bedrooms, the first officer deployed his taser into the back of the intruder. Because the intruder was wearing a duck cloth loosely fitted winter coat, the taser prongs did not make contact and the deployment was ineffective. A second officer

deployed his taser with partial results. The 6'8" intruder was now enraged and turned and charged the three officers. The intruder and the three officers were now engaged in a physical struggle. Given the cramped space in the kitchen and the size of the intruder, it took some time and a great deal of strength to wrestle the intruder to the floor and then control his arms to be able to handcuff him. The intruder was ultimately booked into the Weber County Jail for burglary and resisting arrest. The significance of this incident in regards to the need for a 20th officer is under ordinary circumstances, on a Tuesday morning at 5:37 a.m. there would have been only one NOPD officer on duty. The single responding officer would have to wait at the curb for dispatch to find another officer from an outside agency to back the lone North Ogden Officer, further endangering the family, or make the dangerous decision to confront the burglar by himself. If the officer chose to confront the 6'8" burglar himself, he would have had to resort to a level of force higher than his taser and his own physicality which would have been his firearm. Had there not been three NOPD officers present, there would have been much more serious consequences of this encounter, and in all probability, an officer-involved shooting. The only reason there were three NOPD officers available is because the department had executed a major drug search warrant at a house hours before and the two additional officers in this event just happened to still be out working the clean up on the search warrant. Had those additional two officers not been out, this event would have had a much different outcome. Authorizing a 20th officer, limits or mitigates those 28 hours a week when there is only one officer covering in the city.

Mr. Nelson reiterated the cost for adding a 20<sup>th</sup> Officer is \$77,535, which includes salary and benefits. An additional vehicle would be needed for the Officer and the cost for that is approximately \$35,000. The Council indicated their support for the addition of a 20<sup>th</sup> Officer at this point in budget discussions.

Chief Call then discussed the proposal referred to as Sergeant Rank Advancement, at a cost of \$7,110. This proposal entails giving a veteran Officer supervisory experience in order to close the gaps in the chain of command in the Department relative to supervision. The budget amount is equivalent to a five percent increase over current wages for veteran Officers that are currently at or above entry-level Sergeant wages. It is very possible that the total amount could be less than \$7,110 depending upon the candidate selected for the next Sergeant position.

Mr. Nelson then moved to the budget requests in the Parks and Recreation Department and invited Parks and Recreation Director Staheli to discuss her proposals with the Council. Ms. Staheli first discussed the current staffing levels of the Parks Division of her Department and the responsibilities of those employees; the four employees maintain 65 acres of property in 12 different parks, including nine playgrounds, 38 benches, 3,600 sprinkler heads, 64 picnic tables, 37 community garden boxes, 75 flower baskets, 1.83 miles of trails, and string 75,000 holiday lights on 25 trees throughout the City. She reviewed the history of staffing of the Parks Division, which has not had a full-time employee added since at least 1980 (the last record we have of hiring an Assistant Park

Supervisor), and possibly long before that. Since 1980, North Ogden City has doubled the acres of parks and mowing maintenance, added a skate park, and just over a mile of trails to be maintained. Also, since that time, the Parks department now responds with the Public Works department to call outs for snow to plow cul-de-sacs.

In the 2017-2018 fiscal year, the Parks Department requested a new full-time employee. In order to help cut costs, that request was changed to two part-time employees (20hrs/week). She noted she has been unable to fill/keep those positions, and both have remained empty the majority of the year. In the 2018-2019 fiscal year, she is requesting the amount needed to cover the cost of making one of those positions a full-time position in order to help fill it and keep it full. This fiscal impact of this proposal is \$28,397.

She then noted she is also requesting \$22,516 to cover the cost of the additional employees needed for flower maintenance of the hanging baskets along Washington Boulevard, which will be doubled this year.

Mayor Chugg and Council Member Stoker both indicated their support for both budget requests made by Ms. Staheli. Council Member Stoker stated that requests made by the Parks and Recreation Department have been altered or deferred for several years and she feels it is time to approve those requests, especially given the dramatic increase in park space maintained by Ms. Staheli's staff. After seeking clarification on the total budget for staffing of the Parks and Recreation Department, the Council concluded to support Ms. Staheli's requests, with the understanding that similar budget requests will be made in the next several years. Council Member Cevering stated he would like to investigate whether it may be possible to increase Ms. Staheli's staffing levels over what she has requested given that she already needs an additional full-time position and will still have that need next year. Mr. Nelson stated that given current revenue estimates, there is a shortfall when considering all budget requests that have been made thus far in the process of developing the tentative budget. However, those revenue estimates are very conservative and could be adjusted to recognize additional revenue available for these types of requests. This led to philosophical discussion and debate about the appropriate revenue projection strategy for the City to pursue, focusing on the option of supporting an increase to the sales tax revenue estimate to five-percent over last year's total revenue rather than three-percent. Mr. Nelson indicated that the three-percent increase projection is based upon state forecasting, but he reiterated it is conservative. He stated that he felt a five-percent increase is a realistic expectation based upon market trends. The Council concluded to support increasing the projection to five-percent over the 2018 sales tax revenue projection.

City Administrator/City Attorney Call then summarized the request for an additional bailiff in the Justice Court. The State of Utah mandates that two bailiffs be present in Justice Courts and in order for the City to retain its Justice Court designation, compliance is necessary. This is not a proposal to create a new position, but, rather to allocate money to pay a Police Officer to serve as a bailiff in the Justice Court. This has actually been



occurring for the last several months, but it is necessary to include this cost in the FY2019 budget.

Mr. Call then discussed the proposal for a Planning Intern position; this would be a college student serving his internship with the City, which entails a service period of 500 hours at \$5 per hour.

Mr. Nelson summarized the final personnel request for retirement leave payouts. The City's Personnel Manual specifies the amount of leave an employee is eligible to be paid for when they retire from the City. There are four pending retirements in the coming FY and it is necessary to budget for the retirement leave payouts so that the City is not caught off guard when those employees eventually decide to retire.

Mr. Nelson then moved to non-personnel requests. He reviewed a spreadsheet that was used to perform a priority ranking of requests made by various Departments and he and Mr. Call as well as Department Heads facilitated discussion among the Council regarding the reasons for proposed increases to various items in the General Fund. The purpose of the discussion was to reduce expenses in the budget in order to achieve a balanced budget. The Council determined to reduce their travel and training budget by approximately \$10,000 and only attend one Utah League of Cities and Towns (ULCT) conference each year rather than both offered by the entity.

Mr. Nelson then moved to a review of the proposed changes in the Aquatic Center Fund; admission fee revenues are being increased to reflect actual revenues for FY 2017 and all other revenues are remaining the same. The increase to lifeguard wages is recognized in line item 22-69-115 – part time wages. The subsidy for the facility is identified in line items 22-38-100 and 22-38-200. There was a brief discussion regarding the status of hiring staff to man the aquatic center for the upcoming season.

Mr. Nelson then moved to discussion of the Capital Improvement Fund, the revenue source for which is the general fund surplus fund as well as grant income, which is project specific. He discussed various grant projects, including right-of-way acquisitions, street lighting, and the Barker Park Amphitheater. Discussion then shifted to capital improvement projects associated with new development in the City and the associated impact fee revenues used to fund a portion of those projects. Public Works Director Espinoza indicated he is working with the City's engineering firm to develop a road maintenance/repair plan for the coming construction season and he will present a map and project listing to the Council once it is available.

Mr. Nelson concluded by highlighting FY 2018-2019 fund balance estimates; the FY2018 ending General Fund balance should be approximately \$790,164, which has been reduced somewhat to aid in funding the Barker Park Amphitheater project. The recently awarded RAMP grant has not yet been recognized in the General Fund, so upon receipt of that grant, the fund balance will increase by \$367,000. He then reviewed the

ending FY2018 balances for other City funds, and noted those numbers have been used to inform the fund balance estimates for the next FY. He then reported the next budget retreat is scheduled for two weeks from today and the focus of that meeting will be utility funds.

**4. PUBLIC COMMENTS**

Julie Anderson, 940 E. 2600 N., stated that she learned a lot today and she feels she has a better understanding of the City's budget. She thanked staff and the Council for the work they put into the budget process.

**5. COUNCIL/MAYOR/STAFF COMMENTS**

Council Member Swanson stated there was a Facebook post earlier in the week on the Brent Taylor Facebook page indicating that the homes and properties needed for the 450 East widening project were acquired through eminent domain. He stated he wanted to make it clear that is not correct and there has never been a proposal to use eminent domain. He stated it is a vicious rumor and he felt it important to emphasize that.

Council Member Stoker stated that is also important to clarify that the land upon which Barker Park is located was never donated to the City by the Barker family; rather, the land was acquired by the City at fair market value. The Barker family had the choice to sell the property for development as a subdivision or as a park and they chose the park option.

**6. ADJOURNMENT**

**Council Member Swanson motioned to adjourn the meeting. Council Member Cevering seconded the motion.**

**Voting on the motion:**

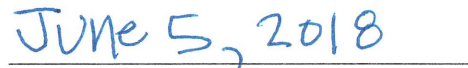
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Turner</b>	<b>aye</b>

**The motion passed unanimously.**

The meeting adjourned at 6:00 p.m.

  
M. Brent Chugg, Mayor

  
S. Annette Spendlove, MMC  
City Recorder

  
Date Approved