

**NORTH OGDEN CITY COUNCIL
MEETING MINUTES**

November 12, 2019

The North Ogden City Council convened in an open meeting on November 12, 2019 at 6 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 November 7, 2019. Notice of the annual meeting schedule was published in the Standard-Examiner on December 28, 2018.

PRESENT:	M. Brent Chugg	Mayor	
	Ryan Barker	Council Member	
	Blake Cevering	Council Member	(Excused)
	Cheryl Stoker	Council Member	
	Phillip Swanson	Council Member	
	Carl Turner	Council Member	
STAFF PRESENT:	Jon Call	City Manager/Attorney	
	Annette Spendlove	City Recorder/HR Director	
	Evan Nelson	Finance Director	
	Dave Espinoza	Public Works Director	
	Dirk Quinney	Police Chief	
	Jeremy Hinds	Police Lieutenant	
	Clark Crowther	Police Lieutenant	
VISITORS:	Cody Hoffmann	Kale Hoffmann	Frank Hare
	Wendi Rhoades	Mai Graham	Laney Graham
	Zoe Graham	Sundra R. Allen	Michael Graham
	Brett Albiston	Charlotte Ekstrom	Chad Roylance
	Stefanie Casey	Stephen Russell	Lyndsi Burnett
	Brenda Ashdown	Neal Berube	Janis Christensen
	Jennie Taylor	Susan Clements	Jordi Elmer
	Meg Sanders	Hope Elmer	
	Bob Buswell		

Mayor Chugg called the meeting to order. Council Member Barker offered the invocation and led the audience in the Pledge of Allegiance.

PRESENTATIONS

1. SWEARING IN OF THE NEW POLICE OFFICER, ROBERT RHOADES

City Recorder Spendlove administered the Oath of Office for new Police Officer, Robert Rhoades.

2. PRESENTATION BY WEBER COUNTY SHERIFF, RYAN ARBON

CONSENT AGENDA

3,4&5. DISCUSSION AND/OR ACTION TO CONSIDER OCTOBER 1, 2019 CITY COUNCIL MEETING MINUTES, OCTOBER 8, 2019 CITY COUNCIL MEETING MINUTES AND OCTOBER 22, 2019 CITY COUNCIL MEETING MINUTES

Council Member Turner motioned to approve October 1, 2019 City Council Meeting Minutes, October 8, 2019 and October 22, 2019 City Council Meeting Minutes. Council Member Stoker seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

ACTIVE AGENDA

6. PUBLIC COMMENTS

Jennie Taylor, 123 W. 3100 N., stated she is present to represent the group “Follow the Flag – North Ogden”. Today they retrieved the flag flying in Coldwater Canyon and they also took down the flags that were posted in front of the City Hall building that were referred to as the Field of Honor. She and her group wished to thank the City Council for their support and also the staff of the City’s Parks and Recreation Department for allowing them to hold a program at the Barker Park Amphitheater to honor veterans. Positive feedback regarding the event has been received and it would not have been possible without the cooperation of the City. The past 10 days have been touching and

she is very excited about the great spirit of patriotism that is alive and well in North Ogden.

7. **CONSIDERATION OF AMENDING THE FISCAL YEAR 2020 BUDGET**

A staff memo from Finance Director Nelson explained staff would like to propose several amendments to the City Budget for Fiscal Year 2020. A spreadsheet outlines the specific changes by general ledger account. The City Council must hold a public hearing to allow comment on the proposed amendments.

Proposed Amendments:

DONATIONS \$20,000 – At various occasions throughout the fiscal year, the City receives donations for various purposes. In the Police and Parks Departments donations seem to come in more often. In the past, donation revenues have been receipted into a donation revenue line item and then the proper department was expected to find an existing approved budget for expenditure of the money. This practice causes unanticipated donated funds to reduce the amount of funds available for department operations and projects. Amendments are proposed to allow the Police and Parks Departments to each have a \$10,000 donation expenditure budget offset by individual \$10,000 donation revenue budgets. The expenditure budgets are listed as “Contingent”, meaning expenditure of the budgeted amount is contingent on receipt of donated revenues.

TRAIL LAND PURCHASE \$25,000 – This amendment would allow the City to purchase a portion of the land located at 187 East 1900 North for use in the City trail system. \$20,000 is proposed to be moved from the budget approved for the Police building feasibility study, which came in under budget. An additional \$5,000 is proposed to come from fund balance in the Capital Improvement Fund.

Mr. Nelson reviewed his staff memo.

Council Member Barker asked if there are opportunities for securing additional funding for the Police Department; the Police Station is very outdated and improving that facility and equipment that is used by the Department is a higher priority for him than building a new trail. Mr. Nelson stated that budget for the Police Station is in the City’s Capital Improvement Fund, which is the same fund that funds trail projects; the better question may be whether the City wants to buy the land for the trail. Council Member Barker stated that he is supportive of purchasing the land; he simply feels that the Police Station project is very important. Mr. Nelson stated that the City is funding a feasibility study for the construction of a new Police Station.

a. **PUBLIC HEARING**

Mayor Chugg opened the public hearing at 6:14 p.m.

There were no persons appearing to be heard.

Council Member Swanson motioned to close public hearing. Council Member Turner seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

The Public Hearing was closed at 6:15 p.m.

b. **DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE
AMENDING THE FISCAL YEAR 2020 BUDGET**

Council Member Swanson motioned to approve Ordinance 2019-23 amending the Fiscal Year 2020 Budget. Council Member Turner seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

8. **DISCUSSION ON THE QUARTERLY FINANCIAL REPORT FOR QUARTER ENDING SEPTEMBER 30, 2019**

A staff memo from Finance Director Nelson referenced the Quarterly Financial Report for the quarter ending September 30, 2019. The detail report provides revenue, expenditure, and balance sheet information for all City funds. A summary sheet provides a visual representation of the sales tax trend, and a revenue and expenditure comparison to budget.

Sales Tax revenues for Fiscal Year 2020 are slightly higher than projections at \$491,619. This is \$26,140 or 5.62% ahead of projections. The total represents a 4.4% increase over the previous fiscal year. The growth in revenue continues the trend we have been seeing for the past several years. This data includes revenues received in September and October, which is from transactions in July and August.

The summary graph shows revenues and expenditures compared to budget. Here are a few notes:

General Fund – Expenditures exceed revenues. Some major expenditures occur at the beginning of the fiscal year (such as the annual liability insurance premium), while some revenues are received later (such as property taxes). Some revenues also have a reporting delay.

Aquatic Center Fund – Expenditures exceed revenues due to the seasonal nature of revenues.

Transportation Funds – Most of the revenue in the transportation funds is being saved for the widening of Washington Blvd.

Capital Improvement Fund – Several projects occurred at the beginning of the fiscal year. Fund balance and revenues received throughout the fiscal year are expected to offset these expenditures.

Motor Pools – Expenditures exceed revenues due to vehicle purchases at the beginning of the fiscal year.

Fund Balances:

Current data shows the following fund balance estimates as of September 30, 2019:

General \$1,435,038	Water \$3,166,365
Aquatic Center \$57,963	Sewer \$1,288,739
Transportation Utility \$904,641	Storm Water \$1,010,024
Transportation Impact Fee \$1,355,009	Solid Waste \$445,626
Transportation Sales Tax \$677,616	Motor Pool \$130,780
Sewer Impact Fee \$349,085	Police Motor Pool \$61,068
Storm Impact Fee \$1,355,228	RDA \$1,314,525
Capital Improvement \$313,929	CDA \$(550,000)
400/450 East \$167,676	

Economic Forecast: Sales Tax revenues are closely tied to the local and statewide economy. This revenue source has been increasing each year since 2010. Many economists are predicting a slowdown in the economy in 2020. Such a slowdown would have the most significant impact on the City's General Fund, particularly sales tax and building revenues. Economic trends will be monitored and will guide budget recommendations in the coming year.

Mr. Nelson reviewed his staff memo and provided several charts and graphs that illustrate the data contained in the Quarterly Report. He then noted he has received an email from a resident with a question about whether the City's bank accounts are insured. He reported the City has a checking account at Wells Fargo Bank and a couple of savings accounts – one at Zion's Bank and the other at American First Credit Union. Those accounts are insured up to \$250,000 through the FDIC. The checking account typically has a balance greater than \$250,000 to meet cash flow needs in the City. The bulk of the City's money is maintained in the Public Treasurers Investment Fund (PTIF) which is managed by the State Treasurer's Office. That money is not insured, but is invested in accordance with the Utah Money Management Act. The City has been approached by a few private companies about the possibility of private investment of the City's funds and these companies have indicated they can promise better returns. He stated there are options for the Council to consider if they would like to make changes to current practices.

Council Member Swanson asked if there is a reason for not breaking the Wells Fargo account into smaller accounts so that all are insured up to the \$250,000 FDIC limit. Mr. Nelson stated this would require several accounts at different banks and that has not been pursued for efficiency purposes.

Mr. Nelson then stated that another question that has come up is the reason for the increase in the amounts of administrative transfers from the Enterprise Funds into the General Fund. He explained there are quite a few employees in the City whose salaries should be paid by different funds; administrative employees serve general departments as well as utility divisions. The City's allocation approach has been adjusted to ensure that each fund pays the correct portion for these salaries. Additionally, operational costs have increased associated with the creation of a new Department in the General Fund budget to cover City Engineer and Public Works Inspector costs. He indicated there is a great amount of detail relating to these matters and any member of the Council or a resident is welcome to sit with him and review that information. He added that more discussion regarding those issues will take place in the upcoming budget development process for Fiscal Year 2020-2021.

9. **DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING THE NORTH OGDEN ZONING ORDINANCE 11-10-6 THE BUILDING HEIGHT EXCEPTION STANDARDS FOR CUPOLAS**

A staff memo from Planning Director Scott explained when the City is considering a legislative matter, the Planning Commission is acting as a recommending body to the City Council. The City has wide discretion in taking legislative action. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically, the criteria for making a decision, related to a legislative matter, require compatibility with the general plan and existing codes.

BACKGROUND

At the September 4, 2019 Planning Commission meeting a proposal to amend the building height exception for cupolas was discussed. The current standard allows for height exceptions, but cupolas are not one of them.

The Planning Commission on October 2, 2019 reviewed examples from other cities and felt that a defined size standard would be preferred and directed that a public hearing be set for the amendment.

The Planning Commission conducted a public hearing on October 16, 2019. The Planning Commission determined that a more rectangular design is more appropriate than a square standard. Staff has inserted a rectangular standard.

11-10-6: ADDITIONAL HEIGHT REGULATIONS

1. Generally: No building shall be erected, reconstructed or structurally altered to exceed in height the limit hereinafter designated for the zone in which such building is located, except as otherwise specifically provided.
2. Exceptions: Height regulations established elsewhere in this title shall not apply:
 1. In any district, to church spires, monuments and water towers; provided, that such structure shall be so located and constructed that if it should collapse, its reclining length would still be contained on the property on which it was constructed. Cupolas may be constructed to a maximum of three (3) feet in width and four (4) feet in height. A weather vane or lighting rod may be located on top of the cupola. Further, that these structures shall not be used for human occupancy.

The memo discussed the application's conformance with the General Plan; the following goals from the General Plan identify the ongoing need to improve design standards within the North Ogden City zoning ordinances.

Housing Goals

Goal #1 – Increase Housing Quality and Variety

- Establish and adhere to high quality building and design standards for all housing types so that development enhances the community character.

Strategies

- Proactively evaluate current ordinances and policies to determine whether there are obstacles that can be removed or modified to achieve the community’s housing goals.
- Create design standards to improve the overall quality of North Ogden’s housing.
- Work with homeowners, landlords, and renters to maintain and improve existing properties.

The memo offered the following summary of potential Land Use Authority considerations:

- Should a height exception be created for cupolas?
- What should that standard be?
- Is the amendment consistent with the General Plan?

The memo concluded the Planning Commission should conduct the public hearing and make a recommendation to the City Council. The Planning Commission can find that the amendment is consistent with the General Plan.

City Manager/Attorney Call reviewed the staff memo in Mr. Scott’s absence; he facilitated review of the proposed code amendment to give the City Council a clear understanding of the implications of the amendment.

Council Member Turner asked if the standards for cupolas will replace standards for chimneys. Mr. Call answered no and stated that standards for chimneys will remain intact.

Council Member Barker motioned to approve Ordinance 2019-24 amending the North Ogden Zoning Ordinance 11-10-6 the building height exception standards for cupolas. Council Member Stoker seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously

10. **DISCUSSION AND/OR ACTION TO CONSIDER THE 2019 WATER CONSERVATION PLAN**

Public Works Director Espinoza stated this Plan was first presented to the Council in 2014 and the City is required to update it every five years. The Plan must include information about what the City is doing to educate residents regarding water conservation efforts. It also provides information about the City's water source and water storage sites. The document includes information about the City's water metering system and monitoring policies, and specifically the leak detection system that is part of the metering system. Additionally, the City's SCADA system is very sophisticated and can help his staff monitor activity from the City's reservoirs to determine if any water is being lost. Finally, the last change in the document relates to metering hydrants when they are used by contractors for various projects throughout the City. Contractors now pay a deposit for the meter and then pay for the metered water. He then provided a high-level overview of the other data included in the Plan document; this included a review of the goals that were included in the 2014 document for which a status report has been provided.

Council Member Swanson motioned to approve Resolution 08-2019 for the 2019 Water Conservation Plan. Council Member Barker seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously

11. **UPDATE ON THE SNOW PLOWING SEASON**

Public Works Director Espinoza reviewed the six snow plowing routes managed by Public Works Department staff; it previously took about eight hours to plow the entire City, but with the addition of upgraded plow equipment, the job can be done in about 4.5 hours. He thanked the Council for the funding they dedicated to this new equipment as it has made it possible for his Department to improve efficiencies and service to residents. He then reported his Department works closely with the Police Department to determine when road conditions are unsafe and plowing is required. He presented a document that has been publicly published to inform residents of winter parking regulations provided in the City Code. There was a brief discussion about the City's liability for any damage

caused by a snow plow truck during a snow storm; City Manager/Attorney Call indicated that the City's insurance provider will not provide coverage if a vehicle is parked on a street in violation of City ordinances or if damage is caused by snow and not the actual snow plow. Mr. Espinoza added that his employees document and report any instance where they might hit personal property with their plow so that when a resident calls, he is already aware of the situation. He then provided a document for reference by Council Members that includes answers to commonly asked questions they may receive from constituents. Mr. Call added it is important to note that it is illegal for a resident to use a snow blower or shovel to place snow from their property into a City street.

12. DISCUSSION AND/OR ACTION TO CONSIDER RENEWING THE LEASE AGREEMENT WITH FAMILY PROMISE

A staff memo from City Manager/Attorney Call explained Family Promise has asked that we extend their contract for the lease of the Public Works Property until July 31, 2020. Under the existing contract we are allowed to renew it for up to two years through July 31, 2020. Staff recommends adopting this simple extension to allow for a full contract to be brought back for the Council to consider the extension of the relationship beyond the July 31, 2020 time frame. Attached is a simple renewal agreement which keeps all the same terms as outlined in the original Agreement.

Mr. Call reviewed his staff memo.

Council Member Barker motioned to approve Agreement A20-2019 renewing the lease with Family Promise to July 31, 2020. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

13. PUBLIC COMMENTS

There were no public comments.

14. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Turner reported on his participation with the Weber Mosquito Abatement District. His term will expire at the end of the year and it will be up to the Mayor to appoint a new representative for the City. He briefly discussed the work that is done by the District Board.

City Manager/Attorney Call reported on the status of the feasibility study for the Police Station project. The study results should be available to the Council in February. He then reported that the budget preparation process will need to start early in the new year and he asked the Council to begin thinking of that. Finally, he would like to schedule an orientation meeting for elected officials with Department Heads of the City to allow them to get acquainted with operations of the City.

Public Works Director Espinoza reported on a recent meeting between City staff and Central Weber Sewer District. He is encouraged by the work done by the District to maintain and improve their infrastructure that is running through North Ogden.

City Recorder Spendlove reported that the official election results will not be canvassed until next Tuesday, but she reported there were 5,437 ballots cast in the Election. There are 10,146 registered voters in the City. This is a 52.5 percent turnout, which is the highest voter turnout in the City's history. Once new elected officials have been sworn in, they will have the opportunity to participate in some elected officials training sessions locally and on the State level.

15. ADJOURNMENT

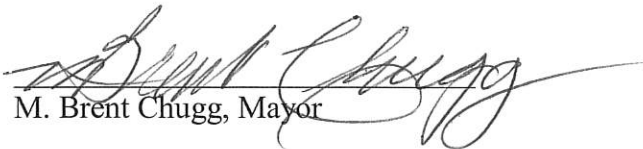
Council Member Stoker motioned to adjourn the meeting. Council Member Barker seconded the motion.


Voting on the motion:

Council Member Barker	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

The meeting adjourned at 7:26 p.m.


M. Brent Chugg, Mayor


S. Annette Spendlove, MMC
City Recorder

7 Jan 2020
Date Approved