

**NORTH OGDEN CITY COUNCIL  
MEETING MINUTES**

May 26, 2020

The North Ogden City Council convened in a virtual meeting on May 26, 2020 at 6:04 p.m. at <https://us02web.zoom.us/j/86771293297> or by Telephone: US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or <https://www.youtube.com/channel/UCriqbePBxTucXEzRr6felhQ/videos> . 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 May 22, 2020. Notice of the annual meeting schedule was published in the Standard-Examiner on December 22, 2019.

PRESENT:	S. Neal Berube	Mayor
	Ryan Barker	Council Member
	Blake Cevering	Council Member
	Charlotte Ekstrom	Council Member
	Cheryl Stoker	Council Member
	Phillip Swanson	Council Member

STAFF PRESENT:	Jon Call	City Manager/Attorney
	Annette Spendlove	City Recorder
	Rob Scott	Planning Director
	Evan Nelson	Finance Director
	Tiffany Staheli	Parks & Recreation Director
	Dave Espinoza	Public Works Director
	Dirk Quinney	Chief of Police
	Lorin Gardner	City Engineer
	Kai Johnson	Planning Tech

VISITORS:	Meg Sanders	Stefanie Casey	Susan Clements
	Steve Rush	Christina Watson	John Arrington
	Ashley McCann	Kevin Burns	Jay D. Dalpiaz
	Brenda Ashdown	Julie Anderson	

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

**CONSENT AGENDA**

1. **DISCUSSION AND/OR ACTION TO CONSIDER APRIL 7, 2020 CITY COUNCIL MEETING MINUTES**

Council Member Cevering motioned to approve the April 7, 2020 City Council Meeting Minutes with changes made to the document header indicating the meeting was a virtual meeting. Council Member Stoker seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Ekstrom	aye
Council Member Stoker	aye
Council Member Swanson	aye

The motion passed unanimously.

**ACTIVE AGENDA**

2. **PUBLIC COMMENTS**

Meg Sanders, 2950 N. 875 E., thanked the North View Fire Department and the North Ogden Police Department for helping to lead the parade that was organized to recognize retiring staff members and administration from North Ogden Elementary. The kids in the community really enjoyed the event. Also, Public Works Director Espinoza helped by performing traffic control measures. She stated the parade was an awesome experience for the school employees and the families that participated.

3. **DISCUSSION ON ROCKY MOUNTAIN POWER'S TRANSMISSION CORRIDOR**

Steve Rush, Regional Business Manager for Rocky Mountain Power (RMP), referenced problems that were brought to his attention last fall by homeowners in the Poll Patch HOA Development; teenagers were hanging hammocks from and climbing the towers in the power corridor on the north bench of Pleasant View and North Ogden. RMP has placed no-trespassing signage on the towers, but continues to hear that teenagers are still getting on the towers. RMP has reached out to Pleasant View and their Police Department has tried to deter the activity, with little success. Parents of the teenagers are not very concerned about the activity their children are engaged in, but RMP is very concerned because the towers are vital infrastructure and the lines carry 230,000 volts of

power, which makes them very dangerous for anyone who climbs on them. He asked for the help of the City by communicating information about the dangers in the monthly magazine and he asked if there is any other help the City could provide.

Council Member Covering stated he has witnessed young men in hammocks in the tower above his home. When he approached the tower the next day, he noticed a great deal of trash had been left behind. He stated he is surprised that parents are not concerned about this activity. He suggested more visible signage on the towers. Mr. Rush stated that the power corridor is very long and there are so many towers that placing larger, more visible signage on the towers would be very costly.

Chief Quinney stated his Department is willing to help to enforce the trespassing violations if residents will notify the City when the activity is occurring; if proper notification prohibiting trespassing is present on the towers, the City can enforce violations. Mayor Berube asked if a magazine article would meet the definition of proper notification. Chief Quinney stated that the signage that is currently in placed on the towers or personal notification to an individual would serve as proper notification; a magazine article would not serve as personal notification.

The Council discussed the difficulty in enforcing the matter given the manner in which the towers are situated on a hill so the people climbing on them can see if law enforcement is coming. They discussed the importance of educating youth of the dangers of climbing the towers, after which they concluded to work with RMP to enforce trespassing rules and publish an article in the City magazine to stress the importance of staying off the towers.

4. **DISCUSSION AND/OR ACTION ON CONSIDERATION TO OPEN THE NORTH SHORE AQUATIC CENTER**

Council Member Swanson facilitated a discussion among the Council regarding updated State and County orders in response to the COVID-19 pandemic; they, along with the City's Parks and Recreation Director, feel it is safe to open the Aquatic Center at a 50 percent capacity. He solicited Council feedback on whether to proceed with opening; several Council Members expressed their support for the social distancing guidelines and protocol created by Parks and Recreation Director Staheli and indicated they support opening the pool to accommodate 50 percent of the pool's capacity, which is approximately 800 individuals. Council Member Barker stated that some cities are not opening their pool so their residents will be coming to North Ogden since it will be open. He wondered if the pool will reach 50 percent capacity early in the day and if people will be waiting in line outside. He also wondered if only allowing 50 percent capacity will create financial difficulties for the City where it already subsidizes the pool. Mayor Berube stated that if the numbers are so low that keeping the pool open is not beneficial financially, he would consider reducing days/hours of operation to reduce costs. He asked Ms. Staheli to keep him and the Council informed of pool attendance.

Council discussion then shifted to the recent data for new COVID-19 cases in the State, which Mayor Berube indicating he is comfortable following the advice of the Health Department, but if the State's status moves back to the orange phase, the City will be prepared to shut the pool down again. Or, if the number of cases in North Ogden spikes in the next several weeks, the City could close the pool even if the Health Department would allow it to stay open.

**Council Member Cevering motioned to open the Aquatic Center on June 1, 2020 based on the recommendation of the State Health Department guidelines and that we have the ability to shut the pool if anything changes without convening the City Council. Council Member Swanson seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**5. PUBLIC SAFETY BUILDING COMMITTEE REPORT**

Police Chief Quinney summarized the work has been done by JRCA, the consultant hired to explore the City's needs in a Public Safety facility, as well as the Public Safety Building Committee that was created to consider the same. The group has toured several facilities in other communities and they have created a report to provide recommendations for the type of facility that should be constructed in North Ogden to meet the community's needs. He reviewed the report, which identifies the four areas of deficiency present at the City's current facility: seismic stability; poor layout that hinders functionality; safety and security at the facility and in the parking lot for the public and staff; and lack of storage space. The JRCA report identifies the current and future needs in the facility for current and future staffing levels based upon buildout of the community in the year 2040. They have provided a few design options for consideration and the Police Department staff as well as the Public Safety Building Committee prefer option e; this would maintain the current campus presence while providing immediate access to arterial roadways, secure access points, expansion of public parking, no phasing, and open space opportunities. It will require the City's acquisition of the property to the south. Chief Quinney reviewed the project costs identified by JRCA.

Mayor Berube invited input from Public Safety Building Committee Chair Chugg. Mr. Chugg stated that he agrees with the information presented by Chief Quinney and he asked for support from the Mayor and Council in pursuing the project; the City needs an adequate Public Safety facility that will last through buildout and beyond.

Chief Quinney noted he did not provide a great deal of information about the improvements to the City's Justice Court facility, but that component is also contemplated in the overall project.

Mayor Berube stated he believes there are some real problems with the existing facility; it is not safe for Public Safety staff or the public. He would like to pursue an open and transparent process to provide more information about the project to the public. Council Member Swanson agreed and suggested that process start with an extended work session discussion of the community's needs for a Public Safety facility; the public and the entire City Council needs to hear the same information that the Public Safety Building Committee has heard. Council Member Cevering stated he believes the residents understand the need for an updated Public Safety facility, but they are concerned about the financial burdens associated with a bond for such a costly project. He wondered if the timing is right for proceeding with bond issuance at this time. Mayor Berube stated that interest rates are very low, but the bond market is somewhat unstable given the impact COVID-19 is having on the economy.

Council Member Ekstrom stated that she would like to carefully consider the entire scope of the project to determine if cost savings can be achieved by minor tweaks. She would also like to consider other funding options to reduce the total bond amount.

Council Member Swanson acknowledged the discomfort associated with the cost of the facility and what may be perceived as dramatic improvements; however, he is very concerned about the safety of the Department's officers as well as the public and he would hate for loss of life to occur as a result of leaving the facility in its current condition. Council Member Barker agreed and noted there will never be a 'right time' to complete this type of project. He is supportive of moving forward with exploration and planning for the project with a realistic timeline.

Mayor Berube agreed there may never be a 'right time' to bond or to pursue such a costly project. He noted he wants the public to understand that the City has not made any decisions regarding the project and is still exploring all options. He indicated he is committed to transparency regarding this project. He feels the best timing of submitting a general obligation bond to the public would be November of 2021 rather than this year.

Council Member Stoker stated the City is desperately in need of an updated facility. She is very concerned about the safety of officers and the public and she is supportive of proceeding with thorough discussion and consideration of the project timeline and funding options. She looks forward to receiving citizen input regarding the project.

Mayor Berube concluded he also agrees the City needs an updated facility and he will work to schedule an extended work session to allow for more in-depth Council and public discussion of the project. He stated that he has been in the current facility several times and he would not dream of asking his private sector employees to work in that facility. He believes there is mold in the facility and it is not serving the community adequately in several areas. He wants to get the project done right and will begin the process of publicly vetting the project. Council Member Cevering stated he is supportive of a public vetting process, but he wants to make sure that the project that is settled upon is not excessive based on realistic needs of the community at buildout.

Chief Quinney stated that he can see that there are a number of questions regarding the needs of the community at buildout and he looks forward to discussing these items in greater detail in an extended work session. He asked if the Public Safety Building Committee should cease meeting until after the Council has an opportunity to make some decisions about the next steps. Mayor Berube stated he does not want the Committee to disband and encouraged them to continue to meet to work on the project. He indicated they can be involved in the extended work session that will be scheduled for the purpose of discussing the project.

6. **DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE FOR A TEMPORARY LAND USE REGULATION**

City Manager/Attorney Call explained the City's General Plan Steering Committee has requested this Temporary Land Use Regulation to help make sure the City isn't approving development of properties along Washington Boulevard that may be contrary to the goals of the commercial district. If adopted, the temporary land use regulation ordinance will only be valid for a six-month period and would apply to all properties affected by the language of the ordinance. The intent of the ordinance was to allow for the uses which the General Plan Steering Committee (GPSC) felt continued to promote the type of development which would not run contrary to future goals. Before or at the time the ordinance expires, the Council will be required to review and adopt a permanent ordinance. This proposed ordinance will not affect current applications that have already been submitted to the City.

General Plan Steering Committee members Julie Anderson and Meg Sanders used the aid of a PowerPoint presentation to summarize the Committee's recommendations regarding the adoption of a temporary land use regulation. The Committee has been discussing this issue over their last several meetings due to the questions that have been raised in regard to creation of true downtown areas. The two main factors that create a downtown area include road patterns and the presence of gathering spots. The City has three areas that are considered 'downtown' and each is unique; in moving forward, the City needs to determine what area should really be defined as North Ogden's downtown. The three areas are Southtown, the area surrounding The Cannery, and the area around the

intersection of 2700 North and Washington Boulevard. For each of these areas, the following questions should be answered: are there gathering spots in the area and is it accessible/drivable. Most people consider the area around 2700 North/Washington Boulevard to be North Ogden's downtown, however more attention could be paid to the type of businesses that should be attracted to this area and if there are opportunities to make the area more walkable. Past decisions have created issues that have been difficult to deal with as development is pursued along Washington Boulevard; the introduction of the Master Planned Community (MPC) zone has allowed for high residential density, but little attention to detail; this has been to the detriment of the community. Zoning of properties has shifted back and forth between residential and commercial, though many believe that the frontage along Washington Boulevard should be preserved for specific commercial uses. Also, there has not been a keen focus on creating gathering places in the downtown areas; Bicentennial Park and 'the stump' could be enhanced and made into gathering spaces. Finally, the Committee has heard from businesses that North Ogden is not 'business-friendly' and that needs to change.

Ms. Anderson then shifted to the purpose of asking for a temporary land use regulation ordinance:

1. To identify where our downtown areas should be.
2. To determine what we want in a downtown area.
3. To put into place guidelines to maintain the original feel of North Ogden.
4. To have a cohesive plan in place that will make it easier and more user-friendly for businesses that want to come into North Ogden.
5. We need to make sure that we are making the downtown area for North Ogden residents.
6. We should not be comparing ourselves to other places in Utah and trying to do what they have done.

The GPSC has evaluated those things that are currently in place in the City's General Plan and how the temporary land use ordinance will help to create a cohesive downtown. The City currently has transit and excellent pedestrian connections; a variety of stores; residences; offices; well-lit streets with unique light fixtures; a variety of restaurants; gathering places; and people of all ages. The ordinance would help to create a cohesive downtown by increasing revenue at a rate that matches or exceeds population growth; diversifies the entertainment, restaurant, and retail offerings within the City; assures a quality commercial shopping environment; and requires that new development generate sufficient revenue to cover the cost of public services. The Committee's plan for executing the concept includes meeting as a Committee and putting the time in to developing a solid plan; taking time to allow business development to catch up to residential development; reviewing the current business offerings of the community and what is currently working; and recruiting businesses that serve North Ogden residents. She emphasized that the GPSC team is made up of individuals with great talents and diverse business backgrounds; they should be relied upon to contribute to long-range planning for the future of the community. She feels that they can work with City staff, the

Planning Commission, and City Council to develop a good plan and that work can be completed in the six-month period that would be afforded by the temporary land use ordinance.

Ms. Sanders then expounded on the work done by the GPSC; they heard from Ogden City Planner Greg Montgomery, who communicated to the group and to Planning staff that North Ogden does not have enough clarity on the plans for a downtown area in North Ogden. The GPSC felt it appropriate to slow building at this time to give a six-month period to think about the best way for the area along Washington Boulevard to be built-out. This may give time for business development to catch up with rooftops; additionally, there may be an economic slowdown responsive to COVID and this could be a good time to perform some visioning work for a clearly defined downtown area.

Mayor Berube stated that business development can be focused on opportunities for serving the needs of North Ogden residents and keeping sales tax dollars in North Ogden. He then invited public comments on the matter.

**a. Public Comments**

John Arrington stated he is a member of the GPSC and he supports the concept of adopting a temporary land use ordinance. He asked Mr. Call to provide the Council with specific information about the implications of the ordinance. He noted six months may sound like a long period of time to develop land use guidelines for the area along Washington Boulevard, but it truly is not a great deal of time when considering all the work that goes into developing those types of guidelines.

Mayor Berube stated that he has heard the same complaints that North Ogden is not business-friendly; however, there are two project applications that have been filed and have been delayed for six months or more. This causes frustration for applicants and creates a reputation that North Ogden is hard to work with. He asked if those applications would be placed on hold if the proposed ordinance is adopted. Mr. Call answered no; any formally filed application is vested under the current ordinances. Additionally, any project that is not in the C-1, C-2, CP-1, CP-2, or R-4 zone would be allowed to proceed. The Coopers Town project request includes a rezone, which would result in that property not being in the areas that would be impacted by the temporary land use regulation. The number of uses that would be allowed under the temporary land use ordinance would reduce from approximately 140 to 36 and would be limited mainly to office and small retail types of uses; larger commercial operations would be limited as would non-retail-oriented uses.

There were no additional public comments.

**b. Discussion and/or action to consider an Ordinance for a Temporary Land Use Regulation.**

Council discussion centered on the types of methods the City can use to recruit certain types of businesses to the community, with Ms. Sanders emphasizing the importance of following the City's General Plan when considering the type of commercial and residential development that is appropriate. Mayor Berube stated he feels the Economic Development Committee can work closely with City Administration to pursue business development that is in-line with the General Plan. He stated he is supportive of cohesive development in all commercial nodes.

Council Member Swanson stated that he feels that all residents' voices matter in the long-term development of the City and not just the voices of those that have lived in the City their entire lives. He is reluctant to dramatically reduce the number of allowed uses from 140 to 36 for a six-month period; it is apparent why the allowed uses were chosen and he thinks that the proposal is outside of the scope that the Committee was tasked with. Ms. Sanders stated that list was not developed by the GPSC; rather, it was developed by Planning staff and Mr. Call. Council Member Swanson then stated that in the number of years he has been a member of the City Council, he has never seen a committee develop an ordinance and bring it to the Council asking them to pass it. The Planning Commission has done that on occasion, but no committee has and asking the Council to pass an ordinance that they only saw for the first time last Thursday is too fast. He feels the ordinance communicates that the long-time residents of the City get to decide what type of development should be allowed while the opinion of newer residents do not count. The demographics of the City continues to change and most people living in the City are not 'natives', but their opinion is as valid and valuable as others'. He concluded he needs more time to digest the proposed ordinance and its implications before making a decision. The ordinance would put significant limits on any property that has development potential.

Ms. Anderson stated that the GPSC has discussed the allowed approaches they could take to address concerns about development along Washington Boulevard and this is the approach that staff recommended. She stated the language was crafted by Mr. Call. She understands that the Council may need additional time to consider the ordinance's implications. She concluded that many of the members of the GPCS are 'transplants'; their families were not born here, but many of them felt it is important to craft thoughtful plans for development of the City's downtown areas. She reiterated that the Council would have six months to draft a final ordinance that would govern the development of downtown North Ogden. Council Member Swanson stated the City spent four years working to develop a form-based code and identify a downtown area and what the GPSC is asking the Council to do is completely opposite of the decisions that were made at the end of that four-year period.

Continued Council discussion centered on the need to carve out a specific area that should be defined as the downtown area of the City, rather than defining the entire length of Washington Boulevard as the City's downtown. Several Council Members also echoed Council Member Swanson's desire to take additional time to review the ordinance before taking action.

**Council Member Barker motioned to table consideration of action on the proposed ordinance creating a Temporary Land Use Regulation until June 23, 2020. Council Member Cevering seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

Mayor Berube thanked the GPSC for the work they have done to this point and indicated he looks forward to continued discussion of this matter.

**7. QUARTERLY FINANCIAL REPORT**

Finance Director Nelson provided an overview of the Quarterly Financial Report for the period ended March 2020. He focused on highlights relating to fluctuations in sales tax revenue; budget status summaries; and adjustments to the economic forecast responsive to the COVID-19 Pandemic. While this report is fairly positive, Administration is moving in a more conservative direction relative to spending for the remainder of the current Fiscal Year (FY). During Council discussion of the report, there was a brief focus on anticipated transfers from the CDA fund to the RDA fund, with Mr. Nelson noting that an end-of-year budget amendment will need to be acted upon to facilitate any transfer.

Mayor Berube stated he looks forward to hearing sales tax revenue numbers for April and May.

**8. PUBLIC HEARING ON THE TENTATIVE BUDGET FOR FISCAL YEAR 2021**

Finance Director Nelson explained that since the Tentative Budget was adopted, a few modifications to the budget have been made. The changes are summarized below:

- A transfer from the RDA Fund to the General Fund has been added to allow the RDA Fund to pay for the wage and benefit costs associated with watering flowers on Washington Boulevard.
- Council pay has been reduced as directed.
- \$100,000 is proposed to be transferred from the Transportation Sales Tax Fund into the Capital Projects Fund to pay for street and sidewalk Americans with Disabilities Act (ADA) upgrades.

Mr. Nelson then provided an overview of fund balances for Fiscal Year (FY) 2019 and estimated fund balances for FYs 2020 and 2021. Finally, he provided a report of depreciation expenses as required by City Code; a City-used model allows him to consider assets assigned to each of the City's utility funds (water, sewer, and storm sewer) and project the estimated useful life of the assets to estimate future repair and replacement costs. These costs are funded by utility revenues and he noted that no utility rate increases are planned for the coming FY. Fund balances and other funding sources will be used to fund asset replacement and repair costs, but there will also be a discussion later in tonight's meeting regarding other options for funding assets in the present and in the future.

Mayor Berube noted that most businesses fund their capital expenditures using net income retention and non-cash depreciation expense. The City's asset repair and replacement model has never been fully funded since its inception and he is supportive of considering adjustments to the depreciation model. The City has available cash on hand as well as access to impact fee revenues to take care of capital needs.

Mr. Nelson concluded he is willing to answer any questions about the tentative budget. He drew the Council's attention to the page numbers in the budget document where the amendments discussed above are referenced.

**a. Public Hearing to receive comments on the fiscal year 2021 Tentative Budget**

**Mayor Berube opened the public hearing at 8:45 p.m.**

John Arrington, 254 E. 2900 N., stated he had a discussion with Mr. Nelson prior to tonight's meeting and that was very helpful. He then inquired as to the number of districts in the City's RDA, to which Mr. Nelson answered one; it is on Washington Boulevard and it contains various parcels that front the roadway. The City also has a Community Development Area (CDA) that is along Washington Boulevard. Mr. Arrington asked if he can find maps of the City's RDA and CDA on the City website. Mr. Nelson stated he can direct Mr. Arrington to where to find the maps. Mr. Arrington asked if the CDA has its own fund. Mr. Nelson answered yes; the budget for the CDA will be acted upon as part of the RDA budget later tonight. Mr. Arrington then noted that he noticed there is a tax increment in the RDA and CDA and he asked how that increment is being generated. Mr. Nelson stated that increment budgeting is based upon accounting requirements; when the

RDA and CDA collect money, part of the money collected is property tax revenue that the City has agreed to defer for an amount of time to support the RDA. However, the money is collected in the General Fund and transferred to the RDA. Mr. Arrington then stated he noticed there is no planned increase in part-time wages and he asked if that matter was not discussed during broader discussions regarding employee compensation. Mr. Nelson stated the salary survey did not yield a recommendation to increase part-time wages; however, adjustments can be made based upon longevity or certifications obtained by an employee. In some cases, part-time wages are not employee-specific, which means that a pool of money is made available for paying wages of a group of employees and fluctuations in pay are allowed. Mr. Arrington asked if the City eliminated a part-time building inspector position. Mr. Call answered yes, due to a retirement. Mr. Arrington asked if that person will be replaced. Mr. Nelson answered no; the position has been eliminated to help to address budget issues. Mayor Berube stated that issue will be monitored closely and if workload warrants replacement of the position, he will recommend that to the Council. Mr. Arrington stated that the City is also considering elimination of the benefit where employees can cash-out sick leave. Mr. Nelson stated that is correct; that was another attempt at reducing budget costs during this difficult time.

Christina Watson, 1820 N. 100 E., stated she has two children who ride their bikes to Majestic Elementary School; the route they ride can be dangerous due to a lot of traffic driving at high rates of speed. A traffic study was commissioned and the Police Chief has indicated that he can only hire a crossing guard if there are 10 students crossing the road in a one-hour period. He found four students in the morning and 11 in the afternoon. Ms. Watson stated that she would like for the Council to consider funding the position to provide safety for students who attend the school. The study was done during the winter months when fewer students walk or ride to school and she asked that it be conducted again. At the least, she would like for the City to install a solar powered crosswalk sign to help to improve safety. She is concerned that the City is cutting corners and she has learned that other communities provide crossing guards even if there is only one student crossing.

Mayor Berube stated that the City will never sacrifice the safety of its residents, especially young people, for financial purposes, but they will follow the counsel of the City's Police Chief who follows rules and laws that govern the City. If the Chief tells the Council that a request meets qualifications and rules, the Council will respond. Ms. Watson stated that Chief Quinney recommended that she approach the Council to express her concerns about the study and any recommendations regarding hiring a crossing guard. Mayor Berube asked Mr. Call to reach out to Chief Quinney to get more information on this topic.

Mayor Berube stated that there has been much discussion in the community about what is being advertised as a tax increase; he stressed that the amount by which the City's tax rate will be increased is only enough to replace the revenue generated by the City's

transportation utility fee, which has been suspended and will not resume. Households will not be paying more in the coming year than they were paying over the past few years when they were paying the transportation fee.

There were no additional persons appearing to be heard.

**Council Member Swanson motioned to close the public hearing and Council Member Barker seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**The public hearing was closed at 9:06 p.m.**

- b. Discussion and/or action to recess the City Council meeting and convene in the RDA.**

**Council Member Barker motioned to recess the City Council meeting and convene in the RDA meeting. Council Member Stoker seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**City Council Meeting recessed at 9:06 p.m.**

**RDA meeting convened at 9:07 p.m.**

**c. Public Hearing to receive comments on the fiscal year 2021 RDA Tentative Budget.**

Finance Director Nelson reported there have been no changes to the RDA budget aside from the transfer he discussed earlier in the City Council meeting for the RDA to pay the wage and benefit costs associated with watering flowers on Washington Boulevard.

There were no persons appearing to be heard.

**Board Member Swanson motioned to close the public hearing and Board Member Cevering seconded the motion.**

**Voting on the motion:**

<b>Board Member Barker</b>	<b>aye</b>
<b>Board Member Cevering</b>	<b>aye</b>
<b>Board Member Ekstrom</b>	<b>aye</b>
<b>Board Member Stoker</b>	<b>aye</b>
<b>Board Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**The public hearing was closed at 9:06 p.m.**

**d. Discussion and/or action to amend Ordinance 2020-09 to add the correct wording and Ordinance number RDA 2020-08.**

Finance Director Nelson stated that when Ordinance 2020-09 was adopted, the numbering was incorrect and it did not include information about the manner in which the wages and benefits of employees watering the flower baskets on Washington Boulevard will be paid. The corrected ordinance corrects the statements made and indicates that the money will be taken from the RDA fund and put into the General Fund to reimburse the City for paying those costs.

**Board Member Swanson motioned to amend Ordinance 2020-09 to add the clarification and amendments as discussed and change the document numbering to RDA 2020-08. Board Member Ekstrom seconded the motion.**

**Voting on the motion:**

<b>Board Member Barker</b>	<b>aye</b>
<b>Board Member Cevering</b>	<b>aye</b>
<b>Board Member Ekstrom</b>	<b>aye</b>
<b>Board Member Stoker</b>	<b>aye</b>
<b>Board Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

- e. Discussion and/or action to adjourn the RDA meeting and convene in the City Council Meeting.**

**Board Member Barker motioned to adjourn the RDA meeting and convene in the City Council Meeting. Board Member Cevering seconded the motion.**

**Voting on the motion:**

<b>Board Member Barker</b>	<b>aye</b>
<b>Board Member Cevering</b>	<b>aye</b>
<b>Board Member Ekstrom</b>	<b>aye</b>
<b>Board Member Stoker</b>	<b>aye</b>
<b>Board Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**The RDA meeting adjourned at 9:12 p.m.**

**The City Council Meeting convened at 9:12 pm.**

**9. DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH ZION'S PUBLIC FINANCE AS NORTH OGDEN CITY'S FINANCIAL ADVISOR**

City Manager/Attorney Call explained Zion's Public Finance was selected as the recommended entity to act as the City's financial advisor. There have not been any commitments for any changes to City finances, but Administration recommends the City contract with Zion's to allow them to provide more information to the City and help the Council in its decision-making process relative to financial transactions. One of the highlights of their contract is that their compensation is based upon the actual funding of various financial mechanisms. Which means that if the City does not undertake any

bonding or similar items there is nothing owed under this contract. He reviewed the terms of the agreement, noting it will be in effect five years with the option to cancel 60 days prior to the annual renewal of the agreement. There are some optional services which the City could utilize if they would like to, and a fee schedule for those services is attached. Staff recommends adoption of this agreement.

Council discussion centered on the types of financial matters that Zion's typically advises Cities on, with Mr. Call again noting that the City will not be obligated to pay Zion's unless some sort of bonding action takes place. Council Member Cevering asked if there is any potential for a conflict of interest to exist if Zion's is providing the City with financial advice. Mr. Call noted that the agreement specifically states that Zion's will not bid on buying any City bond when they are acting as a third party as the City's financial advisor.

Council Member Ekstrom asked how many firms responded to the RFP, to which Mr. Call answered two. Mayor Berube summarized the process that he, Council Member Swanson, Mr. Call, and Mr. Nelson used to evaluate the two firms and arrive at a rating of both proposals.

**Council Member Ekstrom motioned to approve Agreement A6-2020 with Zion's Public Finance as North Ogden City's Financial Advisor. Council Member Barker seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**10. DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH TECSERVE FOR IT SERVICES**

City Recorder Spendlove reported that the City published an RFP for IT services; four employees served as a committee to review the proposals provided by six firms and they used a scoring method to determine the most suitable service provider. They decided to recommend TecServe, which is the firm that has been providing the City with support for several years.

Council Member Stoker asked if TecServe has been able to resolve email issues the City was having. Mr. Call stated that the support employee has adjusted the firewall to allow City Council Members to receive emails that they should receive, as well as a report of the emails that have been blocked so that Council Members can provide feedback about any appropriate filter adjustments.

Ms. Spendlove then noted that one benefit of TecServe is that they determine the number of monthly hours allocated to the City and if they are not used in one month, they carry over to the next month. Finally, if the support employee assigned to North Ogden severs their employment with TecServe, the City has the ability to participate in selecting a new employee or cancelling the contract.

**Council Member Stoker motioned to approve Agreement A7-2020 with TecServe for IT Services. Council Member Cevering seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**11. DISCUSSION AND/OR ACTION TO CONSIDER AMENDING ORDINANCE 2017-14 ON REPAIR AND REPLACEMENT OF THE CITY ASSETS**

City Manager/Attorney Call explained City staff has been asked to review City Ordinance 3-3-4 and have a discussion with the Council on whether or not this ordinance has satisfied the goals of the Council in tracking capital assets and future replacement plans. The current ordinance includes requirements that create difficulty for staff relative to estimating replacement or repair costs with any sort of certainty. Specifically, the future costs of replacement and future depreciation expense beyond the next 12 months typically contemplated during the budget season. Staff would like some direction on how the Council would prefer for this ordinance to be implemented moving forward. There are several items included in this ordinance which have been implemented for a long time as they typically apply to the generally accepted accounting procedures.

Mayor Berube stated that he also finds it strange that the City has an ordinance that gives directives to the accounting division of the City when those directives are already part of

general accepted accounting principles. He added that he also finds it nearly impossible to estimate the cost of repair or replacement of something that may have a useful life of 20 to 30 years. The ordinance has not been followed since its adoption in 2017 and he does not think it is necessary. Mr. Call agreed that the directives in the ordinance only duplicate generally accepted accounting procedures.

The Council engaged in high level philosophical discussion and debate about the technical components of the current ordinance; Council Member Swanson discussed the history of the development of the ordinance, noting that the Council felt it was appropriate at the time given that some of the generally accepted accounting procedures were not being observed in great detail. He noted those issues have been corrected and addressed and he is comfortable adjusting or eliminating the requirements created by the ordinance at this time. Council Member Stoker agreed and stated she feels the ordinance facilitated the creation of appropriate asset tracking for depreciation purposes. Council Member Swanson agreed and stated it is very important to continue to maintain that level of detail. Public Works Director Espinoza stated that the asset tracking mechanism is very helpful and he and his staff will continue to maintain it.

**Council Member Cevering motioned to delete Ordinance on Repair and Replacement of the City Assets. Council Member Barker seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**12. PUBLIC COMMENTS**

Julie Anderson, 940 E. 2600 N., addressed plans to open the Aquatic Center and the difficulty in monitoring who is attending and whether it will be possible to determine that North Ogden residents are allowed in before non-residents. She also recommended against offering a Groupon for entrance this year. She then addressed the conversation about keeping kids off the power line towers on the City's north and east benches; this is a very disturbing issue and she recommended that Rocky Mountain Power work with local schools to get information about the dangers of climbing the towers in their school newsletters and other communication tools. Finally, she referenced the discussion about the need to build a new public safety facility; former-Mayor Chugg's belief is that the building that is the best is one that is built for less and she feels he will apply that

philosophy to this project as he is serving as the chairman for the committee that is working on that project.

Mayor Berube agreed the Public Safety Building Committee will work hard to develop a proposal that is appropriate. He also thanked the General Plan Steering Committee for their work; while there may be differences of opinion, he is grateful for the work done by citizen committees.

John Arrington, 253 E. 2900 N., also commented on the public safety facility; the community needs increased public safety protection and a safe place for public safety officials. He supports the process the City has undertaken thus far and feels it is appropriate to continue moving forward in gathering public input. Good planning is needed and that does not mean that the project needs to be under construction immediately; rather, it may be prudent to delay the project slightly until economic conditions improve. He also referenced the temporary land use ordinance recommended by the GPSC; their intent was to simply pause development along Washington Boulevard to allow for investigation of what the Council truly wants for the area. He concluded by expressing his support for the Council's selection of Zion's Bank as the City's financial advisor.

Mayor Berube stated he feels that the Council has received the message regarding the temporary land use ordinance; he feels the GPSC's intent was to recommend a process that allows for the development of a cohesive plan that will govern the development of the business district of the City. He feels the GPSC sincerely wants to help the City become better.

**13. COUNCIL/MAYOR/STAFF COMMENTS**

Council Member Ekstrom stated she is excited to work on the Public Safety Building project. She referenced Ms. Anderson's comments regarding the opening of the Aquatic Center and noted she has spoken with Parks and Recreation Director Staheli about how attendance will be managed and she is confident that her ideas will be effective.

Council Member Swanson stated that he also looks forward to working with the Public Safety Building Committee and members of the law enforcement community to develop an appropriate project scope. He echoed Ms. Anderson's vote of confidence in former-Mayor Chugg's ability to develop a cost-effective project proposal.

Council Member Stoker stated she has received feedback from residents who have found the City's website to be non-user friendly. She asked staff to look into that issue. She then echoed the excitement expressed by others about working on the Public Safety Building project.

Mayor Berube suggested that any issues with the webpage be forwarded to Administrative Assistant Lynne Bexell; he wants the website to be improved so that it can be used to effectively communicate information to the residents.

Mr. Call provided a report on changes to City operations responsive to COVID-19; visitors at City Hall are asked to wear a mask. City parks and restroom facilities are open and residents are asked to use social distancing and use sanitization procedures. He recognized Public Works Director Espinoza for the success of the community-wide spring clean-up day. He concluded by reminding the Council of a scheduled joint work session with the Planning Commission.

**14. ADJOURNMENT**

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

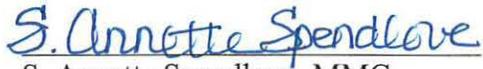
**Voting on the motion:**

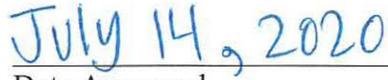
<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**The meeting adjourned at 10:06 p.m.**

  
S. Neal Berube, Mayor

  
S. Annette Spendlove, MMC  
City Recorder

  
Date Approved