

NORTH OGDEN CITY COUNCIL MEETING MINUTES

August 25, 2020

The North Ogden City Council convened in a virtual meeting on August 25, 2020 at 6:05 p.m. at <https://us02web.zoom.us/j/82620486626> or by Telephone: US: +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or YouTube: <https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/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 August 20, 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
	Evan Nelson	Finance Director
	Dirk Quinney	Chief of Police

VISITORS:	Brenda Ashdown	Susan Clements	John Arrington
	Stefanie Casey	Kim Ekstrom	Terri McCulloch
	Kim Christensen	Julie Anderson	

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

CONSENT AGENDA

1. DISCUSSION AND/OR ACTION TO CONSIDER JUNE 23, 2020 CITY COUNCIL MEETING MINUTES

Council Member Ekstrom motioned to approve the June 23, 2020 City Council Meeting Minutes. 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

Susan Clements, 668 E. 3125 N., used the Zoom chat feature to ask how long the City plans to hold virtual meetings before returning to the in-person format. Mayor Berube noted Governor Herbert has extended the emergency order for the State of Utah through September 3, which allows for the City to continue virtual meetings; if the order is not extended past that point, the City will need to identify an anchor location for in-person meetings. The City will explore options for locations that will allow for adequate social distancing.

Stefanie Casey, 2444 N. Barker Parkway, used the Zoom chat feature to ask what the City's full-time events coordinator is doing, who books the bands for Monday night concerts, and how much those bands are being paid.

Kim Ekstrom, 955 Deer Meadows Drive, read the following written statement for the record of the meeting: "Since the last City Council meeting, I have been troubled by the direction the City Council is headed with property to be discussed on item #4, and the agreement with Rod Barker regarding the use of City property.

To summarize my understanding, Rod asked his friend and neighbor, Mayor Harrop if he could have a garden on the City property adjacent to his home and was told "We would be delighted." Since then Rod and Melanie have used this 2/10 of an acre property for a personal garden and an extension of their yard. The City is now considering options to allow the Barker's continued use of the property.

Beyond Mayor Harrop, I am not sure who else in the city was aware of or approved this use originally. If this request came to Mayor Berube today, I think (or at least hope) he would not feel he had the authority to approve it.

I've lived in the Barker Park neighborhood before Rod and Melanie's home was built. I have been in Rod and Melanie's yard several times for neighborhood parties. A couple of times over the past decade, I have been gifted produce from Rod's beautiful garden. I was shocked to learn that this garden and yard extension is on City property.

This is not a small, annual garden. Not just a few tomato plants and some corn. In addition to a large garden, underground irrigation was installed, sod was laid, fruit trees were planted and a fire pit was built. Let's call it what it is: a private park on public property.

I don't want to imply that the Barkers have "taken advantage" of the City. I don't believe that kind of ill intent existed but we should acknowledge that Rod and Melanie have had an advantage for many years that other residents were not afforded.

In addition to the suggestion by Rod in the last city council meeting that he should have logged the work and materials that went into improving the property, he should have also logged the volume of produce created and who got how much, who enjoyed the use of the firepit and extended yard, etc.

While friends and close neighbors received incidental benefit, I believe Rod and Melanie's family got the lion's share. I have no issue with those doing the work getting the reward. I do have an issue that this was done on city property in a manner that was not then and is not now available to any other resident.

I believe the agreement the City Council is discussing puts the cart before the horse. It is not clear to me that the City has really explored the implications of this agreement. I have a number of questions and observations.

1. Does it make sense to formalize a past decision that was not properly reviewed and approved in the past without a very complete and careful review?
2. The City has already had issues, a lawsuit and community strife by entering into an agreement with the Barker Family with special provisions and future conditions. The City should not enter into any agreement that is not a straightforward, arm's length, market based financial transaction. You should not kick this can down the road.
3. Has the city done a market assessment of the property value? If the City allows Rod and Melanie to use the property for free during their lifetimes, what is being given away, including the value the city would forego by selling the property and collecting property tax?
4. What is the city's liability if something happens on property that the city still owns?
5. What is the short, medium, and long-term impact to future land use in the city without this property? What future plans are impacted, or what future flexibility do we give away?
6. Will the City make the same offer to the property owner north of the same hollow? If not, how would the City justify its denial of such a request?
7. Does the City set a precedent for other residents to set up gardens, plant fruit trees, build firepits, erect storage sheds, assemble trampolines, etc., on unused city property adjacent to their property?
8. How does the city offer residents whose property doesn't border vacant city property a similar benefit?

I think before any decision is made about this property, more detailed discovery and analysis is needed on at least a couple of aspects.

1. Is the property truly surplus and should the city dispose of it? I am not clear on the impact to parks, planning, and development if the city lets this property go. A

quick map review shows that we may limit our ability to build trails connecting with Oak Lawn park or to facilitate access to Barker Park from new development.

2. If the City sells the property, what is the market value? I am not a real estate expert but it seems that once the property is attached to an existing lot, it would have current market value, since the combined property could be immediately sold and that value received.

For example, if 1/3 acre lots in a less desirable area of the City are currently selling for about \$160,000, this implies a per acre value of at least \$480,000. If the property under discussion is 2/10 acres, this implies a market value of nearly \$100,000. I am sure a real estate expert could provide a more sophisticated analysis, but even simple back of the envelope math suggests that the property is quite valuable.

3. I believe the City Council should oppose any agreement that allows free use of a nearly \$100,000 city property, especially an agreement that is of indeterminate length. Depending on how it was drafted, it may make sense for a year-to-year agreement if is some reasonable payment to the city for use of the property and the city has the annual right to cancel the agreement at a date prior to the start of the gardening season.

I understand the Barker's desire to protect their investment in this property. I also understand the desire of close neighbors and friends who support allowing the Barkers to continue using the property. Had the Barker's just gardened on the property, their long-term investment would have been nearly zero. This property was not actually theirs to invest in, they have already gotten significant value for the investment they made, and the value of whatever infrastructure is there should not be a factor in the City's decision. Depending on future use, there may be a cost to remove what has been placed on the property. Your responsibility as a City Council is to protect City assets for all North Ogden residents and consider the cost to all residents for benevolence to one family."

3. **DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT FOR THE SALE OF A PORTION OF THE PUBLIC WORKS PROPERTY LOCATED ON PLEASANT VIEW DRIVE**

City Manager/Attorney Call explained this item is a discussion about the potential sale of .12 acres of property off the old public works property site. This property is located at 346 E. Pleasant View Drive and he identified the property using the aid of a map. The Council must hold a public hearing to declare this portion of the property as surplus. The offered price for this property is \$19,500 and includes a cross access easement so that at a future point the City will be allowed to utilize the same access point for a parking lot should the old public work site redevelop. The Council should review the information and determine if selling the property is in the best interest of the City.

Mayor Berube referenced the rising discussion of the potential closure of Pleasant View Drive's access to Washington Boulevard with the idea of expanding the surrounding properties into a commercial area or park and he asked if this disposition of property

could impact those plans. Mr. Call stated that one of the benefits of this proposal is that it will allow for traffic flow or shared access between different properties; however, Utah Code governs the abandonment of a public road and the implications of such an action for abutting property owners. In a common instance, the abandoned portion of the road would be divided down the middle and deeded to the property owners on either side, with the southern portion being turned over to the City. The City has the opportunity at this time to discuss the relocation of the access to the Coldwater Animal Hospital in anticipation of future development of the area. Mayor Berube stated he wants to ensure that the action proposed tonight will not limit the City's options in the future. Before a decision is made, there should be an understanding of how to deal with the right-of-way. He then referenced Mr. Ekstrom's comments from earlier in the meeting and noted that if he interpreted those comments correctly, in reference to the disposal of residential property, he believes the value of residential property is \$400,000 per acre; that leads him to question the \$19,500 value assigned to this parcel of property, which is commercial in nature. He noted, however, that Mr. Ekstrom's referenced value was likely for an improved lot. Mr. Call stated that there are some State statutes that indicates the City must receive fair value for disposal of property, but they do not provide direction for how to determine that value. If the Council would like, Administration can collect estimates for the property; however, an appraisal would cost approximately \$3,000, which will reduce the total amount the City will receive for the property. He could contact a broker to provide market analysis for the property. Mayor Berube stated that at a minimum, he wants to address the right-of-way issue and he invited Council discussion on the topic.

Council Member Ekstrom stated that if Pleasant View Drive is divided down the middle in the future and given to property owners on either side, she wondered if Coldwater Animal Hospital could use their portion as an exit from their property and still gain access to 400 East or Washington Boulevard. Mr. Call stated the purpose of the statute governing the abandonment of a road is to ensure that no property owner is landlocked as a result of the action; he used the aid of a map to illustrate the manner in which the Coldwater Animal Hospital could use a portion of the property as a driveway. He is not aware of an instance where a City has abandoned a portion of a road in order to turn the area into a park. Council Member Ekstrom stated the topic of abandoning the road is somewhat confusing; she needs more information about how the area would be changed in order to facilitate some sort of development, whether commercial or for a park.

Council Member Swanson stated he would like to table action on this item until Mr. Call is able to gather more information about how the area could change based upon the potential to abandon a portion of Pleasant View Drive and whether there is interest among the other property owners about joining the upper and lower lots and how they will design their ingress/egress from the property.

Council Member Swanson motioned to table the sale of a portion of the Public Works Property located on Pleasant View Drive until a time that City Administration can research State statutes governing the abandonment of a road in

favor of development; and until City Administration can discuss with the adjacent property owners how they will address access between their parking lots and ingress/egress from their property; and direct City Administration to pursue a fair market analysis or broker's opinion regarding the value of the property. Council Member Ekstrom 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.

Mr. Call advised the Mayor and Council to still hold the public hearing to satisfy the statute requiring a public hearing for this type of property transaction.

a. The Public Hearing was opened at: 6:33 pm

There were no persons appearing to be heard.

Council Member Stoker motioned to close the public hearing. Council Member Cevering 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.

The Public Hearing was closed at: 6:33 p.m.

4. DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH ROD BARKER FOR THE PURPOSE OF USING CITY PROPERTY.

City Manager/Attorney Call explained that over the past several months the Council has been discussing the possibility of granting permission for the continued use of some

property the City owns off Barker Parkway to allow for the Rod and Melanie Barker family to continue to maintain their garden. A drafted agreement allows for the Barkers to maintain their garden as long as Rod or Melanie resides in the home. In Administration's discussion with the Barkers, there was reference to the possibility of one of their kids purchasing the property and possibly wanting to continue the garden at that time. The Council will need to discuss this along with any other provisions to determine which path they would like to go down. Staff recommends the Council review the Agreement and be prepared with questions for staff and the Barkers.

Council Member Ekstrom stated she has many questions about how the City has arrived in this strange situation and whether there were agreements governing the Barkers' use of the property. She stated because of the many outstanding issues she can see, she feels that more discussion is needed and questions need to be answered about their continued use, especially at no cost. It seems that there were many different understandings between the City and the Barkers, but those understandings were never documented; her concern is that the City needs to be fair and impartial to all residents in the City and the residents paid taxes to buy that property. The City should maintain stewardship over the property for the entire City to use, not just for particular parties to benefit. She would like for her questions to be answered before moving forward. Mayor Berube inquired as to Council Member Ekstrom's specific questions. Council Member Ekstrom inquired as to the circumstances of the property acquisition wondered if the City buy the property from the Barkers and then members of the Barker family bought lots back from the City or if they were deeded property before the City acquired it. Council Member Ekstrom was provided with the answer that members of the Barker family bought lots back from the City. Council Member Ekstrom asked why Rod and Melanie Barker were not able to get the subject property included in their property from the beginning and why they are now trying to get the property. She noted that property values are currently very high and she is concerned about the City not getting compensated for the property if the decision is made to dispose of it. She asked if at the time the Barker's were given approval to use the property, did the City understand they would place permanent fixtures on it, such as an in-ground fire pit, irrigation system, and fruit trees. Generally, someone would not invest that much in property they do not own. Mayor Berube stated that he does not necessarily have the answers to all of those questions, though it is his understanding that all previous Mayors knew about this situation and they basically consented to it by doing nothing to prevent it. The reason the issue is being raised now is that it is time to address it; the Barkers want to ensure there is some resolution to define the arrangement for use of the property. He deferred to Mr. Call to see if he has any answers to the questions and then to Council Member Barker to provide additional insight. Mr. Call stated that the purchase and sale agreement for the entire 40-acre parcel of property upon which the Barker Park Subdivision is located, part of the agreement was to allow Barker family members to purchase lots back from the City at the cost to develop and install improvements. Each family was limited to purchasing two lots. Council Member Ekstrom stated there are nine members of the Barker family, but only two living there and she wondered if there was a reason for that. Mayor Berube asked why the subject property was not initially included

in Rod and Melanie Barker's lot. Mr. Call stated the intent was to have the lots meet the minimum size standards, which was a half-acre in size, and then save the rest of the property to remain as undeveloped or future park property. This information is somewhat a conclusion based on the information he has, which may or may not be accurate. Mayor Berube stated he can understand the requirement for lots to be a half-acre minimum, but retention of the subject property for future park development seems odd since the shape of the property is strange and would be difficult to use for a park purpose.

Council Member Barker then stated that all he knows is that when the Barker Family sold to the City, the City designed the subdivision and laid out the plat; Rod Barker wanted his lot because it overlooked the ravine. The lot is exactly the square footage of the minimum lot size for the RE-20 zone. He stated that for years, Rod Barker asked the City to maintain the property, but they refused to and finally told him to maintain it if he wanted it done. That is why he started maintaining it and he has had permission from all past Mayor's as the City had no interest in it. He has tried to buy the property, but the City keeps telling him that it is not for sale. But, if the City does not want to sell it, they should maintain it. The current City Council has weighed in on the issue and indicated they did not want to sell the property; this is why the current scenario has been presented for action tonight.

Mayor Berube stated he cannot speak to the City's past decisions regarding the property, but he does not believe that the City would have the capacity in the near future to develop the property based on other park needs and the availability of funding.

Council Member Swanson agreed the issue is a 'mess' and is a result of the manner in which issues used to be handled in the City through verbal and hand-shake agreements. However, he does not fault Rod and Melanie Barker; they have taken care of the property and it is beautiful. He would not consider planting trees or installation of sprinkler lines to be permanent features; the firepit may be somewhat more permanent, but could still be removed. He stated tonight is looking to strike a balance between honoring the agreements made by past City Administrations and recognizing the fiduciary responsibility the City has to its residents to protect parks and potential park lands. That is why he suggested the agreement, which he feels is a compromise between the two. He feels the Barkers are only honoring past agreements they have entered into with the City and he thanked them for taking care of the property. He would like to allow Rod and/or Melanie to continue to use the property so long as one of them still lives in the home, or such time the City has the finances to develop the property for public park use, the City could exercise a 90-day notice to take possession of the property. He also suggested installing a pole and wire fence along the property line to delineate the line between the City owned property and private property and identify the area upon which the allowed use by the Barkers is being permitted.

Mayor Berube stated he believes the City has learned lessons from the manner in which these kinds of issues were handled in the past; he would like to document the agreements being made regarding this property and he supports the recommendation made by

Council Member Swanson, with the only suggested change being that the City would give the Barkers six months' notice before taking possession of the property.

The Council discussed and debated the recommendation made by Council Member Swanson and concluded to support the agreement; Council Member Barker noted that Rod and Melanie Barker know that there are plans for a trail to be constructed along their property; they will plan to continue to maintain the property even after that trail is constructed. Mayor Berube suggested that the draft agreement be amended to include language about the fence recommended by Council Member Swanson and the plans to construct a trail in the area and how that could impact the Barkers' use of the property. He briefly polled the Council to determine if they want to sell the property or retain ownership. Council Member Barker stated he will not participate in the poll as he has indicated he will not vote on the agreement due to his relation to Rod and Melanie Barker. Council Members Swanson, Stoker, and Ekstrom indicated they are not in favor of selling the property; Council Member Cevering stated he would consider selling the property.

Mayor Berube and Mr. Call summarized the amendments that could be made to the agreement responsive to tonight's discussion; the Council debated the length of time that Rod and Melanie Barker should be given if the City intends to take possession of the property. They settled on a time frame of six months. Mr. Call indicated he will present the following amendments to the agreement to the Barkers for their consideration:

- Inclusion of a map that clearly identifies the property that Rod and Melanie Barker are allowed to utilize;
- Requiring that the City provide six-months' notice of intent to take possession of the property;
- Calling for the installation of a pole and wire fence to delineate the property line between the City owned property and the Barker property.

Council Member Swanson then referenced the request from the Barkers that their children be allowed to continue using the property if there is a point in time that both Rod and Melanie are no longer living in the home and the home is occupied by their children. He stated that he would like for the agreement to specify that the City's property may only be used so long as Rod and/or Melanie Barker are still living in the home; if there is a point in time that they are not living in the home, the agreement should be terminated and any adjustments would need to be negotiated and acted upon by the City Council.

Debate then centered on the viability of the property for open space of park use in the future.

Council Member Swanson motioned to table an Agreement with Rod Barker for the purpose of using City property. Council Member Ekstrom 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.

Council Member Barker inquired as to where the fence would be installed. Council Member Swanson stated that he envisioned the fence being installed on the property line running east/west between the Barker property and the City property. He stated that he would propose that the fence have a gate to provide Rod and Melanie easy access between their property and the City property that they have used for a garden. Mayor Berube inquired as to the purpose of the gate given that the City will be expected to expend funds to install the fence. Council Member Swanson stated that in his mind, the purpose is to give a visible delineation between City owned property and private property so that any person in the area is not accessing private property.

5. DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT ON THE BARKER PARK CONSERVATION EASEMENT

City Manager/Attorney Call stated over the past couple of years the City has placed a conservation easement on all the property purchased back in 2000 to keep development and construction off those properties which do not relate directly to parks usage. Most of those properties were owned by the Municipal Building Authority. In that transaction staff realized that we missed placing the conservation easement on Parcel 17-259-0002. The Council held a public hearing on declaring this property as surplus several weeks ago. Staff recommends the Council declare the development rights as surplus and enter into a conservation easement for this property to maintain it as parks space in perpetuity.

Council Member Cevering asked if this conservation easement relates to the property being used by Rod and Melanie Barker that was discussed under the previous agenda item. Mr. Call answered yes. Council Member Cevering asked Mr. Call to summarize the pros and cons of the conservation easement. Mr. Call stated the pro of the easement is that once it is recorded, there will be no reason for future discussion regarding what can happen on the property. The con would be that some development rights for the property will be eliminated; however, there are not many development options for the property given its slope and water issues. From the perspective of the Parks and Recreation Department, the area will be benefitted by ensuring the property remains open.

The Council engaged in brief philosophical discussion about the benefits of conservation easements, ultimately concluding to support the easement as it is harmonious with the conservation easements that have been applied to other property in the area. Council Member Cevering stated he only asked questions about this issue because it was not a concern until the City was asked to consider whether to allow Rod and Melanie Barker to purchase the property; he is supportive of the conservation easement, but he feels the timing is interesting. Mr. Call stated that the conservation easement was requested by residents in the area, including Rod and Melanie Barker; they wanted the easement to be imposed on the property as it was only left off as an oversight.

Mr. Call stated it is important to note that the Council has already held a public hearing regarding this matter and that is why a public hearing was not scheduled for tonight.

Council Member Swanson motioned to approve Agreement A23-2020 on the Barker Park conservation easement. Council Member Cevering 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.

6. DISCUSSION ON CROSSWALK SIGNS ON 2000 NORTH

City Manager/Attorney Call explained the City has been approached about installing a flashing crosswalk sign on 2000 North and 150 East for kids who are walking to Elementary and Junior High School in the area. There is not enough foot traffic at this intersection to warrant the hiring of a crossing guard. Normally, the City would simply not hire a crossing guard and it would be up to the students to carefully cross the roadway. However, the City has been asked to provide information about the cost of the flashing crosswalk and seek the Council's direction. The cost of the sign is around \$5,000 and is not currently included in the budget. If Council would like to have this sign installed we would need to undertake a budget amendment, as well as provide some guidelines for when we install these types of flashing signs. The City receives numerous requests for these signs and several have been granted, but the City is unable to put them at every intersection. From staff's perspective, the City should be focusing on these signs along arterials and collector streets.

Mayor Berube asked Police Chief Quinney to report on the findings of the traffic study. Chief Quinney reiterated the number of school aged children crossing the road at the intersection mentioned by Mr. Call does not warrant actions resulting in altering traffic. That is not to say that there are no school children and the concerning thing to him is the number of cars that travel through the intersection during the times that children are walking to and from school. There were approximately 300 vehicles per hour and anyone crossing the intersection does not have a significant gap in traffic in which to make the crossing. Even though the intersection does not meet the criteria for a crossing guard and an enforced school zone, it does warrant a flashing pedestrian assisted crossing light. These lights do increase safety at intersections and have been successful in other areas of the City. He would support installation of this type of light at this intersection.

Mayor Berube asked for direction from the Council.

Council Member Stoker motioned to proceed with considering a budget amendment in October to pay for the installation of a flashing light at the intersection of 2000 North 150 East; work to be completed as soon as possible. Council Member Cevering 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.

7. DISCUSSION ON THE CARES ACT FUNDING

City Manager/Attorney Call provided the Council with an update regarding the use of CARES Act funding in the City; Federal legislation specifies allowed uses of CARES monies, most important of which is paying the salaries of first responders – including those that were already budgeted for. The City has also been able to use the money to perform moisture barrier upgrades at City Hall and purchase personal protective equipment for employees. Audio/visual equipment and payment of the Zoom's subscription have also been covered using CARES funds.

Mayor Berube then noted that the City participated with Weber County in allocating CARES grant monies to small businesses and he reported that 36 businesses in North Ogden benefitted from that program. He thanked Council Member Swanson for his representation of the City in that program.

Finance Director Nelson then noted the City received approximately \$595,000 in the first round of CARES Act funding; the City retained 10 percent of that and sent the rest to the County for distribution. The City will receive its second round of funding soon, which should be close to the same amount from the first round. Plans were to send a major portion to the County, but with new information from the Federal Government that the money can be used for public safety costs, Administration felt it important for the Council to weigh in on this fact and how to use the funding. Additional clarification regarding appropriate interpretation of the Federal guidance may be needed as the initial guidance was that CARES funding could not be used to cover expenses that had already been budgeted. Staff feels the latest guidance from the Federal government can be relied upon. Mayor Berube noted that the County has expressed an understanding that municipalities will retain all of their second round of funding for City use and they will be submitting an amendment to the agreement to that effect. He then noted that he will ensure that total clarification on funding allowances will be secured before any funds are expended.

The Council briefly discussed the issue and expressed their support for Administration's use of CARES Act funding to protect City employees and to sanitize public spaces to allow for appropriate public use. Mr. Call stated that he will come back to the Council with formal action regarding the allocation of CARES Act funding.

8. COUNCIL REPORTS:

a. Council Member Stoker – Police

The Police Department would like to make residents aware that vehicle burglaries are on the rise and they recommend that everyone lock their vehicles and shut their garage doors. She added that the Department participated in an event that included a drive past a home of a young resident fighting cancer; this lifted the spirits of the young person. She then noted the Chief will be interviewing candidates for a vacancy in the Department. One of the candidates that will be interviewed is already law enforcement officer (LEO) certified. She added that Officer Preece is the City's new school resource officer and he has done a great deal of work preparing for the upcoming school year. She thanked the Department for all they do to keep the City safe. She concluded that the Department and Public Safety Committee continue to evaluate the City's needs for a new Public Safety facility. The City of North Ogden is lucky to have not been impacted by riots and other unrest that are impacting other communities. However, the City's Police Department still needs a facility that provides safety and security for all employees and visitors.

Mayor Berube stated that he and many others have received positive feedback from the mother of the young resident fighting cancer. The gesture made by the Police Department helped to increase good will in the community.

Council Member Stoker briefly mentioned an occurrence in the City that required a response from the Police Department and the North View Fire District. The response saved the life of an individual involved in the event.

b. Council Member Cevering – Public Works

The Public Works Department has completed four large projects since the first of July, including crosswalk at 3100 North, crosswalk striping throughout the City, Lomond View bathroom repairs, Posse Ground booth, and a major milestone in sewer line lining. He also discussed the work being done to negotiate the terms of the lease of garbage vehicles, given that the in-house garbage collection program will not start this year. Two vehicles have been sold to another municipality and the sale of the third vehicle is still being pursued. He then reported on improvements made relative to the Department's use of the Iworq system, which will improve the Department's response to citizen comments or complaints that result in the generation of a work order. He then provided a brief update regarding work being done by the Economic Development Committee (EDC), after which he noted he is still working to gather information about use of the North View Community Center.

c. Council Member Ekstrom – Parks and Recreation

The Parks and Recreation Department has done an excellent job at responding to COVID-19 and making facilities safe and publicly accessible. They were disappointed by the cancellation of Cherry Days, but have other projects they are working on. The North Shore Aquatic Center has opened and is being used by many from North Ogden and other communities as swimming pools in most other cities remained closed throughout the summer. She reported on some of the special events held at the pool, after which she noted that staff has worked to upgrade fields at Oaklawn Park, assisted in the Lomond View restroom repair project, and hosted summer camps and recreation programs that could be held safely. Barker Park will be utilized for music Mondays and food truck events. She concluded that a hammock park was installed and improvements were made at the City's equestrian park.

Mayor Berube stated that he has heard from residents about their desires for the City to maintain Bicentennial Park now that it has been cleaned up. Also, the City has been asked to maintain the Gold Star monument area at City Hall. He asked that Council Member Ekstrom provide that feedback to the Parks and Recreation Department. He then responded to the question about music Mondays. The City receives recreation, arts, museum, and parks (RAMP) money from the County at the rate of \$1.00 per each resident and a portion of that money is used for music Mondays. Council Member Ekstrom added that the City's special events employee is paid a salary and that information is public record that could be researched by any interested resident.

Mayor Berube asked Council Member Ekstrom if she has an update for the Council regarding the Arts Guild. Council Member Ekstrom answered no. Mayor Berube stated that it is his understanding that the members of the Guild that have already been appointed will begin interviewing potential additional members. Once membership has been determined, the Guild will begin refining their bylaws.

9. PUBLIC COMMENTS

Julie Anderson, 940 E. 2600 N., thanked the Police Chief for investigating the safety of the intersection of 2000 North 150 East. She drives in that area frequently as she works as a substitute teacher. The road is difficult to navigate as it is somewhat windy and the striping is not visible in some areas. She believes that the installation of a flashing crossing sign is warranted. She then noted that meetings have not been held regarding the Senior Center, but the facility has cancelled nearly all of their events because of COVID-19. She noted a paper shredding event will be held this Friday at the Center from 9 to 11 a.m. She concluded by thanking the City for completing the announcers stand at the posse ground. The only issue relates to electricity infrastructure not being run to the stand and she asked if that can be done. Otherwise, the stand is great and will benefit the groups that use the facility in the future.

Brenda Ashdown, 193 E. Pleasant View Drive, stated that the trees still have not been planted on the Public Works property as promised. She then noted that she still has the same complaint about the City's website. It is difficult to get information from the website and it is not very user friendly. The link to sign up for an email version of the website is not working and she thanked City employee Lynne Bexell for emailing the document to her as requested.

Mayor Berube stated that improvements to the website are needed and he is working with Mr. Call to ensure those improvements are completed.

10. COUNCIL/MAYOR/STAFF COMMENTS

Mr. Call reported the final Music Mondays concert will be held next Monday. The performer is Ryan Shupe and food trucks will be at the park as well. Mayor Berube stated that he has challenged City staff to be creative in increasing participation in the event. It is saddening to him to see just 50 or 60 people at those events.

Council Member Swanson asked if the CARES Act funding can be used for the flashing crosswalk signs that were discussed earlier in the meeting. Mr. Call answered no; valid public safety expenses are only salaries or equipment purchases needed to respond to COVID-19.

11. **ADJOURNMENT**

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

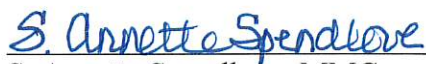
Voting on the motion:


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

The motion passed unanimously.

The meeting adjourned at 8:21 p.m.


S. Neal Berube, Mayor


S. Annette Spendlove, MMC
City Recorder


Date Approved