

**NORTH OGDEN CITY COUNCIL
MEETING MINUTES**

September 8, 2020

The North Ogden City Council convened in a virtual meeting on September 8, 2020 at 6:07 p.m. at <https://us02web.zoom.us/j/87582899928> 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 September 3, 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

VISITORS: Brad McCann Bradley McCann Hannah Goodrich
 Kevin Burns Stefanie Casey Susan Clements
 Terri McCulloch Brenda Ashdown Dennis Carlton
 Jacob

Mayor Berube called the meeting to order. Council Member Swanson offered a thought and led the audience in the Pledge of Allegiance.

CONSENT AGENDA

1. **DISCUSSION AND/OR ACTION TO CONSIDER JULY 28, 2020 CITY COUNCIL MEETING MINUTES**
2. **DISCUSSION AND/OR ACTION TO CONSIDER AUGUST 4, 2020 CITY COUNCIL MEETING MINUTES**
3. **DISCUSSION AND/OR ACTION TO CONSIDER AUGUST 11, 2020 CITY COUNCIL MEETING MINUTES**

Council Member Barker noted that the roster for the August 4, 2020 minutes list him as excused, but he was actually present at the meeting; he has informed City Recorder Spendlove of the error and she has corrected the minutes.

Council Member Cevering motioned to approve the July 28, 2020, August 4, 2020 (as amended), and August 11, 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

4. PUBLIC COMMENTS

Brad McCann, 1075 E. 2929 N., stated that he is seeking information about starting a new business in the City; his family has started a small business that he referred to as a ‘mobile escape room’. This is an entertainment business that accommodates small groups of four to eight people. He discussed the business model and noted it is established as a limited liability corporation (LLC) in the State of Utah; he has also obtained a North Ogden City business license. He stated the website for his business is www.theescapepodutah.com and he encouraged the Mayor and Council to visit the website to get more information. He concluded by again asking if and how he can operate at North Ogden City park – similar to food trucks – to operate his business.

Mayor Berube asked Mr. McCann if his main concern is the inability to operate his business from City park space. Mr. McCann stated that he wants to understand the right way to operate from a park; what does he need to do to get City approval for that. City Manager/Attorney Call indicated that most activities that occur in City park space are related to a special event or mass gathering. He is not aware of a gathering in a park that is not City sponsored and he is not sure how to address a request to allow a business to operate from a park. He stated it may be necessary for Mr. McCann to seek approval of a special event permit. Mayor Berube asked Mr. Call to review any ordinances or statutes that would govern the use of City parks for business purposes and reach out to Mr. McCann outside of this meeting. Mr. McCann then asked if he would be allowed to run the business from his home. Mr. Call stated that the City’s home occupation ordinance prohibits home businesses that would require customers or patrons to come to the home.

Mayor Berube asked if there are exceptions to the ordinance and he cited the example of a hair stylist that may have a salon in their home. Mr. Call stated those businesses receive traditional business licenses rather than home occupation licenses. Mr. McCann then asked if he could negotiate an arrangement with a local business to use their private parking area to operate his mobile business from. Mr. Call stated that the City has rules for firework stands or food trucks that typically operate from a private parking lot; those entities are required to have a license and he imagines that the same licensure requirements could be applied to Mr. McCann's business for that purpose.

Brenda Ashdown used the Zoom chat feature to reference the agenda item related to the North Ogden Connection Magazine; she noted that in the last six months she has only received the magazine once before the 2nd of the month. All other deliveries have arrived after the 8th of the month. She does not believe the magazine is the best way to get information to the residents. Mayor Berube stated that he is in the same situation; he typically does not receive his magazine until around the 10th of the month, but that may be the fault of the United States Postal System rather than the North Ogden Connection.

5. **DISCUSSION AND/OR ACTION TO CONSIDER THE REQUEST TO USE THE AMPHITHEATER FOR THE MISS NORTH OGDEN PAGEANT**

Hannah Goodrich stated she is the Executive Director of the Miss North Ogden Pageant scholarship program. This is a local non-profit affiliate of the Miss America Program, which is one of the world's largest scholarship providers for young women throughout the world. She discussed some of the work done by past pageant participants and royalty, emphasizing that they are making a positive difference in the community. She stated due to the impacts of COVID-19, the pageant cannot be held at Weber High School This year. She noted that the Miss North Ogden Pageant would like to partner with North Ogden City. She asked the City to sponsor the pageant in the form of providing access to the Barker Park Amphitheater to allow the pageant to continue while observing social distancing guidelines.

Council Member Ekstrom stated she is a huge supporter of the Miss North Ogden program; she received a cash scholarship through her participation in the program and it allowed her to attend the school of her choice. Additionally, the program provides participants the opportunity to learn valuable skills and the importance of service, which will benefit them throughout their entire life. She asked how long the pageant will need access to the amphitheater facility. Ms. Goodrich stated that the pageant will be held September 26; the facility will be used that entire day as well as the evening before for a dress rehearsal. The pageant has an entire board of volunteers that can help with operations and production of the event, but may need some support of City facilities employees to ensure that the facility is being operated properly.

Council Member Stoker asked if the pageant has a back-up plan in the event of inclement weather. Ms. Goodrich stated that all participants are aware there may be issues that arise due to weather and the pageant being held in an outdoor venue. The pageant will go

forward so long as weather is mild, but if it is not possible to hold the event outside, it will be switched to a completely virtual format.

Council Member Cevering stated it was his understanding the pageant would be cancelled this year and he thought this discussion was in preparation for the 2021 pageant. Ms. Goodrich stated that the pageant feels strongly that the pageant should be held this year and that young women in the community should still have the ability to compete for a scholarship. Additionally, the entire community is in such need of joy and positivity.

Mayor Berube inquired as to the number of young women that have signed up for this year's competition, to which Ms. Goodrich answered 19. Mayor Berube asked if anyone can sign up to compete. Ms. Goodrich answered yes; there is a wide variety of participants, many of which who will receive scholarship monies simply for participating. Mayor Berube inquired as to the number of participants who are from North Ogden. Ms. Goodrich stated the majority of them are from North Ogden, but there are some contestants from outside of the community. One thing that is special about this program is that is attractive to people outside the community. Those that come to North Ogden to be part of the event or watch the event are given a chance to see how wonderful this community is. Mayor Berube asked if the pageant organization has its own insurance. Ms. Goodrich answered yes, the pageant falls under the umbrella of the Miss Utah Scholarship Organization 501(c)(3) and has access to the Miss America liability insurance policy, which is \$1 million. Mayor Berube asked if the pageant would be willing to consider granting a small scholarship in North Ogden's name as recognition of use of the amphitheater. Ms. Goodrich answered yes and indicated the pageant committee would welcome the City's help in identifying the contestant that should receive the scholarship.

Council Member Swanson stated he has participated as a judge in the pageant in the past and he has learned about the value of the pageant for the young women in the community. He stated he will gladly support the program as requested. Council Member Barker agreed and added that he is glad to hear that anyone can sign up to be a contestant in the pageant.

Council Member Swanson asked Mayor Berube if he has an idea of the amount he would like to see for the North Ogden scholarship. Mayor Berube stated he does not have strong feelings about the amount of the scholarship. Ms. Goodrich stated she would be happy to review the current budget and funding available for scholarship awards. She noted that she would also be happy to rename a previously used scholarship as the North Ogden City Community Service scholarship award. Mayor Berube stated that he would support Ms. Goodrich working with City Administration to identify the funding available and make a recommendation regarding the total amount of the scholarship. He stated he likes the idea of renaming an old scholarship as mentioned above.

Council Member Ekstrom motioned to approve the request to use the amphitheater for the Miss North Ogden Pageant with conditions of North Ogden City sponsorship, liability insurance, and other required items as discussed. 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. REPORT ON THE NORTH OGDEN CONNECTION

Ryan Spelts, North Ogden Connection, provided the following annual report regarding the relationship between the City and Connection publishing:

The September 2020 North Ogden Connection magazine marks the 4th year of publishing the North Ogden Connection in a partnership between Connection Publishing and North Ogden City. In that time, we have accomplished the following:

1. Published 48 issues.
2. Included 896 articles, recipes and announcements in those issues.
3. Had 52,372 visits to the website hosting the articles and advertisers.
4. Generated over 1mm impressions for city news, local stories and for local advertisers.
5. Had over 1,000 entries, by residents, into our annual photo and art contests and awarded \$1500 in prize money to winners.
6. Delivered 1200 magazines to North Ogden Jr High School English classes to be read through and proofed to find mistakes that somehow still make it through our 2-step proofing process.
7. Hired 15 people most of whom are local to help with content, editing and design.
8. Retold 48 historical stories about the people and places in North Ogden for the public to be able to know and connect with our community's great history.
9. Published 3 Cherry Day's magazines (would have been 4 if not for COVID) and included them with the magazine at our cost as a thank you for taking a chance on an unknown publishing company with a unique idea to partner with the city as a communication tool.

Connection Publishing has enjoyed making the magazine for the last four years; they enjoy the connection they feel with the City and with the residents who read it. They are grateful for the support of the City Councils and Mayors they have worked with. They have also really enjoyed working with Jon Call, Tiffany Staheli, Annette Spendlove,

Joyce Pierson, Lynn Bexell, Shelly Robison and many others at the City who have contributed to the publication over the past 4 years.

Mr. Spelts then addressed the comments made by Ms. Ashdown at the beginning of the meeting; the year 2020 has been a difficult year relative to adjusting operations responsive to COVID-19 and other issues. Printing and mailing magazines have been harder than in the past and he hopes to see that corrected in the near future.

Mayor Berube stated that the City has a five-year contract with Connection Publishing; the City must give one-year notice of an intent to terminate in order for the magazine to notify their advertisers. He stated he does not intend to terminate the contract, but wanted the Council to be aware of that requirement. He then asked if Connection Publishing prints the magazine for Pleasant View City, to which Mr. Spelts answered yes. Mayor Berube asked if it is correct that Pleasant View City has not been charged for that service. Mr. Spelts stated that the Connection is not the official magazine of Pleasant View and that City does not have any say in the information that is included in the magazine. There is no agreement with Pleasant View City similar to what Connection Publishing has with North Ogden. He stated that publication of a Pleasant View version of the magazine was a strategic decision made by Connection Publishing, but the company has informed Pleasant View that if they do not want to enter into a formal agreement to continue the publication of the magazine, it will be eliminated because it is costing Connection more than it is generating in revenue.

Mayor Berube asked City Manager/Attorney Call to provide an overview of the City's current contract with Connection Publishing. Mr. Call indicated that the contract has a five-year term, the City contributes the money that would have otherwise been spent on the old newsletter to the publication of the magazine (\$533.00 per month), and the City is not liable or obliged to any advertiser in the magazine. Political advertising is not allowed in the magazine. He highlighted the termination clause referenced earlier by Mayor Berube and noted that the City actually must provide 90-day notice to terminate, but Connection Publishing can continue to publish the magazine without financial contribution from the City for a full 12 months.

Mayor Berube asked Mr. Call to discuss what the City is now doing with its newsletter. Mr. Call stated that all content is published online, with limited printed news publications in the City's utility bill. An administrative professional in the City is publishing a document called "The Cherry On Top", which focuses on positive things happening in the community.

Mayor Berube thanked Mr. Spelts for the information provided tonight and for the service that Connection Publishing provides to the City.

7. **QUARTERLY FINANCIAL REPORT**

Finance Director Nelson provided a summary of the Quarterly Financial Report for the period ended June 2020, which was included in the City Council's meeting packet. This report includes sales tax data for the full 2020 Fiscal Year. Revenues came in much stronger than projections in spite of the Coronavirus pandemic. Total revenue was \$3,217,437 which is \$273,947 or 9.3 percent more than the projection. The total represents a 11.6 percent increase over the previous fiscal year. While March saw the beginning of the Coronavirus shutdown, it also saw a spike in grocery store purchases. While projections for sales tax revenue in the new fiscal year are quite conservative, current trends do not show signs of weakness. He referenced summary graphs showing revenues and expenditures for several funds throughout the City. He concluded by discussing the ongoing economic forecast; the economy is certainly different at this time. Budget discussions have acknowledged the City's limited ability to accurately estimate the severity of the economic impact of the Coronavirus. Administration has projected a 20 percent decrease in sales tax in the coming fiscal year along with decreases in other revenue streams. While the local economy seems to be faring better than those in other parts of the country, future economic conditions remain uncertain; Administration hopes that estimates will prove to be conservative. He noted he will continue monitoring revenues and economic trends as he looks toward continued progress in the fight against Coronavirus.

There was high level discussion among the Mayor, Council, and Mr. Nelson regarding details included in the report and ongoing economic projections that have been adjusted responsive to COVID-19. There was also brief discussion about work underway by the Economic Development Committee to promote local shopping and other activities that could improve the local economy.

8. **DISCUSSION AND/OR ACTION TO CONSIDER AN AMENDMENT TO THE D&Z MINUTE SPECIALIST AGREEMENT**

City Recorder Spendlove reported D&Z Unlimited was selected as the transcriber for the City Council Minutes on June 23, 2020. She has asked D&Z if they would take on the transcription of the City's Planning Commission meeting minutes as well as the City Council minutes and they have agreed. She presented to the Council an amended agreement that has added the Planning Commission meeting minutes to the agreement. This agreement is for (1) one-year term and may be renewed for up to (4) additional annual (1) one-year terms.

Council Member Swanson motioned to Amend Agreement #A11-2020 with D&Z for Minute Specialist Services. 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.

9. COUNCIL REPORTS:

a. Council Member Barker – Building and Planning

Council Member Barker reported the General Plan Steering Committee is still meeting regularly; they will be forwarding a recommendation soon for the City to consider closure of the Pleasant View Drive access onto Washington Boulevard when the road widening project commences. They are also carefully reviewing zoning designations for properties along central and southern Washington Boulevard. The Planning Department is working on the code rewrite project, which includes regulations for the development of sensitive lands in the City.

b. Council Member Swanson – Finance

Council Member Swanson thanked Mr. Nelson for the information provided earlier in the meeting and noted he does not have much to add; he will continue to work with City finance staff to closely monitor revenues in the City in the hopes that the recently adopted budget remains conservative.

Mayor Berube asked Council Member Swanson to discuss work that has been done to create an audit committee. Council Member Swanson stated this is an issue the Council has discussed in the past; two residents were identified as good candidates for the committee and he has reached out to them. He hopes to be able to provide a recommendation of appointment to the Council in the near future. These residents could provide a great wealth of experience to the City from the standpoint a of non-elected official and non-government employee position.

10. PUBLIC COMMENTS:

Dennis Carlton, 2421 N. 400 E., stated he sent a brief email to Council Member Stoker regarding public safety in the community, namely excessive unsolved crimes. He feels the City's Police force may need advanced training and collaboration with other agencies. He has been impacted by crimes that have been financially devastating and it has been difficult for him to monitor these issues.

Mayor Berube stated the safety of citizens is the number one priority of the City Council and he agrees that additional resources may be needed to improve efforts to solve crimes.

11. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Stoker thanked the Public Works Department for their response to the windstorm that caused damage to public and private properties throughout the City. She then noted she had the opportunity to participate in advanced training courses with the Police Department last week and it was very eye-opening to her. She does not envy their position and the decisions they must make in a split second.

Mayor Berube echoed Council Member Stoker's comments about the response of the Public Works Department. City Administration made the decision this morning to open the green waste pit to give residents the ability to drop off yard waste from the storm. He also enjoyed watching neighbors working together to help one another.

Council Member Cevering asked if any portion of the City is still without power. Mayor Berube stated he is not aware of ongoing power outages in the City. Council Member Cevering then also thanked the Public Works Department for responding to the windstorm and helping residents struggling to clean fallen trees and limbs.

Mayor Berube noted that Brenda Ashdown sent a chat indicating that she is still without power. He then noted that wind is in the forecast for tonight and he wished all good luck with these strange weather conditions.

12. ADJOURNMENT

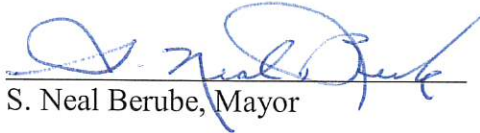
Council Member Swanson motioned to adjourn the meeting. Council Member Ekstrom seconded the motion.

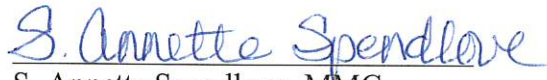
Voting on the motion:

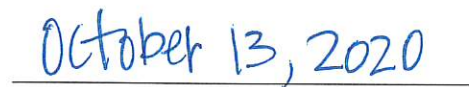
Council Member Barker	aye
Council Member Cevering	aye
Council Member Ekstrom	aye
Council Member Stoker	aye
Council Member Swanson	aye

The motion passed unanimously.

The meeting adjourned at 7:46 p.m.


S. Neal Berube, Mayor


S. Annette Spendlove, MMC
City Recorder


Date Approved