

**NORTH OGDEN CITY COUNCIL  
MEETING MINUTES**

August 24, 2021

The North Ogden City Council convened on August 24, 2021, at 6 p.m. at the North Ogden City Office at 505 East 2600 North. And also available electronically at <https://us02web.zoom.us/j/85332768235> or by Telephone: US: +1 669 900 9128 or +1 253 215 8782 or +1 253 215 8782 or +1 312 626 6799 or YouTube: <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 August 19, 2021. Notice of the annual meeting schedule was published in the Standard-Examiner on December 13, 2020.

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:   Susan Nance                City Recorder

VISITORS:           Carolyn Lietuvininkas     Sandy Cochrane            Mike L  
                         Susan Kilborn              Brenda Ashdown           Leonard Looney  
                         Stefanie Casey             Merrill Sunderland

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.     CALL FOR CONFLICT OF INTEREST DISCLOSURE**

Mayor Berube asked if any Councilmember had any conflict of interest to disclose. No disclosures were made.

2. **DISCUSSION AND/OR ACTION TO CONSIDER THE JUNE 22, 2021 CITY COUNCIL MEETING MINUTES**

Council Member Swanson motioned to approve the June 22, 2021, 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.

3. **DISCUSSION AND/OR ACTION TO CONSIDER THE JUNE 29, 2021 CITY COUNCIL MEETING MINUTES**

Council Member Stoker motioned to approve the June 29, 2021, City Council Meeting minutes. 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.

**ACTIVE AGENDA**

4. **PUBLIC COMMENTS**

Sandy Cochran, North Ogden resident, stated that last week Mayor Berube was contacted by a Standard-Examiner reporter, and he made a statement that surprised her and many of her neighbors; the statement was that Jack Barrett was not required to build a club house in the Village at Prominence Point project until the first apartment was completed. She stated none of the residents in that project area were aware of that and every time she has asked about it, she is told that component of the project has been pushed out six months. When she first moved in, she was told the club house would be completed last fall, then she was told it would be this spring, then again, she was told it would be in the fall. Now,

hearing that the club house will not be built until the first apartment building is built is concerning as she and many others do not believe the apartments will be constructed any time in the next few years. The streetlights are part of the club house project and without them, the area is pitch black at night; the homes and townhomes have lights that are set to shut off at 11:00 p.m., so after that there is no light in the area, making it prime for burglars and other illegal activity. Additionally, kids are playing outside in the evening hours, and it is very dark and unsafe for them. She asked if there is any opportunity for the residents to put pressure on someone to change this requirement.

Mayor Berube stated that the development agreement for the project is a public document and the City's attorney has indicated that the timing of the club house is part of the agreement. He advised that as long as the developer complies with the development agreement, the City can only take enforcement about ordinances that are in effect. The development agreement cannot be changed unilaterally by the City. Council Member Swanson added that the development agreement is only as good as the honor of the other party to the agreement; Mr. Barrett has offered several excuses for not proceeding with certain components of the project and the City has no ability to require him to accelerate construction based upon the terms of the development agreement. Unfortunately, Mr. Barrett decided to retain ownership of the apartments and that is having a negative impact on the entire project. Council Member Stoker agreed; the City Council worked with Mr. Barrett over a time period of seven years; she thought the City had done its best at addressing all details of the project, but unfortunately not including a time frame for the apartments to be built was a flaw in the development agreement. She stated she felt the Council did their best to protect the area, but Mr. Barrett has not performed and has exploited this flaw in the agreement. Mayor Berube and Council Members Stoker and Swanson advised the residents of the community to seek help from the media to try to put pressure on Mr. Barrett. Ms. Cochran stated there was a story on KSL news about this matter last night.

Mayor Berube then noted that he has been told the City has received no plans or applications for the apartment building; however, there have been plans submitted for the four-story senior living center that will go on the vacant field near Ms. Cochran's unit. He indicated that Ms. Cochran can get a copy of the development agreement for her own review.

Brenda Ashdown, North Ogden resident, stated that she lives on Pleasant View Drive, and it is causing issues for traffic in the area; namely, there is a street sign related to the construction that is blocking the view of oncoming traffic at one of the intersections with Pleasant View Drive. She asked that the City look into whether the sign needs to be relocated to preserve the sight triangle. Mayor Berube stated that the Code Enforcement Officer will be sent to inspect the sign and see if it needs to be relocated.

City Recorder Nance indicated she received an email from Carolyn Lieutovininkas with a statement she would like to be included in the public comments section of the meeting.

Her email read as follows: “Hello North Ogden Elected Officials, I am unable to attend the meeting today in person, but I wanted to chime in on a couple of important items. First, no mandates for masks or vaccinations in our City; there are a host of reasons why mandates of these things make no sense, but today I will just say ‘no’. No to the jab, not to the mask, no to our City government mandating anything. Second, no to ranked choice voting. I am not sure what you know about this abomination agreed to by many people. Thank you for your time, I will be watching.”

Ms. Nance indicated that Ms. Lieutovininkas’ email included several online links supporting the comments and recommendations she made in her email.

Mayor Berube reminded Ms. Lieutovininkas that the City Council heard a presentation from the Weber County Elections Official regarding ranked choice voting and they voted not to use the voting method. Additionally, the North Ogden City government will not be pursuing any mandates mentioned by Ms. Lieutovininkas as the City feels that is the responsibility of a higher form of government.

## **5. CANVASS OF PRIMARY ELECTION**

A staff memo from City Recorder Nance explained the official canvass statistics and summary report for the 2021 Primary Election will be available from Weber County on August 24, 2021, as there are still ballots being counted as they can come through the mail with a valid post mark and also any ballots where voters send in an affidavit to have their ballot counted (missing or poor signature type things).

Ms. Nance reviewed her staff memo and presented the Primary Election Canvass report. There are 11,915 registered voters that were mailed the Primary Election ballot; of those, the City received 3,516 returned and counted ballot, for a 29.6 percent turnout. Forty returned ballots were not counted for various reasons, such as no signature on the ballot, signatures not matching the voter registration record, or being received past the deadline. There were no provisional ballots in this election. Ms. Nance then relayed the following:

Blake D. Covering, 1,695 votes (26.32 percent)

Jay D. Dalpias, 1,295 (20.04 percent)

Stefanie Casey, 1,230 (19.03 percent)

Spencer C. Stephens, 960 (14.86 percent)

Gregory Smith, 488 (7.55 percent)

Anthony Swenson, 462 (7.15 percent)

Merrill Sunderland, 332 (5.14 percent)

She reported Blake D. Covering, Jay D. Dalpias, Stefanie Casey, and Spencer C. Stephens are duly nominated to proceed to the General Election ballot. She recommended the Council, acting as the Board of Canvass, accept and certify the results of the 2021 Primary Election. Once the report is approved, it will be posted on the City website.

Mayor Berube noted he was reviewing the report that provides a breakdown of voter turnout by voting precinct; the turnout ranges from 39 percent to 20 percent, for an average of 29.6 percent. He stated he hopes the voter turnout in the General Election will be higher and he encouraged residents to be accurate when submitting their ballot to ensure their vote is counted.

Council Member Ekstrom asked for a map of the precincts in the City. Ms. Nance stated she can obtain that from the Weber County Clerk's Office.

**Council Member Swanson motioned approve and certify the results of 2021 Municipal Primary Election Canvass. 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.**

**6. PUBLIC COMMENTS**

Leonard Looney, North Ogden resident, asked if the top four vote getters from the Primary Election will advance to the November 2 General Election, to which Mayor Berube answered yes.

Brenda Ashdown, North Ogden resident, stated that she is very disappointed that only two of the candidates who ran for a City Council seat are actually present this evening; she has been attending City Council meetings for years and some of the people who have run for office have not attended a meeting. She knows they are able to participate electronically but she hopes that by November, they will have made the commitment and be willing to do their homework and attend City meetings.

Susan Kilborn, North Ogden resident, stated she is watching on Zoom and cannot see the view of the Council Chambers tonight. Secondly, she agrees with Ms. Ashdown and would like to see those candidates who are running for City Council to show their faces and be a bit more proactive in the community.

7. **COUNCIL/MAYOR/STAFF COMMENTS**

City Recorder Nance reported that the Chamberlain annexation has been withdrawn and will not be recorded at this time. She also reported there is no meeting scheduled for next Tuesday as it is the fifth Tuesday of the month. A work session meeting is scheduled for September 7.

8. **ADJOURNMENT**


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

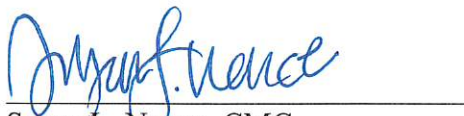
**Voting on the motion:**

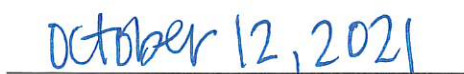
<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**The meeting adjourned at 6:26 p.m.**

  
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S. Neal Berube, Mayor

  
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Susan L. Nance, CMC  
City Recorder

  
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Date Approved