

NORTH OGDEN CITY COUNCIL MEETING MINUTES

January 25, 2022

The North Ogden City Council convened in a Council meeting on January 25, 2022 at 6 p.m. held electronically through Zoom per the Mayor's declaration made on January 11, 2022, recording can be found on 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 January 21, 2022. Notice of the annual meeting schedule was published in the Standard-Examiner on December 16, 2021.

PRESENT:	S. Neal Berube	Mayor	
	Ryan Barker	Council Member	
	Blake Cevering	Council Member	
	Jay D Dalpiaz	Council Member	
	Charlotte Ekstrom	Council Member	
	Phillip Swanson	Council Member	
STAFF PRESENT:	Jon Call	City Manager/Attorney	
	Susan Nance	City Recorder	
	Scott Hess	Planning Director	
	Lorin Gardner	City Engineer	
	Casey Hunsaker	Street Supervisor/Emergency Manager	
	Dirk Quinney	Police Chief	
VISITORS:	Kirby Glad	Sandy Cochran	Reed Miller
	Tate Secrist	Stefanie Casey	Trent Nelson
	Rod Layton	Jeffrey Randall	Merrill Sunderland
	Terri McCulloch	R Wangsgard	Mona Wald
	Cheryl Stoker	Patricia Alatrasta-Franco	

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

PRESENTATIONS

1. OPEN AND FAIR MEETINGS TRAINING FROM 6-6:45 PM

The Mayor and Council received a presentation from Professional Parliamentarian Kirby Glad, PRP, regarding observance of Robert's Rules of Order in public meetings in North Ogden in order to improve meetings and make them more effective.

2. CHILDREN'S JUSTICE CENTER PRESENTATION AT 6:45 PM

Rod Layton and Patricia Alatrasta-Franco of the Children's Justice Center (CJC) presented for CJC as a community partner for law enforcement and the Department of Child and Family Services (DCFS).

CONSENT AGENDA

3. CALL FOR CONFLICT OF INTEREST DISCLOSURE

Mayor Berube asked if any member of the Council had a conflict of interest to declare; no declarations were made.

4. DISCUSSION AND/OR ACTION TO CONSIDER THE NOVEMBER 30, 2021, CITY COUNCIL MEETING MINUTES.

Council Member Dalpiaz cited a few typographical errors in the minutes document and asked that they be corrected.

Council Member Ekstrom motioned to approve the November 30, 2021, City Council Meeting minutes as amended. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

5. **DISCUSSION AND/OR ACTION TO CONSIDER A CLASS A RETAIL BEER LICENSE**

- a. Smith's Marketplace
- b. Walgreen's
- c. Lee's Marketplace
- d. 7-11
- e. Maverik

City Manager/Attorney Call provided a brief summary of the difference between Class A and Class B Beer Licenses.

Council Member Cevering motioned to approve the Class A Retail Beer Licenses for the above-named retailers. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

6. **DISCUSSION AND/OR ACTION TO CONSIDER A CLASS B BEER LICENSE FOR HUG-HES CAFE**

Council Member Dalpiaz motioned to approve the Class B Beer License for Hug-Hes Cafe. Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

ACTIVE AGENDA

7. PUBLIC COMMENTS

There were no public comments.

8. PANNING COMMISSIONER APPOINTMENT

Mayor Berube stated the selection group has recommended the appointment of Cody Watson to the Planning Commission. He asked for a motion to that effect.

Council Member Ekstrom motioned to appoint Cody Watson as a member of the Planning Commission. Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

9. DISCUSSION ON FORSYTHE PROPERTY DEVELOPMENT

Mayor Berube indicated that it is necessary to postpone discussion of this issue until a future meeting and he asked for a motion to that effect.

Council Member Swanson motioned to postpone the discussion on Forsythe Property Development. Council Member Barker seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

10. **DISCUSSION AND/OR ACTION TO CONSIDER A RESOLUTION
REGARDING AN EMERGENCY OPERATION PLAN (EOP)**

Casey Hunsaker, Emergency Manager, provided an overview of the draft Emergency Operations Plan (EOP).

Council Member Cevering asked Mr. Hunsaker to create an inventory of available emergency supplies and to provide that inventory to the City Council when it is available. Mr. Hunsaker stated he will work on that assignment.

Council Member Swanson motioned to approve Ordinance 2022-03 regarding an Emergency Operation Plan (EOP). Council Member Ekstrom seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Delpias	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

11. **DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH JEFF
AND PADMA RANDALL TO DEFER COMPLETION OF REQUIRED
SIDEWALKS**

Planning Director Hess reported on the layout of the Randall property as well as surrounding conditions. The draft deferral agreement does not provide a date certain for the installation of the sidewalks, but it does call for a minimum five-foot wide sidewalk at the time the City deems the improvement to be necessary. He concluded the agreement will run with the land regardless of its ownership.

City Manager/Attorney Call indicated that his position is that sidewalk deferrals are problematic; the City has experienced issues in the past when deferral agreements were approved and improvements were not required for some time in the future, at which point subject properties were under different ownership.

Jeff Randall, North Ogden resident, stated that he simply wants to build a home on a property that is located in an area of the City that is still rural; there are mature pine trees on the property that would need to be removed in order to install sidewalks.

Council Member Barker stated that given the absence of a defined policy prohibiting sidewalk deferrals, he feels that the request made by the Randall's is appropriate. Council

Member Cevering stated that he believes that the area around the Randall property will not develop for at least 15 or 20 years, and he does not want to impose the requirement to build a sidewalk for just this property. However, he understands the concerns about deferring sidewalks.

Council Member Barker motioned to approve Agreement #A02-2022 with Jeff and Padma Randall to defer completion of required sidewalks. Council Member Dalpiaz seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Ekstrom	aye
Council Member Swanson	no

The motion passed 4-1.

Mayor Berube stated he understands the reasoning behind the vote of the Council, but the Council must be aware of the danger of setting precedence that could be relied upon in the future. He is not sure the Council defined the reason for their decision, and any property owner could provide an explanation that they feel justifies a deferral request.

12. DISCUSSION AND/OR ACTION THE FUTURE LAND USE MAP

Council Member Swanson motioned to postpone the future Land Use Map after a discussion only item for definitions to be held at the work-session in February and then the discussion and action item will come before the Council during a meeting in March. Council Member Ekstrom seconded the motion.

The Council communicated their concerns about certain aspects of the Land Use Map, namely the affordable housing component; location of civic zoned properties; transitional zoning; and the Master Planned Community (MPC) zone. Planning Director Hess indicated that he could prepare himself for a detailed discussion of these issues along with a general review of the proposed Future Land Use Map at a work session in the near future.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

13. DISCUSSION AND/OR ACTION ON CITY COUNCIL MEETING MINUTES

City Recorder Nance reported that Mayor Berube raised a point of discussion with the Council in September of 2021 regarding the format of City Council minutes. She reported on the current contract arrangements for transcription of public meeting minutes, after which she offered a few minute format options for the Council to consider, all of which are in compliance with the State of Utah Open and Public Meetings Act (OPMA). It is her recommendation that the Council support the option in which provides for 'shell' minutes that include information on who presented during a meeting but leaves most of the information in the meeting packet and audio/video of the meeting for anyone interested in reviewing a meeting recording in greater detail. This will avoid a situation where the meeting transcriber is attempting to interpret the intention behind each speaker during the meeting. She would like to use a higher quality meeting streaming service that will allow the use of time stamps in the minutes document to point the reader to the portion of the meeting during which an individual item was discussed.

Ms. Nance then engaged in discussion with the Mayor and Council regarding the costs associated with her proposal as well as the opportunity to reduce the cost paid to transcriptionists that are currently providing minutes transcription services. The Council indicated they like the approach Ms. Nance has recommended. Mayor Berube also agreed and stated he has received advice in the past that it is appropriate to concentrate on the substance of a meeting, not all the conversation.

Council Member Ekstrom motioned to approve option C to limit meeting minutes as described and upgrade video streaming services for City Council meeting minutes. Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpias	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

14. COUNCIL DEPARTMENT REPORTS:

a. Council Member Barker – Parks and Recreation

Council Member Barker reported on effort to recruit applicants for lifeguard positions at the North Shore Aquatic Center for the 2022 season. He also indicated that there will be a discussion at the next Parks and Trails Committee meeting regarding the public survey that was recently conducted regarding parks and trails projects. He concluded by reporting the Polar Plunge event has been delayed until a future date.

b. Council Member Dalpias – Building and Planning

Council Member Dalpias reported the Building and Planning Division is working on a comprehensive rewrite of Titles 11 and 12 of the City Code. He added that Mr. Hess has been asked to serve as a Liaison with the American Planning Association (APA) to update planners throughout the State on land use legislation. He then stated he was contacted by Tate Secrist and Richard Wangsgard about their attempt to add onto a building they own and increase parking to improve their businesses; one of the requirements they were informed of was that a ten-foot sidewalk be installed in front of their property, but they feel that this is an onerous requirement as it will result in the needed relocation of utility boxes and water lines. The cost of this improvement would be very high, and he would like for the Council to discuss whether there are options for providing an exception to these requirements since the buildings were built in advance of the current code being enacted. He proposed that they be allowed to build a normal five-foot sidewalk and he would like to discuss this recommendation with the Council in the future.

Mayor Berube stated that he feels a discussion is appropriate, but he is concerned about making exemptions to certain ordinances for single properties.

c. Council Member Swanson – Finance

Council Member Swanson provided general fund information for 43 percent of the year; he also reported on sales tax trends, which remain above projections as well as prior year collections. To date, sales tax revenues are \$260,000 ahead of projections, though only 43

percent of the fiscal year has lapsed. He added that property tax revenues have been received as well. He thanked all Departments of the City for their fiscal conservancy.

15. PUBLIC COMMENTS

Tage Secrist thanked Council Member Dalpiaz for mentioning the issue that he has encountered with the requirement to install a 10-foot sidewalk at his property; he and Mr. Wangsgard are in the process of completing a lot line adjustment to join the parking lots in front of their businesses, but they have found this to be a very difficult and expensive project. The costs have increased to upwards of \$50,000 and he is asking that the City consider an exemption from the ordinance to allow them to lower those costs.

Mayor Berube stated the Council will definitely review the ordinance and Mr. Secrist's request.

16. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Ekstrom referenced the discussion in the last meeting regarding the Approval Voting method; she is supportive of the voting method and asked if the Council would be willing to send a letter to the State Legislature recommending the approval of Approval Voting as an additional voting method in the State. Mayor Berube stated that he has heard that the State Legislature is leaning towards approving Ranked Choice voting as the more permanent form of voting in the State. Council Member Swanson agreed but indicated that he would prefer Approval Voting over Ranked Choice. He suggested that the issue be discussed in greater detail during the upcoming planning session in the next two weeks.

Council Member Dalpiaz asked how soon it would be possible to discuss the issue with the Secrist property. Mayor Berube asked Council Member Dalpiaz to discuss the issue with Mr. Hess and research the ordinance and the issues at the property in preparation for a discussion at a future work session meeting.

City Recorder Nance thanked the Council for their attention to Mr. Glad's presentation this evening and for their support of adjustments to the process of creating records of public meetings in the City.

City Manager/Attorney Call reported the City has received positive feedback regarding the new lights at Elberta Drive and 400 East; they communicated that the lights improve the safety of vehicles and pedestrians at the intersection.

Mayor Berube referenced the previous discussion about dedicating funding to the Children's Justice Center (CJC) and stated he would like to discuss the matter further during budget meetings as he feels this is a very important and worthy cause in the community. He then reported on changes to the budget planning process for the coming months; he asked that Council Members be very involved in the preparation of proposed budgets for the Departments they have been assigned to. He then mentioned the need to pursue a budget amendment aimed at retention and recruitment of Police Officers; the City has implemented a program that provides for a \$5,000 retention bonus for Police Officers over the next year. Additionally, referral bonuses will be available to other City employees who aid in the recruitment of quality Officers. He feels those programs have already had a positive effect in the Department. He concluded there is now underway an assessment of the culture of the Police Department aimed at identifying other opportunities for recruiting and retaining high quality employees. He stated that general employee compensation and benefits will be a large topic of discussion in the coming budget planning process. He is focused on continuous improvement in the City, and he has asked Mr. Hess to take on the responsibility of developing a "Continuous Improvement Approach" for each Department to help employees complete their job with the limited resources they have.

17. ADJOURNMENT

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

Voting on the motion:

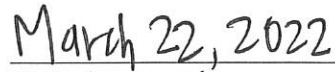
Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

The meeting adjourned at 9:11 p.m.


S. Neal Berube, Mayor


Susan L. Nance, CMC
City Recorder


Date Approved