

NORTH OGDEN CITY COUNCIL MEETING MINUTES

April 12, 2022

The North Ogden City Council convened in a Council meeting on April 12, 2022, at 6 p.m. at the North Ogden City Office at 505 East 2600 North. And electronically on Zoom, 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 April 7, 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 Delpias	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	
	Katie Gerard	Human Resources Director/Deputy City Recorder	
	Bryce Nelson	Administrative Services Manager/Treasurer	
	Jami Jones	Finance Director	
	Dave Espinoza	Public Works Director	
	Tiffany Staheli	Parks & Recreation Director	(via Zoom)
	Brian Galvez	Assistant Public Works Director	
	Jason Reney	Culinary Water Superintendent	
	Eric Casperson	City Engineer	(via Zoom)
	Brandon Bell	Associate Planner	(via Zoom)
	Joyce Pierson	Deputy City Recorder	(via Zoom)
	Dirk Quinney	Chief of Police	
	Lorin Gardner	City Engineer	
	Laura Barker	Court Clerk	
	Nina Brown	Assistant Court Clerk	
VISITORS:	Kevin Burns	Sandy Cochran	John Arrington
	John Hansen	Geneva Blanchard	Marc Hansen
	Mike Junk	Kathy Junk	Stef Casey
	Susan Clements	RD Layton (via Zoom)	

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

PRESENTATION

1. SWEARING IN OF JUSTICE COURT JUDGE, HONORABLE MICHAEL S. JUNK

Mayor Berube reported on the process the City followed to select a new Justice Court Judge; he and the Selection Committee have selected Michael S. Junk. He provided information regarding Mr. Junk's educational, professional, and personal background, after which he invited City Recorder Nance to administer the oath of office to the Honorable Michael S. Junk as the City's Justice Court Judge.

Judge Junk thanked the Mayor and City Council for this opportunity; he is honored to follow the City's prior Judge, who served very honorably and professionally. He added that Judge Brent West has been a great mentor to him, and he thanked him for his support and his attendance this evening. He stated that the City's Justice Court staff is incredible; this includes prosecutors, clerks, and administrative staff and he looks forward to working with them and serving the City of North Ogden.

CONSENT AGENDA

2. 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.

ACTIVE AGENDA

3. PUBLIC COMMENTS

There were no public comments.

4. DISCUSSION AND/OR ACTION ON DEVELOPMENT AGREEMENT WITH SHAW CENTURY FARMS, FOR LAND LOCATED AT APPROXIMATELY 281 EAST PLEASANT VIEW DRIVE

Planning Director Hess reported that this item is related to the next item on the agenda, which is a zone change for the subject property; the Century Farm PRUD is made up of 36 residential lots, one storm detention parcel, and one open space parcel that is proposed to be combined with property owned by the City. Lots 35 and 36 are slightly larger than ½ acre, front on Pleasant View Drive, and will remain in RE-20 zoning. The remaining 34 lots vary in size from approximately 4,300 up to 9,500 square feet. This provides for a diversity of lot sizes, which in turn will provide for a diversity

of pricing and home values within the neighborhood. The developer has confirmed floor plans that will fit on each of the lots. In placing a real-world home on each lot, it was discovered that corner lots 14 and 34 are viable with a 12-foot side yard setback, which is a reduction from the 15 foot originally contemplated. The proposed Agreement outlines open space requirements in the form of Parcel A and cash donation for improvements of Parcel C.

City Manager/Attorney Call reported the developer has some questions about the expectations regarding Parcel A; the agreement specifies a \$15,000 donation from the developer to cover sod and sprinklers on the property and the developer's understanding was that should be part of the \$100,000 cash donation for improvements of Parcel C. This is something the Mayor and Council can discuss with the developer before taking action regarding the Agreement. Finally, there has been some discussion about adjusting the completion date for the park improvements to some time in 2024 rather than December 31, 2025. Mayor Berube stated that it was his understanding that the December 31, 2025 date was determined based upon the timing of the Weber County RAMP grant program and the City's potential receipt of grant funding. Mr. Call stated that RAMP grants are approved each spring; the City can apply in 2023 and 2024 and can begin expending funds once the award is announced. Council Member Swanson stated that his concern about accelerating the timing of the completion of the park is whether there will be sufficient water to care for the park improvements. Mayor Berube agreed and noted that if money and water is available, the project can be completed before December 31, 2025.

Discussion then centered on the Council's understanding of the financial contributions the developer has committed to; Council Members indicated that they recalled that the developer agreed to \$100,000 in total rather than \$100,000 for development of the City's property and an additional \$15,000 for parcel A. Mayor Berube invited input from the developer regarding this matter

John Hansen stated that he has committed to contribute \$100,000 for the development of the City's park property and an additional \$15,000 for sod and sprinklers on parcel A. The \$15,000 dollar amount is based upon estimates he has received for sod on that size of property.

Council Member Swanson motioned to approve Development Agreement #A06-2022 with Shaw Century Farms, for land located at approximately 281 East Pleasant View Drive. Council Member Delpias 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.

5. **DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE TO
REZONE LAND LOCATED AT APPROXIMATELY 281 EAST PLEASANT
VIEW DRIVE, SHAW CENTURY FARMS**

Planning Director Hess reported that the John Hansen Real Estate Group has been working with the City on a rezone request for the Shaw Century Farm property from its current Agricultural RE-20 to Multi-family Residential R-3. The R-3 request was tabled by the City Council and since then, the City Council, Staff, and the applicant have worked together for nearly 10 months to develop a proposal for small lot single-family development with enhanced open space that meets the needs of the City and the Developer. The latest request has come in as a subdivision concept that was considered for Preliminary Plat approval at the April 6, 2022 Planning Commission meeting. The draft ordinance for the zoning text amendment being considered tonight creates the zoning needed to entitle the project as currently proposed. Staff has appreciated the process with the developer and Council to first look at land development from a concept and design basis, and then develop Code that meets the need and intent of the desired outcome. The Planning Commission has conducted a public hearing regarding this proposed text amendment and took action to forward a positive recommendation to the City Council.

Mr. Hess then facilitated a high-level review of the proposed ordinance for the Mayor and Council, the conclusion of which being that the zoning is very similar to the existing R-1-4 zone of the City, but is specific to the subject property. Mayor Berube noted that he feels that the proposed zone will result in the development of a project that will benefit the City; however, he recommended removal of the name "Shaw" from the property, naming the zone "Century Farm" zone.

Mr. Call then noted that the agenda item was listed incorrectly on the agenda; it was listed as a rezone of the property when it should have been listed as creation of a zoning ordinance. He indicated that the Council should table action on this item until next week to ensure proper noticing.

Council Member Cevering motioned to postpone Ordinance to rezone property for land located at approximately 281 East Pleasant View Drive, Shaw Century Farms. Council Member Ekstrom 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. BUDGET PRESENTATIONS:

a. Finance

Council Member Swanson reported on the deliverables of the Finance Department, including budget development, annual audit, quarterly Audit Committee Report, monthly reports to the City Council, and ensuring State/Federal financial compliance. He then reported on the duties of the Finance Department, including overseeing internal controls, managing liability insurance, and general accounting such as accounts payable, fixed asset management, and payroll. The budget for the Finance Department is \$321,000, which is one percent of the City's total budget. Seventy-five percent of the budget is personnel costs, and the other 25 percent are operational costs. The core value of the Finance Department is to ensure quality internal customer service.

Mayor Berube cited personnel expansion in the Finance Department and asked for an explanation of the return on that investment. Finance Director Jones indicated that the staffing levels of the Finance Department are actually lower; in the past her Department had two and a half full-time equivalents (FTEs) and now she is down to two FTEs. Mayor Berube stated that a new part-time accounts payable clerk was hired. Ms. Jones stated that is correct, but that position was full-time in the past. At present, there is her position, the full-time Finance Director, and a full-time accountant in her Department.

b. Enterprise Funds

Public Works Director Espinoza then reported on the daily operations of each Division of the Public Works Department and enterprise fund dollars allocated to each Division. He touched on staffing of each of the Divisions, employee training, asset management, and vital sources, after which he provided information about his budget requests related to increased staffing levels, capital projects, equipment purchases, increases in operational costs, increased fees for participation with special service districts in the area, and resurrection of a recycling program in the City. The Council debated both green waste and curb side recycling adjustments, with Council Member Swanson suggesting that the City conduct a resident survey to determine if residents are willing to pay the costs of the curb side recycling in order to reduce the City's subsidy of the program. The Council also concluded they need detailed information about the costs of the program before providing any direction or making any decisions on the matter.

c. Administrative Departments

Mayor Berube explained the City's Administrative Departments include City Manager/City Attorney, Administrative Services Manager/Treasurer, City Recorder, and Human Resources Manager. He and representatives of each of the Departments mentioned summarized the overall budgets for their Departments, including staffing levels, recruitment and retention of City employees, employee benefits, travel and training, business related/operational costs, and goals for the coming FY.

7. **DISCUSSION AND/OR ACTION TO CONSIDER AN INVESTMENT POLICY**

Administrative Services Director/Treasurer Nelson proposed that the Mayor and Council consider implementing an investment policy that would set procedures and standards for investment options for the City. He facilitated review and discussion of the draft policy that he has written, which addresses the objectives of the policy, standards of care, ethics, internal controls, performance evaluation of investments, and selection of an investment advisor and/or broker.

Mayor Berube stated that the only change he would suggest to the Policy would be direct that for commercial paper investments, the City only pursue A or A+ rated investments.

Council Member Ekstrom motioned to approve Investment Policy and to include only A or A+ rated investments. 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.

8. **DISCUSSION AND/OR ACTION TO CONSIDER A CASH RECEIPTING POLICY**

Administrative Services Director/Treasurer Nelson proposed that the Mayor and Council consider implementing a cash receipting policy, which is intended to protect the City's assets and better define procedures for receipting money within the City. He facilitated review and discussion of the draft policy, which addresses internal controls, cash receipting procedures, and a mechanism for evaluating the effectiveness of internal guidelines.

Council Member Dalpiaz motioned to approve Cash Receipting Policy. 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.

9. DISCUSSION AND/OR ACTION TO CONSIDER THE PROPOSED BUDGET AMENDMENTS FOR FISCAL YEAR 2021-2022

Finance Director Jones discussed proposed budget amendments for Fiscal Year (FY) 2021-2022 as follows:

1. 2021 Sales Tax Bond Interest payment due May 1, 2022
 - a. Total Amount of transfer to CIP decreases
2. How to spend ARPA dollars:
 - b. Redirecting the \$2,435,893 of American Rescue Plan Act (ARPA) funds from the Capital Improvement Project Fund to the Water Fund to build the 2.0million gallon water tank at 2100 North Mountain Road.
 - c. Total project is approximately \$2.5 million.

Effective April 1, 2022, the final rule states that ARPA dollars can be used for water, sewer, and broadband infrastructure investment. Under the compliance section 603 (c), the City will determine before engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of such project.

Ms. Jones then noted that she received information this afternoon indicating that the City received an additional \$16,000 in property tax revenue, above what she expected to receive. She recommends including that money in the amount to be transferred to the CIP.

a. Public Hearing

Mayor Berube opened the public hearing at 9:26 p.m. There were no persons appearing to be heard.

Council Member Swanson motioned to close public hearing. Council Member Dalpias 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.

b. Discussion and/or action to consider the proposed budget amendments for Fiscal Year 2021-2022

Council Member Cevering motioned to approve the budget amendments for Fiscal Year 2021-2022 and to include police car for \$50,000. Council Member Ekstrom 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 AMENDING THE CONSOLIDATED FEE SCHEDULE

Finance Director Jones reported that recommended amendments to the consolidated fee schedule include:

- Building permits, new fee: Stop work (Red Tag) for failure to obtain a building permit \$250/offense \$1000 for each additional offense.
- North Shore Aquatic Center:
- These are to update the fee schedule with current pricing:
 - Military and Family \$5.00
 - Senior Citizens \$3.50
 - Ducky Dipper \$21.00

- Recreation: Increase Tackle Football from \$118.00 to \$130.00 per player for the cost of required uniforms.
- Central Weber Sewer Improvement District (CWSID) is Increasing sewer impact fee from \$2,523 to \$2,578.

Discussion centered on the new building permit fee, with the Mayor and Council expressing concern that the fee may be too high for residents and that many residents do not understand that they are required to obtain a permit for certain improvements. City Manager/Attorney Call indicated that a warning will be issued before fees are imposed; additionally, the City could specify that the fees/penalties only apply to contractors rather than residents if that is the Council's desire. He indicated that it would be easier to include language specifying that a warning will be issued prior to fees being imposed than it would be to differentiate between the individuals or businesses that would be subject to being fined.

Council Member Swanson motioned to approve Resolution 05-2022 amending the Consolidated Fee Schedule, except for the new building permit stop work fee and additional fines, until the Council has additional time to consider the basis for the fees. Council Member Ekstrom 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.

11. COUNCIL DEPARTMENT REPORTS:

Council Member Swanson motioned to postpone item #11, Council Department Reports to a future meeting. 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	aye

The motion passed unanimously.

12. PUBLIC COMMENTS

John Arrington, North Ogden resident, commented on the budget discussions that took place earlier in the meeting. He noted that he feels that membership in various professional organizations is invaluable to City employees in their performance of their jobs. These memberships give employees the opportunity to interact with their counterparts in other cities as well as receive training and legislative updates that are not available elsewhere. He then discussed the City's efforts to use social media to advertise to City residents and suggested that the same information be included in the North Ogden Connection Magazine.

13. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Barker reported on training the North View Fire Department participated in with the entire County; the training may create smoke as fire fighters are participating in open flame training.

City Manager/Attorney Call stated that one item that was not discussed during the budget presentation tonight is the City Recorder's plan to purchase Granicus meeting management software; he will include information about that purchase in the next communication regarding the budget.

Mayor Berube reported he has heard complaints that some of the banners on Washington Boulevard are faded or tattered. He has asked the Public Works Department to look into that matter.

14. **ADJOURNMENT**

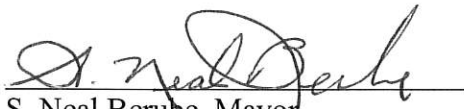
Council Member Swanson motioned to adjourn the meeting. Council Member Ekstrom seconded the motion.

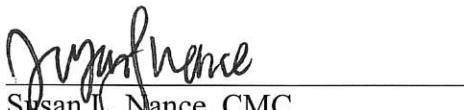
Voting on the motion:

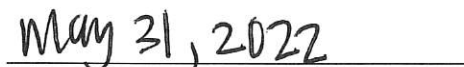
Council Member Barker	aye
Council Member Cevering	aye
Council Member Delpias	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

The meeting adjourned at 9:47 p.m.


S. Neal Berube, Mayor


Susan L. Nance, CMC
City Recorder


Date Approved