

**NORTH OGDEN CITY COUNCIL
MEETING MINUTES**

August 14, 2018

The North Ogden City Council convened in an open meeting on August 14, 2018 at 5:03 p.m. at the North Ogden City Office at 505 East 2600 North. 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 9, 2018. Notice of the annual meeting schedule was published in the Standard-Examiner on December 31, 2017.

PRESENT:	M. Brent Chugg	Mayor
	Ryan Barker	Council Member
	Blake Cevering	Council Member
	Cheryl Stoker	Council Member
	Phillip Swanson	Council Member
	Carl Turner	Council Member

STAFF PRESENT:	Annette Spendlove	City Recorder/HR Director
	Jon Call	City Administrator/Attorney
	Evan Nelson	Finance Director
	Lorin Gardner	City Engineer

VISITORS:	Zoe Bartholomew	Brynn Mortensen	Tyler Murdock
	David Rady	Jaycee Dunyon	Jen Dunyon
	Jeff Ford	Steve Rasmussen	Brian Bartholomew
	Brett Hamblin	Hannah Goodrich	Sarah Rhees
	Sean Casey	Brad Mortensen	Camille Mortensen
	Greg Merrill	Elaine Smith	Keith Ashdown
	Brenda Ashdown	Kaylene Jeppsen	Kevin Burns
	Susan Clements	Kim Christensen	Janis Christensen
	Stefanie Casey	Brent Taylor	Meg Saunders
	Brian Solomon	Navy Humphreys	Rachel Alder

Mayor Chugg called the meeting to order. Annette Spendlove, City Recorder/HR Director, offered the invocation and led the audience in the Pledge of Allegiance.

AGENDA – 5 PM

1. DISCUSSION AND/OR ACTION TO CONSIDER ENTERING INTO A CLOSED MEETING REGARDING UTAH CODE §52-4-205(1)(a) REGARDING THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL

Council Member Swanson motioned to recess the meeting and convene in a closed meeting regarding the character, professional competence, or physical or mental health of an individual. Council Member Turner seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Covering	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

Meeting recessed at 5:06 p.m.

Meeting reconvened at 6:36 p.m.

Council Member Swanson motioned to recess the meeting until 7:30 p.m. Council Member Stoker seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Covering	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

Meeting recessed at 6:37 p.m.

Meeting reconvened at 7:30 p.m.

ACTIVE AGENDA – 7:30 PM

1. PRESENTATION AND DISCUSSION ON AFFORDABLE HOUSING

Brynn Mortensen, Salt Lake Chamber Housing Gap Coalition, approached and noted that the Chamber represents all 29 counties in the State of Utah and over 12,000 businesses in Utah. Approximately 18 months ago, the Chamber began to be approached by a large number of its members communicating that their employees were having difficulty finding affordable housing in the communities where they were employed. The Chamber worked with the Policy Institute at the University of Utah to perform a study regarding housing in the State of Utah to analyze housing issues in the State. The study indicated that for the first time in 24 years in the State of Utah, there are more households than housing units, which means there is a housing shortage. Housing prices in Utah are increasing at the fourth highest rate in the entire nation; across the Wasatch Front, an average home price was \$125,000 in 1991 and in 2017 that number has inflated to \$347,000. That is much greater than the national increase to \$284,000. Utah's home prices are already 25 percent higher than in the states and cities with which Utah competes with for economic growth opportunities. If this trend continues, Utah housing prices could grow to over \$700,000 in the next 26 years; by 2044, Utah prices could be equivalent to today's prices in San Francisco, California. Some of the things driving up housing costs include housing shortages, construction and labor costs, local zoning ordinances and public sentiment about growth, land costs and topography of Wasatch Front counties, and demographic and economic growth. The Housing Gap Coalition has examined possible solutions to this problem and they have worked with the Wasatch Front Regional Council (WFRC) to consider the connection between transportation and land use in the State. Additionally, a program known as "Build to Success" is geared towards providing information to high school students about access to good paying jobs in the construction trades and market. The Chamber has partnered with the Utah League of Cities and Towns (ULCT), WFRC, and a few counties to gauge public sentiment about residential growth, increased density, or different housing types. The data gleaned from this study will be used to inform a public campaign that will be launched in September to communicate the State's housing issues to residents. She noted that North Ogden is one of the few communities in the State that has an updated moderate-income housing plan and the Chamber is issuing a call to action for other communities to follow suit. Those communities will also be asked to discuss their General Plan and coning regulations specific to housing types. Ms. Mortensen concluded her presentation by providing links to additional information about housing issues available through the Coalition at www.slchamber.com/housinggapcoalition.

Council Member Swanson asked if the consumer price index (CPI) was taken into consideration when the inflated housing costs from 1991 to 2017 were determined. Ms. Mortensen answered yes and noted the full housing report completed by the Coalition includes a section dedicated to CPI related increases. Council Member Swanson noted that \$175,000 in 1992 is equivalent to \$319,000 in today's dollars based on inflation

alone. That means the increase is not as dramatic as statistics seem to indicate. Ms. Mortensen agreed, but the biggest issue to consider is how Utah's housing prices compare to national housing prices. Council Member Swanson also clarified that Utah does not have the fourth highest housing costs, but that costs are increasing at the fourth highest rate. Ms. Mortensen stated that is correct. She noted that the Salt Lake metro area is ranked as the eighth highest home price increase above San Jose and Seattle. She then distributed a hard copy of the presentation to each of the Council Members.

Mayor Chugg thanked Ms. Mortensen for the information provided this evening.

2. **PRESENTATION TO HANNAH GOODRICH, MISS NORTH OGDEN PAGEANT DIRECTOR, AND INTRODUCTION OF MISS NORTH OGDEN AND ATTENDANTS**

Mayor Chugg presented Ms. Goodrich with a gift basket and expressed the City's appreciation for the service she provides in producing the City's Miss North Ogden Pageant each year.

Ms. Goodrich then introduced Miss North Ogden, Rachel Alder; Miss Northern Utah, Navy Humphreys; and Miss North Ogden Outstanding Teen, Jaycee Dunyon. All three will be representing the City in the Miss Utah Pageant and she is very proud of them and all the ladies that participated in the Pageant. Ms. Dunyon and Ms. Alder each provided brief comments about their platforms, which were "Get Hooked in a Book" and "Choose Your Own Statistic", respectively.

3. **DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH CHRISTENSEN, PALMER AND AMBROSE FOR FINANCIAL SERVICES**

A staff memo from Finance Director Nelson explained that last year the City issued a request for proposals for both auditing and accounting services. Prior to this, the City had retained the services of Christensen, Palmer, & Ambrose to provide both auditing and accounting services. Accounting services consist of financial statement preparation and general support. Auditing services consist of an independent review of the financial statements, internal controls, legal compliance, and financial records and the issuance of an opinion that the financial statements are fairly presented. The City determined last year to award the contract for accounting services to Christensen, Palmer, & Ambrose and to award the contract for auditing services to Davis & Bott.

During Fiscal Year 2018, Davis & Bott hired the City Treasurer as a part-time intern. This was part of her training to become a Certified Public Accountant. Before the internship started, the City discussed with Davis and Bott the potential conflict of interest. It was the opinion of Davis and Bott at that time that this hiring decision would not pose a serious conflict and would not be a problem for our audit. Later, in preparation

for the audit, Davis & Bott learned that the decision to hire one of our employees compromised their independence. They decided that they would be unable to perform the agreed upon audit for Fiscal Year 2018.

The City's contract with Davis & Bott continues for several years. Because our experience working with them has been positive and because the rate they proposed is very competitive, we recommend putting their contract on hold for one year and then continuing with their services beginning with the Fiscal Year 2019 audit. The second lowest proposal for audit services last year was Christensen, Palmer, & Ambrose. We recommend approval of the attached engagement letter, accepting their services for the Fiscal Year 2018 audit. Christensen, Palmer, & Ambrose has agreed to perform this work for the price we had planned to pay Davis & Bott, which is \$8,500.

Mr. Nelson reviewed his staff memo.

Council Member Cevering asked why the City had contracted with two firms in the past. Mr. Nelson explained that when the City was working with just one firm, that firm would prepare the City's financial statements, but also audit them and while that is not illegal, it is not the most ideal arrangement. The decision was made to hire an additional firm to independently audit work that was performed throughout the year. He is recommending moving back to the previous arrangement for a one-year period in order to address the conflict issue. The proposed change is not illegal or unethical and he is comfortable recommending approval.

Council Member Swanson motioned to approve agreement A14-2018 with Christensen, Palmer & Ambrose for financial services. Council Member Turner seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

4. DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH JENSEN CUSTODIAL SERVICES

City Attorney/City Administrator Call explained that this is a routine agreement for custodial services; the recommended service provider has been performing this service for North Ogden for approximately 10 years as they have submitted the most competitive

bid throughout several competitive bidding processes. He stated that a service provider must meet certain requirements in order to be in the City buildings after hours; they must provide extensive background checks of their employees and supply proof of worker's compensation insurance. He briefly reviewed the services covered in the agreement and recommended the Council authorize execution of the agreement.

Council Member Barker motioned to approve agreement A15-2018 with Jensen Custodial Services. Council Member Cevering seconded the motion.

Council Member Swanson inquired as to the term of the agreement. Mr. Call stated it has an initial term of three years, with optional three-year extension periods. He noted the agreement also provides for termination when certain conditions are met and noticing between parties is adequately provided.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

5. PUBLIC COMMENTS

Mayor Chugg recognized Brent Taylor, the City's Mayor who has been deployed to Afghanistan, but is currently home on leave for a two-week period. He welcomed him to the meeting.

Greg Merrill, 2585 N. 1300 N., stated that he thinks it would be beneficial for the City to resurrect the Little Miss Cherry Days pageant; his daughter was part of the last pageant that was held, and it represented the City well and it was a good experience for the young children who participated. He then suggested he would encourage the Council to visit the park located across the street from Layton High School; he and his daughter were there last night and stumbled upon the amphitheater at the park, which is well hidden through creative landscaping. Perhaps the City could borrow ideas from that City to camouflage the Baker Park Amphitheater facility. He then asked if the City has information on transitory home purchases or short-term home ownership in the community. He stated that the earlier presentation about housing affordability got him thinking about people who buy a home and live in it for a year before flipping it and whether that activity has an impact on inflation of home prices.

Meg Saunders, 2850 N. 750 E., thanked the Council for planning their meeting schedule tonight around the informational meeting regarding the Nordic Valley Expansion proposal.

Keith Ashdown, 193 E. Pleasant View Drive, asked about landscaping at the City's Public Works Facility. He lives across the street from the facility and was promised that it would be landscaped to screen it from his view. The property is maintained, but it is not landscaped as promised and he can see rusty equipment from his home. The residents living across the street from the Barker Park Amphitheater have been told that area will be landscaped, and he hopes that promise is not fulfilled ahead of the one made to him as he has been waiting five or six years. He then addressed the Nordic Valley Expansion proposal and stated that he is frustrated at the lack of answers; if there are so many unanswered questions and uncertainty about the project, the City should not even be talking to the developer. The only answer they have given is that extensive study is needed, but that studying should be complete before the project is discussed further. He asked if the City would consider a tax break for the business and indicated that he would be opposed to that type of action.

Brenda Ashdown, 193 E. Pleasant View Drive, stated that is actually closer to three years that she and her husband have been waiting for landscaping at the Public Works Facility. They were promised additional trees along the fence line to screen and help to mitigate noise from the facility. She then stated that she only saw two Council Members at the Nordic Valley meeting and she is hopeful others were there and she just did not see them. She stated the project is a big concern to her and many others; she has family who live on the other side of the mountain and they support the project, but they will not deal with the increased traffic associated with the project. She stated that she is not a member of Facebook and she would like for additional information to be posted on the City website regarding community events. She then added that if Brent Taylor is a citizen, just as she is a citizen, she wondered why his Facebook posts were quoted last week during the City Council meeting by the City Administrator. She is sure there are many citizens who have an opinion and she does not think it is proper for his opinion to be voiced above others in the City.

Brent Taylor, 123 W. 3100 N., stated that he is home for a couple of weeks on leave and he wanted to attend tonight's meeting to express his gratitude for their love and support. He provided an explanation of the work he is performing in eastern Afghanistan, after which he indicated he plans to return home for good in January. He expressed his support and encouragement to the Mayor and Council and indicated that the local and national political climate is very difficult and there is much controversy. Many accusations and innuendos have been made about City officials and he knows they are not true as he knows them to be people of integrity, even when they disagree with one another. He shared the following quote: "tough times never last, but tough people do". He stated that he knows the Council and Mayor are tough people and they will all get through the difficult times together while finding good solutions. The people of North Ogden elected

each Council Member and they have confidence in them and in City government in general, which he knows to be a government entity that has been run with integrity.

Steve Rasmussen, 1092 E. 3250 N., stated that he recently experienced a house fire; he was fortunate to catch it early and damage was limited. He is grateful to the North View Fire District Fire Fighters who responded and thanked them for how they handled their job. He then discussed traffic in North Ogden; regardless of whether a gondola project is approved, traffic conditions will continue to worsen. He stated that residential growth will continue, and housing densities are increasing as well. He referenced the plans to improve the intersection of Washington Boulevard and 2600 North and stated he would recommend that the improvement project be continued to the east as it will provide ease of traffic flow around the commercial access points in that area. It is necessary to think ahead and do the project right at this time rather than waiting until a point in the future when conditions are unbearable. Other large road improvement projects are needed to provide improved circulation throughout the entire City; this includes Monroe Boulevard completion and improvement of Washington Boulevard. Previous Governing Bodies of the City did not plan for the future and that is making it difficult for the current Governing Body to make the right decisions because they are larger and costlier. He applauded what the Council has done, and he agreed with Mr. Taylor that each Council Member and the Mayor is a person of integrity; they are underpaid and overworked, but the City needs their help to solve some of the major problems plaguing the community. He echoed Ms. Ashdown's comments about the need for additional information on the City's website as he also is not a Facebook member and does not get his information through social media outlets. He referenced the presentation earlier in the meeting regarding housing affordability and stated that the City is still far from being completely built out; he was in California recently and each night the news stations reported on improper management of population growth, high property taxes, and high cost of living. He stated that a lot of the growth in Utah may be local, but it is also related to people moving here from other states because of higher costs elsewhere.

Kim Christensen, 2428 N. Barker Parkway, thanked the City Council for standing up and doing what is right relative to the community pond project that has been discussed in recent months. It is the first time that people in the community have felt they were heard and the action showed integrity. She stated it is good to be heard; citizens need to be heard and she is grateful for that action and it gives her hope. She hopes the Council will continue to do what they were elected to do and allow their constituents' voices to be heard through them.

Brett Hamblin, 963 N. Deer Meadows Drive, stated he also attended the Nordic Valley Expansion meeting and his understanding of the information presented was that the only benefit North Ogden would realize would be increased tax revenue. Many have said that the project would not occur until sometime in the future, but two different times tonight the presenter indicated that processes would begin in the fall of 2018 and that is just around the corner; construction would begin in the spring of 2020, which is fairly soon. He stated he would like to have a clear understanding of the increase in tax revenue and

where the tax money would be used; he needs this information before deciding how he feels about the project. He then referenced the community pond issue and indicated that it is his understanding that the City is required to build the detention basin in that area and the action taken last week will only result in the City losing grant money and paying upwards of \$2 million more than the project would have cost if it included a wading pond component. He stated that people expressed concern about safety of the pond if it includes a swimming or wading component, but if the pond is only open for five months a year, thirty days per month, 12-hours per day, it would cost the City just \$18,000 per year to staff the pond with a certified lifeguard. He would much rather the City pay that amount of money, or even double that amount, than \$2 million of money the City does not have to build a detention basin.

Trevor Earl, 1280 N. Willard Peak Drive, Ogden, stated he recently purchased property at the mouth of the North Ogden Divide and after attending the Nordic Valley Expansion meeting tonight, he is heavily discouraged. He planned to build his 'forever home' on the property and it would be dramatically impacted by a gondola project associated with the expansion proposal. He stated that he talked to Council Member Stoker about a potential proposal for code adjustments relative to variances and he asked that the Council consider that proposal favorably.

Sean Casey, 2444 Barker Parkway, shared his thoughts about the community pond project; the proposal called for the water in the pond to be turned over every day and he inquired as to what the temperature of the water would be. If mixed use recreational activity will be allowed, there may be some issues relative to safety and overcrowding. As the pond is discussed further next week, he would like to have these questions answered. He stated that as the City expands, he would like the Council to consider taking care of the assets it already has; the trees at Barker Park need to be trimmed and maintained to make the paths walkable and he noted that he will help with those efforts. He then noted that the Lomond View Park bathrooms need to be replaced and across the street from Rod Barker's home there is a manhole that is in disrepair and needs to be replaced or repaired. He then concluded by discussing freedom of expression; his frustration with the amphitheater is that it puts his values in stark contrast to his neighbors' values, but those values are arbitrary. The facility was put in the wrong spot and that can be debated, but freedom of expression is not up for debate. He asked the Council to consider the importance of preserving freedom of speech and expression and indicated that he feels some strange decisions have been made that will result in significant sacrifice of those freedoms.

Jeff Ford, 3730 N. 1225 E., stated that the City does not have the infrastructure to take on a project of the magnitude of the Nordic Valley Expansion project; the City's roads cannot handle the traffic and the project will result in many negative impacts to City residents.

Brian Solomon, 2915 N. 875 E., stated that he also is not a Facebook member and he would appreciate information posted on the City's website. He echoed the comments

made about traffic issues in the City and offered the idea of placing a ‘mock project’ in the City to see how it functions and if it addresses a given problem. He stated he is frustrated by the story line that the City completes modeling or project concepts and applies for grants for those types of projects without having first approved them or solicited public buy-in. He then referenced the Nordic Valley Expansion proposal and stated that he is not sure what the tax impacts will be, but that there was some difficulty in tax distribution associated with the Powder Mountain expansion and one entity provided infrastructure improvements without receiving a tax benefit from the project. He stated that if people will be coming to Nordic Valley to ski, they can drive to the other side of the mountain to participate in that activity and there is no reason to build a gondola to help them get there. A gondola requires significant parking areas and he is unsure where such parking areas will be located on the North Ogden bench.

Elaine Smith, 3083 N. 1050 E., stated she was shocked to learn of many new homes being built in the City with no planning for additional schools to accommodate the children that will live in those developments. She stated that shows a lack of foresight and planning. The City does not have the infrastructure presently to deal with dramatic population increases. She echoed the request that the City take care of what it presently has before building more; she knows many bikers that ride on City trails and they have complained about the condition of parking areas for those trails. She suggested that such assets be properly maintained before more are built.

Kaylene Jeppesen, 3168 N. 450 E., stated that last week she discussed in-home daycare regulations in the City that are stricter than State regulations and she asked that the City look into the concerns she raised.

6. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Turner reported on the recent activity at the Weber Mosquito Abatement District.

Council Member Barker stated that there were four Council Members in attendance at the Nordic Valley Expansion meeting, but the meeting room was filled to capacity and two Council Members were not let in. He responded to the comments made by Ms. Smith about the lack of schools; he is aware that the Weber School District owns a lot of property in the City and they would have the ability to construct more schools to address overcrowding issues associated with residential growth.

Council Member Swanson informed Ms. Jeppesen that City Administration has been asked to research the discrepancies in the City and State daycare regulations and if there is no valid reason for the differences, the Council will consider an amendment to City regulations.

Council Member Stoker reminded the Council and visitors present of the upcoming Chalk Art Festival at North Ogden Plaza on August 24 and 25. She then addressed concerns about a stop sign on 3100 North; she asked Mr. Call if he has looked into the matter. Mr. Call stated he raised the issue with the Police Chief and he is investigating the matter in order to develop a proposal for improving the safety of the intersection. Council Member Stoker then addressed the issue of landscaping at the Public Works Facility; she recalls a commitment was made to the adjacent residents that the City would install quality landscaping and she asked City Administration to follow up on that matter.

Mr. Call then discussed some upcoming State mandates relative to low impact development and reducing storm water; City Administration is determining the best approach for complying with the mandate and has discussed the matter with local developers as compliance is required for any development that commences after March 1, 2019. He then reported that Pleasant Grove City is being sued for imposing a transportation utility fee and he is closely tracking that situation as North Ogden also charges a \$3 monthly utility fee. He then reported that the development group that had planned to purchase the City's detention basin on 2550 North has backed out of the deal so that gives the City some additional time to consider the process of replacing the basin in another area. Finally, he concluded by referencing the Council's rules of order and procedure and noted that there is a rule that any time anyone other than the City's public information officer is speaking to the media, that person is supposed to make it clear that they are expressing their own opinion and not the opinion of the City as a whole.

CONSENT AGENDA

7. **DISCUSSION AND/OR ACTION TO CONSIDER JUNE 26, 2018 CITY COUNCIL MEETING MINUTES**

8. **DISCUSSION AND/OR ACTION TO CONSIDER JULY 10, 2018 CITY COUNCIL MEETING MINUTES**

Council Member Swanson motioned to approve June 26, 2018 and July 10, 2018 City Council Meeting Minutes. Council Member Stoker seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

9. ADJOURNMENT

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

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Stoker	aye
Council Member Swanson	aye
Council Member Turner	aye

The motion passed unanimously.

The meeting adjourned at 9:11 p.m.


M. Brent Chugg, Mayor


S. Annette Spendlove, MMC
City Recorder

18 Sept 2018
Date Approved