

**NORTH OGDEN CITY COUNCIL
SPECIAL MEETING MINUTES**

August 16, 2022

The North Ogden City Council convened in a Special Council meeting on August 16, 2022, at 6:02 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 August 11, 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	(excused)
	Jay D Dalpias	Council Member	
	Charlotte Ekstrom	Council Member	
	Phillip Swanson	Council Member	
STAFF PRESENT:	Jon Call	City Manager/Attorney	
	Susan Nance	City Recorder	
	Jami Jones	Finance Director	
	Bryce Nelson	Administrative Services Manager/Treasurer	
	Clark Crowther	Lieutenant	
	Jeremy Hindes	Lieutenant	
	Dirk Quinney	Chief of Police	
	Dave Espinoza	Public Works Director	
	Tiffany Staheli	Parks & Recreation Director	
VISITORS:	Brenda Ashdown	Kevin Burns	Justin Scott
	Edyth Kuhn	Steve Winward	Susan Anderson
	Doug Anderson	Sandy Cochran	Stef Casey
	Dallin Duce		

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

CONSENT AGENDA

1. SPECIAL MEETING SIGNED AGENDA ATTACHED TO PACKET FOR MEETING

Mayor Berube noted he has signed the notice of special meeting agenda for tonight's meeting.

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

Doug Anderson, North Ogden resident, stated that he wished to follow-up on comments he made during last Tuesday's truth in taxation hearing. He has obtained the names and phone numbers of five people who volunteered to form a committee to advise the City on the budgeting process. He stated that after he reviewed the questions and answers document from the meeting and letters from former Council Members, he feels he is only scratching the surface. He requested the Council postpone the decision on the property tax increase and final budget until next week. And, even after next week there will be more work to be done. He stated he understands that the Council has been elected to do a job and he is not saying that he can do a better job than they have done, but he does feel like more review is appropriate. He has a vision of what the proposed committee can be; he views the Council and citizens as allies, not adversaries. It is his vision for the City to operate within an established budget and be conscientious, conservative, and careful with citizens' money, spending it on things that are necessary, and on nice things when funds allow. The City Council and employees should use good judgement and design a budget and taxation accordingly. The City representatives and employees should continually look for ways to economize without sacrificing safety or quality of service and the representative should listen to input from citizens and act accordingly. The mission of the citizens committee would be to explore and recommend to the City Council options for additional cost savings, which can be reasonably implemented without sacrificing safety or quality; to communicate these measures to the general public; and to follow through with the recommendations. This vision and mission statement is subject to critique. He realizes that no one has all the answers, but he is willing to help. He is committed to working to improve what he has proposed and thanked the Council for being receptive to these recommendations.

Brenda Ashdown, North Ogden resident, stated she appreciated Mr. Anderson's comments last week and this week and his willingness to assemble a committee to review the budget, but her advice to Mr. Anderson and any other resident concerned about the budget is that if they had been attending City Council meetings on a regular basis, the budget has been discussed many times and the committee would have a fairly good idea of why the budget is where it is. She feels these efforts are good, but they are too late as the City must adopt a budget in accordance with

State law by the end of August. She has attended meetings for several months and years and she does understand the decisions the Council has made based upon their deliberation of all budget proposals.

4. DISCUSSION AND/OR ACTION FOR CONSIDERATION OF AN INVESTMENT POLICY

Administrative Services Manager Nelson stated he is seeking approval from the Council to extend the City’s banking agreement for investing with Wells Fargo. He noted the request for proposal (RFP) process to select a full-time investing advisor will take a couple months and is starting soon. This extension of the current agreement provided by Wells Fargo will allow the City to directly purchase U.S. Treasury Bonds and will be brought back to the Council in the coming months.

Council Member Swanson asked if the agreement calls for fee based investing or commissioned investing. Mr. Nelson stated that Wells Fargo will receive a commission at a hundredth of a percent of each investment transaction.

Council Member Dalpiaz inquired as to the amount of money the City will realize on its investments. City Manager/Attorney Call indicated the projection is \$40,000; the City’s rate of return is not great as the State of Utah mandates conservative investment by government subdivisions.

Council Member Ekstrom motioned to approve an Investment Policy presented by Treasurer, Bryce Nelson through Wells Fargo on intro basis until we have RFP. Council Member Dalpiaz seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

5. **DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE ADOPTING THE FINAL BUDGET AND TAX RATE FOR FISCAL YEAR 2022-2023**

Finance Director Jones summarized the process followed by City Administration and the Council to consider the final budget for the Fiscal Year (FY) 2022-2023; there have been a few minor changes to the budget proposals, namely considering a property tax rate increase of 24.5 percent, which would generate an additional \$320,000 in property tax revenue. Sales tax revenues will also be increased by \$100,000. She summarized additional minor budget adjustments, concluding the total general fund budget is approximately \$10.3 million.

Mayor Berube stated it is important to clarify that the increase in sales tax revenue is based upon the total amount of actual sales tax revenue collected in FY 2021-2022. Ms. Jones stated that is correct.

Mayor Berube then addressed Mr. Anderson; he indicated that he is more than happy to support the Council relative to any decision they make to create citizen committees, but he suggested it may be more appropriate to create a sub-committee of the existing audit committee, which is led by Randy Winn. Council Member Swanson stated that if a committee is created to assist with the most important job the Council performs, it must be a formal committee that is open to the public. In order for a committee to be established, names of applicants must be submitted to the Mayor for a recommendation and request for advice and consent from the City Council for such appointments. The soonest that could be done would be next week and this would only give the committee one week to try to digest the efforts the Council has made to develop a budget over the last eight months. He stated he does not believe there is time to form and accept input from a citizen committee before the State's August 31 deadline to adopt a final budget. However, he is recommending that a committee be formed and that it be seated before the next budget process begins. This would make it possible for the committee to be involved in the budget process starting next January. Mayor Berube agreed the committee must be formally created and their meetings publicly advertised and open to the public.

Council Member Ekstrom explained her point of view on the budget process; she feels the way that property taxes have been collected in the past has moved the City out of an economic efficiency for spending. She noted that it does not feel right to fund public safety using sales tax revenue, which is controlled by the State. She believes it is more responsible to use a more reliable funding source for public safety needs. She added that she believes the Parks and Recreation Department provides valuable and needed services to the community and she is concerned that there has been a great deal of public input regarding the value of that department.

Mayor Berube stated that one of the things that is highly unusual at this time is that commercial property values did not increase at the same rate as residential properties; this means that property tax increases had a greater impact on residential properties than on commercial properties.

Council Member Swanson reiterated that homeowners are able to challenge the assessed value of their homes; he has worked with several residents in North Ogden to help them challenge their values and all of them found their home was overvalued. He has challenged his own value and it was decreased by more than six figures, which has a substantial impact on his tax bill. The same is likely true for other residents in the community.

Council Member Barker motioned to table adopting the final budget and tax rate for Fiscal Year 2022-2023 until the next meeting, August 23. Council Member Dalpias seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Dalpias	aye
Council Member Ekstrom	no
Council Member Swanson	no
Mayor Berube	no

Motion did not pass on a 3-2 vote, which included Mayor Berube voting to break the tie.

Council Member Swanson motioned to approve Ordinance 2022-20 adopting the final budget and tax rate for Fiscal Year 2022-2023. Council Member Ekstrom seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

Council Member Dalpias stated that he voted to support adoption of the budget; he only voted to support tabling the action because he would have liked to hear from Council Member Cevering, but he is not opposed to the final budget as presented this evening. Council Member Barker agreed; he added that the North View Fire District will have its Truth in Taxation hearing next Tuesday and he encouraged residents to attend that meeting.

6. **DISCUSSION AND/OR ACTION TO RECESS THE CITY COUNCIL MEETING AND CONVENE IN THE REDEVELOPMENT AGENCY OR RDA**

Council Member Swanson motioned to recess the City Council Meeting and convene in the Redevelopment Agency or RDA. Council Member Barker seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

7. **DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2022-2023 RDA BUDGET**

Finance Director Jones explained the Board held a public hearing on June 14, 2022 and adopted an operating budget for the Agency; no changes have been made to the RDA budget since that time and Administration recommends adoption of the final budget.

Mayor Berube inquired as to the funding source for the Wasatch Front Regional Council (WFRC) grant included in the budget. City Manager/Attorney Call explained that it is taxpayer money collected by the State of Utah, which is rededicated to entities such as the WFRC for granting purposes.

Board Member Swanson stated he still does not understand the benefit of the rebranding project included in the budget. Mr. Call stated that the City’s Economic Development Committee recommended the rebranding project; they will be required to provide a formal report to the Board, and seek approval from the Board, before any money can be spent on the project.

Board Member Barker stated that the Board received an email indicating that a portion of the budget to fund the flowers on Washington Boulevard comes from the City’s general fund. Ms. Jones stated that was in regard to last year’s budget, but it is correct that there is an \$11,000 transfer from the General Fund associated with wages for the employee that manages watering of the flowers. The purchase of the flowers is covered by RDA funds.

Board Member Swanson motioned to approve Ordinance RDA 2022-21 adopting the final budget for Fiscal Year 2022-2023 RDA Budget. Board Member Ekstrom seconded the motion.

Voting on the motion:

Board Member Barker	aye
Board Member Dalpias	aye
Board Member Ekstrom	aye
Board Member Swanson	aye

The motion passed unanimously.

8. DISCUSSION AND/OR ACTION TO ADJOURN THE RDA MEETING AND CONVENE IN THE CITY COUNCIL MEETING

Board Member Ekstrom motioned to adjourn the RDA meeting and convene in the City Council Meeting. Board Member Dalpias seconded the motion.

Voting on the motion:

Board Member Barker	aye
Board Member Dalpias	aye
Board Member Ekstrom	aye
Board Member Swanson	aye

The motion passed unanimously.

9. PUBLIC COMMENTS

Justin Scott, North Ogden resident, stated that he spoke last week during the Truth in Taxation hearing, and he is surprised that more people are not in attendance this evening. He inquired as to the property tax increase percentage that was approved tonight. Mayor Berube answered 24.5 percent. Mr. Scott thanked the Mayor and Council for listening to the comments that were made last week and for considering adjustments to the budget. He stated that he works as a real estate broker and in recent weeks he has seen a rapid decline in home prices, and he thinks that it is great that the City has approved a lower tax rate than what was publicly advertised.

Mayor Berube stated he was happy to see and hear from so many residents last week and he was not surprised that no one spoke in favor of a property tax increase. He feels it is important to stress that one of the expenditures that needed to be covered was a \$223,000 expense associated with an accounting error relating to the City's motor pool fund. He does not believe anything illegal occurred and the decisions made in the past were made in an effort to avoid increasing taxes, but that has put the current City Council and City Administration in a difficult position.

Sandy Cochran, North Ogden resident, shared her opinion about the formation of a committee with participation from a resident who could not even sit through one entire City Council meeting. If she were in the Council's position, she would reconsider their commitment to appoint that individual to a committee.

10. COUNCIL/MAYOR/STAFF COMMENTS

City Manager/Attorney Call reported that Music Mondays will continue at the Barker Park Amphitheater for the coming weeks.

City Recorder Nance reported there will be a joint work session with the Planning Commission next Tuesday.

Council Member Ekstrom thanked the residents who do show up for meetings and participate in the discussion and decision-making process. It is great to hear from resident throughout the process, not just after a decision is made.

Council Member Barker reported that following last week's Truth in Taxation hearing, he visited with Program Coordinator Erickson regarding the City's youth tackle program; she informed him that North Ogden is the only City that manages a program for all areas that are included in Weber High School's boundaries. This includes Huntsville, Pleasant View, and Harrisville. It is an expensive program, but equipment purchases last for eight years and participation fees are intended to cover the cost of that equipment. He stated that his children play flag football, but that program is offered by Pleasant View City, so it may be that all communities are contributing to youth recreation programs in the area.

11. DISCUSSION AND/OR ACTION TO ENTER A CLOSED MEETING FOR REASONS RELATED TO UTAH STATE CODE §52- 4-205(1)(A) REGARDING THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF INDIVIDUAL

Council Member Dalpias motioned to enter a closed meeting for reasons related to Utah State Code §52- 4-205(1)(a) regarding the character, professional competence, or physical or mental health of individual. Council Member Swanson seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

The regular meeting adjourned at 6:59 p.m.

The meeting reconvened at 8:44 p.m.

12. ADJOURNMENT

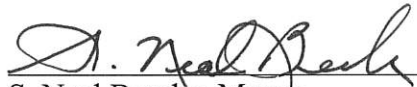
Council Member Ekstrom motioned to adjourn the meeting. Council Member Swanson seconded the motion.

Voting on the motion:

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

The motion passed unanimously.


The meeting adjourned at 8:44 p.m.



S. Neal Berube, Mayor



Susan L. Nance, CMC
City Recorder



Date Approved