



## MINUTES OF THE SOUTH OGDEN CITY COUNCIL WORK SESSION AND CITY COUNCIL MEETING

TUESDAY, SEPTEMBER 1, 2020

WORK SESSION – 5 PM IN COUNCIL ROOM

COUNCIL MEETING – 6 PM IN COUNCIL ROOM

### WORK SESSION MINUTES

#### COUNCIL MEMBERS PRESENT

Mayor Russell Porter, Council Members Sallee Orr, Brent Strate, Susan Stewart, Mike Howard, and Jeanette Smyth Note: Council Member Smyth joined the meeting via the Microsoft Teams meeting app.

#### STAFF MEMBERS PRESENT

City Manager Matt Dixon, Assistant City Manager Doug Gailey, Finance Director Steve Liebersbach, Parks and Public Works Director Jon Andersen, Fire Chief Cameron West, Police Chief Darin Parke, Information Services Manager Brian Minster, Special Events Coordinator Jamie Healy, and Recorder Leesa Kapetanov Note: Assistant City Manager Doug Gailey, Parks and Public Works Director Jon Andersen, Finance Director Steve Liebersbach, Police Chief Darin Parke joined the meeting via Microsoft Teams.

#### CITIZENS PRESENT

No one else was present for the work session

**Note: The time stamps indicated in blue correspond to the audio recording of this meeting, which can be found by clicking the link**

**[https://www.southogdencity.gov/document\\_center/Sound%20Files/2020/CC200901\\_1703.mp3](https://www.southogdencity.gov/document_center/Sound%20Files/2020/CC200901_1703.mp3) or by requesting a copy from the office of the South Ogden City Recorder.**

#### I. CALL TO ORDER

- Mayor Porter called the meeting to order at 5:04 pm and entertained a motion to begin.

00:00:00

**Council Member Howard so moved, followed by a second from Council Member Stewart. Council Members Orr, Strate, Stewart, Howard, and Smyth all voted aye.**

## II. REVIEW OF AGENDA

Mayor Porter informed the Council that Adam Long was in the meeting via Microsoft Teams to answer questions concerning the Lincoln Avenue lease agreements.

00:00:18

## III. DISCUSSION ITEMS

### A. City Property on 40<sup>th</sup> and Evelyn

00:35:44

## IV. ADJOURN

At 5:58 pm, Mayor Porter called for a motion to adjourn the work session.

**Council Member Howard moved to adjourn, followed by a second from Council Member Orr. The voice vote was unanimous in favor of the motion.**

00:53:45

## COUNCIL MEETING MINUTES

### COUNCIL MEMBERS PRESENT

Mayor Russell Porter, Council Members Sallee Orr, Brent Strate, Susan Stewart, Mike Howard, and Jeanette Smyth Note: Council Member Smyth joined the meeting via the Microsoft Teams meeting app.

### STAFF MEMBERS PRESENT

City Manager Matt Dixon, City Attorney Ken Bradshaw, Assistant City Manager Doug Gailey, Finance Director Steve Liebersbach, Parks and Public Works Director Jon Andersen, Fire Chief Cameron West, Police Chief Darin Parke, Information Services Manager Brian Minster, Special Events Coordinator Jamie Healy, and Recorder Leesa Kapetanov Note: City Attorney Ken Bradshaw, Assistant City Manager Doug Gailey, Parks and Public Works Director Jon Andersen, and Police Chief Darin Parke joined the meeting via Microsoft Teams.

### CITIZENS PRESENT

Bryana Collard, Sean Alibrando, Bruce & Joyce Hartman

**Note: The time stamps indicated in blue correspond to the audio recording of this meeting, which can be found by clicking this link**

**[https://www.southogdencity.gov/document\\_center/Sound%20Files/2020/CC200901\\_1800.mp3](https://www.southogdencity.gov/document_center/Sound%20Files/2020/CC200901_1800.mp3)**  
or by requesting a copy from the office of the South Ogden City Recorder.

## I. OPENING CEREMONY

### A. Call To Order

- Mayor Porter called the meeting to order at 6:01 pm and called for a motion to convene  
00:00:08

**Council Member Howard so moved, followed by a second from Council Member Strate. In a voice vote Council Members Orr, Strate, Stewart, Howard, and Smyth all voted aye.**

### B. Prayer/Moment of Silence

The mayor led those present in a moment of silence.

### C. Pledge Of Allegiance

Council Member Susan Stewart led the Pledge of Allegiance.

## II. PUBLIC COMMENTS

Bryana Collard

00:01:42

Ms. Collard was concerned with the street crossings to Burch Creek Elementary

## III. RESPONSE TO PUBLIC COMMENT

00:07:40

## IV. RECOGNITION OF SCOUTS/STUDENTS PRESENT

No scouts or students were present.

## V. CONSENT AGENDA

### A. Approval of August 18, 2020 Council Minutes

- Mayor Porter asked if there were any questions or comments concerning the minutes. No one responded. He then called for a motion.

00:08:49

**Council Member Howard moved to approve the consent agenda. The motion was seconded by Council Member Strate. The voice vote was unanimous in favor of the motion.**

- The mayor asked if any comments had been made online. Information Services Manager Brian Minster read one online comment.

Brock Thurgood

00:09:05

Was displeased with council members speaking out against Jets football

## VI. PUBLIC HEARING

To Receive and Consider Comments on the Indefinite Closing of Lincoln Avenue between 36th Street and Riverdale Road

- Mayor Porter explained how people could comment online and then called for a motion to open the public hearing

00:09:57

**Council Member Strate moved to open the public hearing. The motion was seconded by Council Member Howard. All present voted aye.**

- Staff overview of public hearing item

00:10:42

- The mayor opened the meeting for comments from the public. He also explained they would keep the public hearing open for online comments until 6:20 pm.

Bryana Collard 00:12:39 Spoke in favor of closing the road

- Mayor Porter called for a motion to close the public hearing but keep public comment open until 6:20 pm. 00:13:36

**Council Member Howard so moved, followed by a second from Council Member Strate. The voice vote was unanimous in favor of the motion.**

## VII. DISCUSSION/ACTION ITEMS

- The mayor went to item B first to make sure all public comments could be considered before the council discussed Item A

### **B. Consideration of Resolution 20-28 – Approving an Intercounty Automatic Aid Agreement**

- Staff overview 00:14:23
- Discussion 00:15:38
- Motion 00:19:35

**Council Member Howard moved to approve Resolution 20-28. Council Member Orr seconded the motion. Mayor Porter asked if there was further discussion, and seeing none, he called the vote:**

<b>Council Member Orr -</b>	<b>Yes</b>
<b>Council Member Strate -</b>	<b>Yes</b>
<b>Council Member Stewart-</b>	<b>Yes</b>
<b>Council Member Howard -</b>	<b>Yes</b>
<b>Council Member Smyth -</b>	<b>Yes</b>

**Resolution 20-28 was adopted.**

- The time was past 6:20 pm, so the mayor asked if any online public comments had been submitted. No comments had been made. Mayor Porter continued with Item A.

### **A. Consideration of Ordinance 20-21 – Indefinitely Closing a Portion of Lincoln Avenue Between 36<sup>th</sup> Street and Riverdale Road**

- Staff recommended this item be tabled 00:20:12
- There was no discussion on this item

- Motion 00:21:20

**Council Member Strate moved to table Ordinance 20-21. The motion was seconded by Council Member Howard. After determining there was no more discussion, the mayor called the vote:**

**Council Member Howard - Yes**  
**Council Member Smyth - Yes**  
**Council Member Orr - Yes**  
**Council Member Strate - Yes**  
**Council Member Stewart - Yes**

**The motion to table stood.**

**C. Consideration of Resolution 20-29 – Approving an Agreement with Granite Inliner LLC for 40<sup>th</sup> Street Sewer Line Project**

- Staff overview 00:21:45
- Council discussion 00:23:40
- Motion 00:27:38

**Council Member Smyth moved to approve Resolution 20-29. Council Member Howard seconded the motion. There was no more discussion. Mayor Porter called the vote:**

**Council Member Stewart- Yes**  
**Council Member Strate - Yes**  
**Council Member Orr- Yes**  
**Council Member Smyth - Yes**  
**Council Member Howard - Yes**

**The agreement was approved.**

- Discussion on receiving only one bid. 00:28:16

**D. Consideration of Resolution 20-30 – Approving an Agreement with Staker Parsons for Work on Water Tanks**

- Staff overview 00:29:33
- Council discussion 00:33:52
- Motion 00:40:26

**Council Member Howard moved to adopt Resolution 20-30 followed by a second from Council Member Strate. Mayor Porter reminded Council Member Howard that wording clarifying this resolution was not a ratification needed to be added to the motion. Council**

Member Howard amended his motion to include the wording. Council Member Strate seconded the amended motion. After determining there were no more comments, Mayor Porter called the vote:

Council Member Smyth -	Yes
Council Member Howard -	Yes
Council Member Stewart -	Yes
Council Member Strate -	Yes
Council Member Orr -	Yes

The motion stood.

**E. Consideration of Resolution 20-31 – Approving an Agreement with Community Development and Renewal Agency for the Lease of Lincoln Avenue**

- Staff overview 00:41:05
- Council discussion 00:44:40
- Mayor Porter entertained a motion to approve Resolution 20-31, adding a March 1, 2020\* deadline 00:47:51

\* This is the date stated by the mayor; however, the date actually presented by staff was March 1, 2021. Staff used March 1, 2021 in the changes to the resolution.

**Council Member Strate so moved, followed by a second from Council Member Howard. The mayor asked if there were any further discussion, and seeing none, he called the vote:**

Council Member Strate -	Yes
Council Member Orr -	Yes
Council Member Stewart -	Yes
Council Member Howard -	Yes
Council Member Smyth -	Yes

**Resolution 20-31 was approved.**

**VIII. DISCUSSION ITEM**

Discussion and Possible Referral for Review by Planning Commission of Disposal of Certain Real Property Owned by the City 00:48:30

**IX. RECESS CITY COUNCIL MEETING AND CONVENE INTO COMMUNITY DEVELOPMENT AND RENEWAL AGENCY BOARD MEETING**

Mayor Porter indicated it was time to convene into a CDRA meeting and called for a motion to do so.

01:02:52

**Council Member Strate moved to recess city council meeting and convene into a Community Development and Renewal Agency Board meeting. The motion was seconded by Council Member Howard. The voice vote was unanimous in favor of the motion.**

See separate minutes.

**X. RECONVENE CITY COUNCIL MEETING**

Motion from CDRA Board Meeting at 7:08 pm.

01:06:41

**Board Member Howard moved to adjourn the CDRA Board meeting and reconvene as the South Ogden City Council, followed by a second from Board Member Strate. All present voted aye.**

**XI. REPORTS/DIRECTION TO CITY MANAGER**

**A. City Council Members**

- Council Member Strate - 01:06:58
- Council Member Orr - 01:07:51
- Council Member Smyth - 01:09:34
- Council Member Stewart - 01:10:05
- Council Member Howard - 01:15:50

**B. City Manager 01:16:54**

**C. City Attorney nothing to report**

- Additional comments by Council Member Strate

01:18:00

**D. Mayor Porter 01:19:07**

**XII. RECESS CITY COUNCIL MEETING AND CONVENE INTO AN EXECUTIVE SESSION**

Pursuant to UCA §52-4-205 1(c) to Discuss Pending or Reasonably Imminent Litigation

- At 7:22 pm, the mayor called for a motion to enter an executive session to discuss pending or reasonably imminent litigation

01:19:50



**Council Member Howard so moved, followed by a second from Council Member Orr. Council Members Orr, Strate, Stewart, Howard, and Smyth all voted aye.**

Note: The council stayed in the council room and asked everyone else to leave. Those personally present in the executive session were Mayor Porter and Council Members Orr, Strate, Stewart, and Howard. Those attending via Microsoft Teams were Council Member Smyth, Police Chief Darrin Parke, and City Attorney Ken Bradshaw.

### **XIII. ADJOURN**

At 7:26 pm, Mayor Porter called for a motion to adjourn the executive session, reconvene city council meeting, and adjourn.

**Council Member Howard so moved, followed by a second from Council Member Strate. The voice vote was unanimous in favor of the motion.**

The recording of this motion can be found at

[https://www.southogdencity.gov/document\\_center/Sound%20Files/2020/CC200901\\_1926.mp3](https://www.southogdencity.gov/document_center/Sound%20Files/2020/CC200901_1926.mp3)

or by contacting the South Ogden City Recorder.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Pre-Council Work Session and Council Meeting held Tuesday, September 1, 2020.

  
Leesa Kapetanov, City Recorder

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September 15, 2020  
Date Approved by the City Council