



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

TUESDAY, SEPTEMBER 19, 2023

WORK SESSION – 5 PM IN EOC ROOM

COUNCIL MEETING – 6 PM IN COUNCIL ROOM

### WORK SESSION MINUTES

#### COUNCIL MEMBERS PRESENT

Mayor Pro Tem Brent Strate, Council Members Sallee Orr, Susan Stewart, Mike Howard, and Jeanette Smyth

#### COUNCIL MEMBERS EXCUSED

Mayor Porter

#### STAFF MEMBERS PRESENT

City Manager Matt Dixon, Assistant City Manager Doug Gailey, Parks and Public Works Director Jon Andersen, Police Chief Darin Parke, Fire Chief Cameron West, Communications and Events Specialist Jamie Healy, and Recorder Leesa Kapetanov

#### OTHERS PRESENT

Jack Guenon, Mark Baca, Bobbi Loy

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

[https://cms7files.revize.com/southogden/document\\_center/Sound%20Files/2023/CC230919\\_1658.mp3](https://cms7files.revize.com/southogden/document_center/Sound%20Files/2023/CC230919_1658.mp3)

or by requesting a copy from the office of the South Ogden City Recorder.

### I. CALL TO ORDER

- Mayor Pro Tem Strate called the work session to order at 5:01 pm and entertained a motion to begin 00:00:10

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

**Note:** Council Members Orr and Howard were not present for the vote. Council Member Orr arrived soon after the vote and Council Member Howard arrived at 5:09 pm.

## II. REVIEW OF AGENDA

- The mayor pro tem did not address this item

## III. DISCUSSION ITEMS

A. Presentation from Investigators Jack Guenon and Mark Baca, License Director Bobbi Loy - Utah Department of Professional Licensing

- The presentation centered around illegal activities of certain massage spas and what cities could do to prevent them

00:01:20

A. Strategic Plan Review and Update

- Assistant City Manager Doug Gailey gave a visual presentation (see Attachment A) on a proposed survey program for citizen feedback

00:51:08

## IV. ADJOURN

- At 6:01 pm, Mayor Pro Tem Strate called for a motion to adjourn the work session

**Council Member Smyth so moved, followed by a second from Council Member Stewart. All present voted aye.**

01:00:00

## COUNCIL MEETING MINUTES

### COUNCIL MEMBERS PRESENT

Mayor Russell L. Porter, Council Members Sallee Orr, Brent Strate, Mike Howard, Susan Stewart, and Jeanette Smyth

### STAFF MEMBERS PRESENT

City Manager Matt Dixon, Finance Director Steve Liebersbach, Parks and Public Works Director Jon Andersen, Fire Chief Cameron West, and Recorder Leesa Kapetanov

### MEMBERS OF THE PUBLIC PRESENT

Bruce & Joyce Hartman, Ralph Kunz, Doug Stephens, Michelle Dawson

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

[https://cms7files.revize.com/southogden/document\\_center/Sound%20Files/2023/CC230919\\_1802.mp3](https://cms7files.revize.com/southogden/document_center/Sound%20Files/2023/CC230919_1802.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 6:04 pm and asked for a motion to begin  
00:00:00

**Council Member Howard so moved. The motion was seconded by Council Member Stewart. 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 Orr led everyone in the Pledge of Allegiance

## II. RECOGNITION OF EMPLOYEES

### A. Fire Department

#### 1. Recognition of Promotion of Rick Salvinski from Firefighter to Engineer

Fire Chief Cameron West extolled Firefighter Salvinski and the reasons for his promotion  
00:00:58

2. Introduction of New Employee

Chief West introduced the newest firefighter, Bradley Bach  
00:04:44

B. Police Department

1. Introduction of New SRO/Code Enforcement Officer

The mayor announced this item would be considered at the next meeting. There was no objection from any City Council members.  
00:05:29

### III. PUBLIC COMMENT

City Finance Director Steve Liebersbach thanked the Council and staff for the flower arrangement received by his family due to the recent passing of his mother. No one else stepped forward to offer public comments.  
00:04:44

### IV. RESPONSE TO PUBLIC COMMENT

- Not applicable at this time

### V. CONSENT AGENDA

A. Approval of August 15, 2023 Council Minutes

B. Declaring Certain Fire Department Property as Surplus to the City's Needs

C. Declaring Certain Police Department Property as Surplus to the City's Needs

- The mayor read through the consent agenda items and asked if there were any corrections or comments. Council Member Orr asked questions about some of the surplus items. The mayor then called for a motion to approve the consent agenda.

00:06:47

**Council Member Orr so moved. The motion was seconded by Council Member Strate. The voice vote was unanimous in favor of the motion.**

### VI. PUBLIC HEARING

To Receive and Consider Comments on a Proposed Boundary Adjustment with Ogden City

- Staff overview 00:08:07
- Motion to open public hearing

00:10:24

**Council Member Smyth so moved, followed by a second from Council Member Howard. All present voted aye.**

- Mayor Porter invited anyone who wanted to speak concerning the boundary adjustment to come forward. No one came forward. The mayor then called for a motion to close the public hearing in chambers but leave online comments open for five more minutes.

00:10:33

**Council Smyth so moved. The motion was seconded by Council Member Orr. By a voice vote, all members of the council voted aye.**

- The mayor asked Communications and Events Specialist Jamie Healy to read the online public comments that had been made (not for the public hearing)

Pam Peterson Prince- 00:11:23

Commented about weeds at 40<sup>th</sup> and Evelyn

Stephanie Kelly Seppich

00:11:34

Thanked the City for recent road work

## **VII. DISCUSSION/ACTION ITEMS**

### **A. Consideration of Resolution 23-38 – Approving Lease Agreement with All West for DSLAM Equipment**

- Staff overview 00:12:05
- Questions/Discussion 00:14:51
- Mayor Porter called for a motion to approve Resolution 23-38  
00:18:07

**Council Member Howard so moved. Council Member Smyth seconded the motion. The mayor made a roll call 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>

**The agreement with All West was approved.**

- Mayor Porter asked if there were any online public hearing comments. Nothing had been submitted 00:18:27
- The mayor recognized someone in the audience who wanted to make a comment and invited them forward 00:18:50  
Michelle Dawson- 00:19:40 Spoke concerning the boundary adjustment
- City Recorder Leesa Kapetanov suggested the mayor re-open the public hearing if he was going to allow more public comment for the boundary adjustment
- The mayor called for a motion to re-open the public hearing

00:20:36

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

- Mayor Porter requested Michelle Dawson's comments be added to the record
- City Manager Dixon responded to Ms. Dawson's concerns

00:20:45

- The mayor called for a motion to close the public hearing

00:22:37

**Council Member Strate so moved. Council Member Howard seconded the motion. All present voted aye.**

**B. Consideration of Resolution 23-39 – Approving and Agreement with Weber County School District for School Resource Officer**

- Staff overview 00:22:45
- There was no discussion by the council on this item
- Mayor Porter called for a motion to approve Resolution 23-39

00:26:43

**Council Member Strate so moved. The motion was seconded by Council Member Howard. The mayor asked if there was further discussion, and seeing none, he called the vote:**

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

**Resolution 23-39 was adopted.**

**C. Consideration of Resolution 23-40 – Approving an Agreement with Royal Plumbing and Heating for Installation of Swamp Cooler at Station 82**

- Staff overview 00:27:03
- Questions/discussion 00:29:16
- Mayor Porter called for a motion to approve Resolution 23-40

00:29:47

**Council Member Smyth so moved. Council Member Orr seconded the motion. The mayor made a roll call vote:**

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

**Resolution 23-40 was approved.**

**D. Consideration of Ordinance 23-16 – Approving a Boundary Adjustment with Ogden City**

- Staff overview 00:30:03
- Mayor Porter called for a motion to approve Ordinance 23-16  
00:31:03

**Council Member Howard so moved, followed by a second from Council Member Smyth. After determining there was no further discussion, the mayor made a roll call vote:**

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

**The boundary adjustment was approved.**

## **VIII. DISCUSSION ITEMS**

**Angled Parking Ordinance**

- Staff overview 00:31:21
- Discussion 00:34:37
- Staff was instructed to add this item to the next agenda for consideration  
00:35:53

## **IX. REPORTS/DIRECTION TO CITY MANAGER**

**A. City Council Members**

- Council Member Stewart- 00:36:40
- Council Member Smyth- 00:43:30
- Council Member Howard- 00:45:26
- Council Member Strate - 00:46:30
- Council Member Orr - 00:52:30

B. City Manager- 00:57:30  
C. Mayor- 01:11:40

## VI. ADJOURN

- At 7:20 pm, the mayor called for a motion to adjourn.  
01:15:04

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

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Work Session and Council Meeting held Tuesday, September 19, 2023.

  
Leesa Kapetanov, City Recorder

\_\_\_\_\_  
October 3, 2023  
Date Approved by the City Council

## **Attachment A**

Presentation by Investigator Jack Guenon



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# UTAH MASSAGE THERAPY

Presented by: Mark Baca, Bobbie Loy, and Jack Guenon



“

INSANITY IS DOING THE  
SAME THING OVER AND  
OVER AND EXPECTING A  
DIFFERENT RESULT.

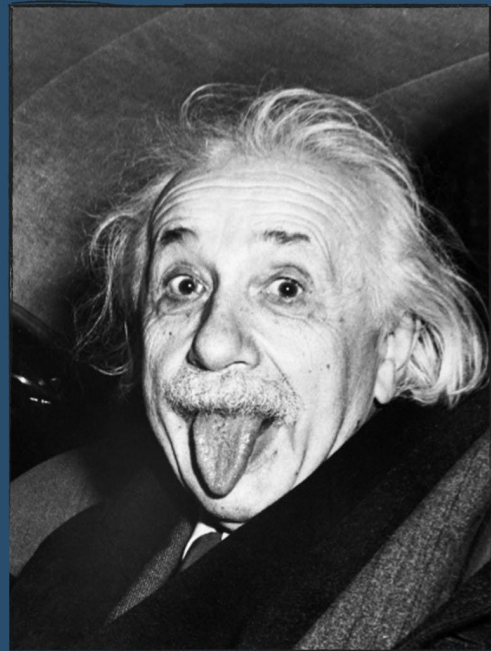
”

- Albert Einstein



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# DOPL's Mission and Goals

Strengthening trust in Utah's professional workforce through effective licensing, balanced regulation, and consumer engagement to facilitate informed decisions



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## Utah DOPL's MASSAGE LICENSE COUNT

Massage Therapists Licensed through Utah DOPL.....6,808

Massage Apprentices Licensed through Utah DOPL.....113

# MASSAGE THERAPIST

## License Categories

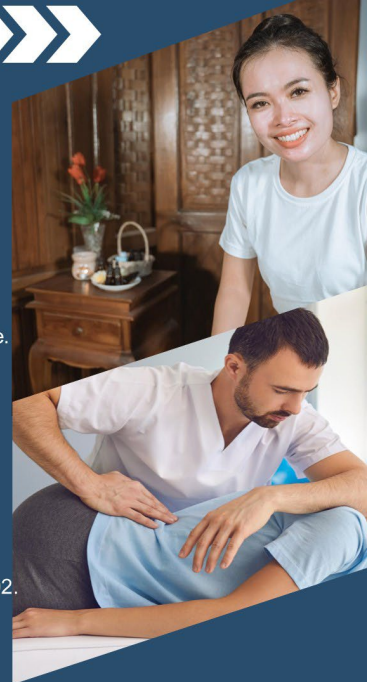
Message Therapist: An individual licensed under this chapter as a massage therapist.

Message Apprentice: An individual licensed under this chapter as a massage apprentice.

Message Assistant: An individual licensed under this chapter as a massage assistant.

Message Assistant in-training: An individual licensed under this chapter as a massage assistant in-training.

Note: The information provided is based on the regulations defined in section 58-47B-102.



## KEY CHALLENGES

Violations of the Utah Massage Therapy Practice Act:

- Engaging in activities such as providing "Happy Endings."

Unlicensed Practice

Illegal Activities Associated with Unlicensed Practice:

- Human trafficking.
- Prostitution.
- Money laundering.
- Other illicit practices.

Licensing:

- Review application for accuracy and legitimacy of supporting documentation

Harming Utah Communities

Municipal Violations:

- Violations of local ordinances or regulations related to massage therapy.
- Failure to comply with municipal requirements.





## Know what's in your Community

<https://www.whhttps://www.yesbackpage.com/315/posts/8-Adult/123>

<Body-Rubs/rubrankings.com/rubmd.html>

<https://www.adultlook.com/>

<https://saltlakecity.craigslist.org/>

<https://www.rubmaps.ch/>



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## DID YOU KNOW?

Practicing massage therapy without a  
license is a:

**Class A Misdemeanor**

Per [Utah Code: 58-47b-501](#)



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# UTAH MASSAGE THERAPY

[Code of Ethics and  
Standards of Practice IF  
licensed with DOPL](#)



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## STANDARD 1: PROFESSIONAL PRACTICE

The therapist must provide optimal levels of professional massage and bodywork services and demonstrate excellence in practice by promoting healing and well-being through responsible, compassionate, and respectful touch.



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# PRACTICE PRACTICE

- H** Be knowledgeable of their scope of practice and practice only within these limitations.



I

Use professional verbal, nonverbal, and written communication.

J

Refer to other professionals when in the best interest of the client and/or practitioner.

K

Use standard precautions to ensure professional, hygienic practices and maintain a level of personal hygiene appropriate for practitioners in the therapeutic setting.

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STANDARD II

Legal and Ethical Requirements

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## LEGAL AND ETHICAL REQUIREMENTS

Obey all applicable local, state, and federal laws.

Refrain from any behavior that results in illegal or unethical actions

Accepts responsibility for their own actions

Report to the proper authorities any alleged violations of the law by other therapists

Maintain accurate and truthful records.

Respect existing publishing rights and copyright laws.

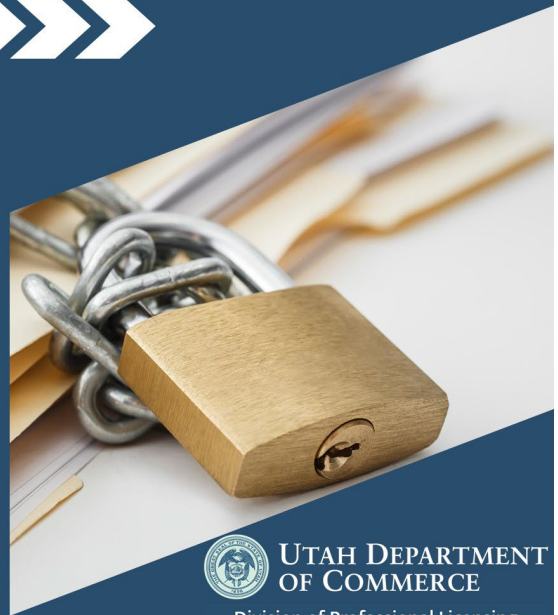


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## STANDARD III

### Confidentiality

The therapist shall respect the confidentiality of client information and safeguard all records. In his/her professional role, the therapist shall:



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Protect the client's identity in social conversations, all advertisements, and any other manners unless requested by the client in writing, medically necessary, or legally required.



Protect the interests of clients who are minors or who are unable to give voluntary consent by securing permission from an appropriate third party or guardian.



Solicit only information that is relevant to the professional client/therapist relationship.



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## STANDARD IV BUSINESS PRACTICES:



The therapist shall practice honesty, integrity, and lawfulness in massage and bodywork. In his/her professional role, the therapist shall:

**A** Provide a physical setting that is safe and meets all applicable legal requirements for health and safety

**B** Maintain adequate and customary liability insurance (advisable but not mandatory).

**C** Accurately and truthfully inform the public of services provided.

**D** Honestly represent all professional qualifications and affiliations.

**E** Promote his/her business with integrity and avoid potential and actual conflicts of interest.

**F** Advertise in a manner that is honest, dignified, and representative of services that can be delivered and remains consistent with the Utah Code of Ethics and Standards of Practice.

**G** Comply with all laws regarding sexual harassment.

**H** Advertise in a manner that is not misleading to the public by, among other things, the use of sensational, sexual, or provocative language and/or pictures to promote business.

**I** Not exploit the trust and dependency of others, including clients and employees/co-workers.

**J** Display/discuss a schedule of fees in advance of the session that is clearly understood by the client or potential client



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BUSINESS  
PRACTICES

BUSINESS  
PRACTICES

K

Make financial arrangements in advance that are clearly understood by and safeguard the best interests of the client or consumer.

L

Follow acceptable accounting practices.

M

File all applicable municipal, state, and federal taxes.

N

Maintain accurate financial records, contracts, and legal obligations, appointment records, tax reports, and receipts for at least four years.

O

Treat each client with respect, dignity, and worth.



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# BUSINESS PRACTICES

## STANDARD V

### Roles and Boundaries

the therapist shall adhere to ethical boundaries and perform the professional roles designed to protect the client, and the practitioner and safeguard the therapeutic value of the relationship. In his/her professional role, the therapist shall:



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Recognize his/her personal limitations and practice only within these limitations.



Recognize and limit the impact of transference and countertransference between the client and therapist.



Recognize his/her influential position with the client and shall not exploit the relationship for personal or other gain.



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Not engage in any sexual activity with a client.

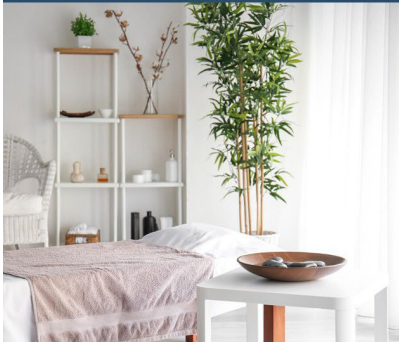


Avoid dual relationships that could impair professional judgment or result in exploiting the client, employees/co-workers.



Acknowledge and respect the client's freedom of choice in the therapeutic session

Respect the client's right to refuse the therapeutic session.



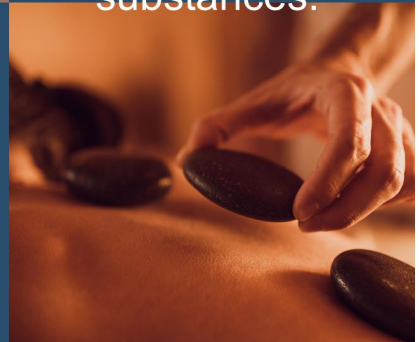
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Refrain from practicing under the influence of alcohol, drugs, or any illegal substances.

Have the right to refuse and/or terminate the service to a client who is abusive or under the influence of alcohol, drugs, or any illegal substance.



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## STANDARD VI

### Prevention of Sexual Misconduct

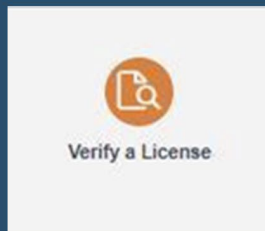
The therapist shall refrain from any behavior that sexualizes or appears to sexualize the client/therapist relationship. The therapist recognizes that the intimacy of the therapeutic relationship may activate practitioner and/or client needs and/or desires that weaken objectivity and may lead to sexualizing the therapeutic relationship. In his/her professional role, the therapist shall:

## PREVENTION OF SEXUAL MISCONDUCT

- A Avoid engaging in any sexual relationship or sexual conduct with the client during and for at least six months after the therapist-client relationship ends.
- B If the client attempts any sexual behavior, clarify the purpose of the therapy session, and if the behavior continues, terminate or refuse the session.
- C Understand that engaging in sexual activity with clients, students, employees, supervisors, or trainees is strictly prohibited, regardless of consent.
- D Perform therapeutic breast massage only if it is part of the treatment plan and after obtaining informed, voluntary consent from the client.
- E Refrain from touching the genital area.



## HOW TO PROTECT YOURSELF AND OTHERS?



[Verify the therapist's  
active licensure on our  
website.](#)



If it seems suspicious,  
[report them to DOPL  
investigators.](#)

# Questions or concerns?



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## CONTACT US

Licensing - Bobbie Loy

Email: Bobbie Loy - [bloy@utah.gov](mailto:bloy@utah.gov)

Phone: 801-530-6179

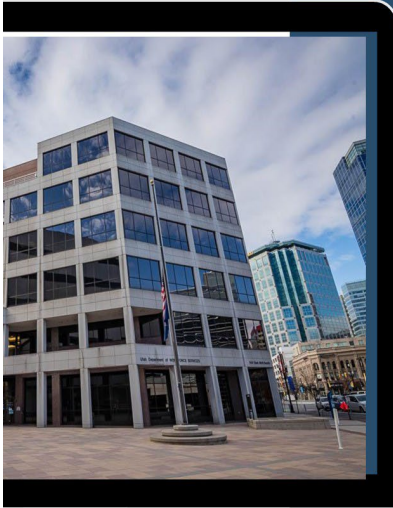
Website: [www.dopl.utah.gov](http://www.dopl.utah.gov)



Address : 160 E 300 S, Salt Lake City, UT 84114



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## CONTACT US

### Investigations

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- Mark Baca - 801-326-9948

- Jack Guenon - 801-440-6382

Email:

Mark Baca - [mbaca@utah.gov](mailto:mbaca@utah.gov)

Jack Guenon - [jackdguenon@utah.gov](mailto:jackdguenon@utah.gov)

Website: [www.dopl.utah.gov](http://www.dopl.utah.gov)

Address : 160 E 300 S, Salt Lake City, UT 84114



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media to stay up-to-date with



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# THANK YOU!



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## **Attachment B**


Presentation by Assistant City Manager Doug Gailey



## SOUTH OGDEN ACHIEVEMENT REPORT

- Tagline Help us SOAR
- Provide instant feedback
- Doesn't replace our Annual Citizen Survey
- It allows citizens to report something while fresh in their mind.
- Contests/prizes





For which department would you like to provide feedback?

- ☐ City Hall (Administration, Court, Passport, Planning/Land Use application)
- ☐ Police Department
- ☐ Fire Department
- ☐ Public Works (Streets, Water, Sewer, Storm Drain, Building, Garbage/Recycling)
- ☐ Parks Department (including all City Parks and trails)
- ☐ Recreation Department
- ☐ I would like to sign up to receive notifications from South Ogden City
- ☐ Other

## Distribution Plan

- Buildings
- Business Cards
- Parks/signs
- Vehicles





SS