

NORTH SALT LAKE CITY
CITY COUNCIL MEETING-WORK SESSION
NOVEMBER 17, 2015

FINAL

Mayor Arave called the meeting to order at 6:03 p.m.

PRESENT: Mayor Len Arave
Council Member Brian Horrocks
Council Member Matt Jensen
Council Member Stan Porter
Council Member Conrad Jacobson
Council Member Ryan Mumford

STAFF PRESENT: Barry Edwards, City Manager; Ken Leetham, Assistant City Manager and Community and Economic Development Director; Paul Ottoson, Public Works Director and City Engineer; Jon Rueckert, Assistant Public Works Director; Janice Larsen, Finance Director; Chief Craig Black, Police Chief; David Church, City Attorney; Brent Moyes, Golf Course Director; Linda Horrocks, Deputy Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: James Hood, resident; Jody Burnett, Williams & Hunt.

1. PRESENTATION OF AUDIT REPORT-WOOD RICHARDS

Mayor Arave commented that the audit report had been distributed to all City Council members at this time. Janice Larsen said that the auditors would be willing to present the audit report findings at a later date.

2. ADJOURN INTO CLOSED SESSION TO DISCUSS PENDING LITIGATION

At 6:05 p.m. Council Member Jacobson moved it go into closed session to discuss pending litigation. Council Member Jensen seconded the motion. The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.

3. RECONVENE INTO WORK SESSION

At 6:47 p.m. Council Member Jacobson moved to go out of closed session. Council Member Mumford seconded the motion. The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.

4. CANVASS OF 2015 MUNICIPAL ELECTION

Council Member Mumford asked if the mail-in ballot was more expensive than in person voting. Linda Horrocks replied that mail-in voting is a little more costly but seems to be more effective in increasing the number of votes. She then reported on the total results from the County which included: 1844 votes for Brian Horrocks, 1605 for Stan Porter, 909 for James Hood, 715 for Tayler Clough and 686 for Lew Jeppson.

Council Member Jacobson moved to accept the 2015 General Election canvass as presented. Council Member Mumford seconded the motion. The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.

5. APPROVE MINUTES

The City Council minutes of October 20, 2015 were reviewed and amended. **Council Member Jacobson moved to approve the City Council minutes of October 20th 2015 as amended. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.**

6. ADJOURN

Mayor Arave adjourned the meeting at 6:58 p.m. to begin the regular session.

NORTH SALT LAKE CITY
CITY COUNCIL MEETING-REGULAR SESSION
NOVEMBER 17, 2015

FINAL

Mayor Arave called the meeting to order at 7:08 p.m. Council Member Matt Jensen offered the invocation and led those present in the Pledge of Allegiance.

PRESENT: Mayor Len Arave
Council Member Brian Horrocks
Council Member Matt Jensen
Council Member Stan Porter
Council Member Conrad Jacobson
Council Member Ryan Mumford

STAFF PRESENT: Barry Edwards, City Manager; Ken Leetham, Assistant City Manager and Community and Economic Development Director; Paul Ottoson, Public Works Director and City Engineer; Jon Rueckert, Assistant Public Works Director; Janice Larsen, Finance Director; Chief Craig Black, Police Chief; David Church, City Attorney; Brent Moyes, Golf Course Director; Linda Horrocks, Deputy Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: James Hood, Artie Clawson, Evan Christensen, residents; AJ Green, RQN/Fedex, Derrick White, Stacey Brown, Fedex; Dane Stone, South Davis Metro Fire Agency; Randy Mansfield, Edward Kliovj, Robert Bruhn, Dick Wheelock, Marine Corps League; David Standing, MCL; Cass Standing; Spencer Ward, Mike Haslam, Tom Stuart Construction

1. CITIZEN COMMENT

There were no citizen comments.

2. PRESENTATION OF FUNDS BY THE MARINE CORPS LEAGUE (BOUNTIFUL)
TO THE CITY'S D.A.R.E. PROGRAM

The Bountiful Marine Corps League presented Chief Black with a donation of \$300.00 for the D.A.R.E. program. It was mentioned that they also provide donations to the Fisher House VA, Primary Children's Hospital, Wounded Warrior and high school scholarships.

3. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE 2015-17
PROPOSING A VACATION OF A PORTION OF FRANKLIN PARKWAY (900
NORTH, EAST OF 400 WEST)

Ken Leetham reported that this request is from the adjacent landowner, Allen Land Company, who desires to cease using the access point to Franklin Parkway (at approximately 400 West) as it is now primarily used by FedEx. FedEx has since expanded their property with new access to Franklin Parkway on the east side of their complex at approximately 200 West. The completed application has been reviewed by City staff and the City attorney.

Mayor Arave opened the public hearing at 7:20 p.m. There were no comments and he closed the hearing at 7:20 p.m.

Council Member Mumford asked if this vacation would have any impact on the site plan expansion for FedEx. Ken Leetham replied that it would have no impact or require any changes.

Council Member Jensen moved to approve Ordinance 2015-17 proposing the vacation of a portion of Franklin Parkway (900 North, east of 400 West). Council Member Mumford seconded the motion. The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.

4. CONSIDERATION OF THE MAYOR'S RE-APPOINTMENT OF TED KNOWLTON
AS A MEMBER OF THE PLANNING COMMISSION THROUGH 10-09-18

Mayor Arave recommended the re-appointment of Ted Knowlton to the Planning Commission and said Ted was a valuable asset to the Planning Commission. Council Members Mumford and Horrocks also commented that his skills and expertise make him a valued member of the Planning Commission.

Council Member Jacobson moved to approve the Mayor's re-appointment of Ted Knowlton as a member of the Planning Commission through 10-09-2018. Council Member Mumford seconded the motion. The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.

5. CONSIDERATION OF RESOLUTION 2015-31R AMENDING THE NSL
EMPLOYEE POLICIES AND PROCEDURES MANUAL

Barry Edwards reported that when the City changed to a four-day work week several things were not updated in the Personnel Policies and Procedures Manual causing some vagueness in some

areas, including holidays and benefits for part-time employees. The proposed revisions will clarify that only employees who work 20 hours or more per week are entitled to benefits. Additional clarifications include conformity to the Affordable Care Act, functions of the City Manager, and the elimination of the 3% bonus for employees who are at the top of their position range. Future part-time employees will not be eligible for benefits while current part time employees will be grandfathered into the policy.

Council Member Porter moved to adopt Resolution 2015-31R approve certain amendments to the City's Personnel Policies and Procedures Manual and establishing an effective date, with the change that part-time employees that are hired from this date forward will not receive the benefits that those that are currently employed do. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.

6. CONSIDERATION OF RESOLUTION 2015-28R APPROVING THE CREATION OF A SERVICE AREA FOR FIRE PROTECTION, EMERGENCY MEDICAL RESPONSE, PARAMEDIC, AMBULANCE, EMERGENCY RESPONSE SERVICES AND RELATED SERVICES TO THE CITIES OF BOUNTIFUL, CENTERVILLE, NORTH SALT LAKE, WEST BOUNTIFUL, WOODS CROSS AND UNINCORPORATED AREA OF SOUTH DAVIS COUNTY AND THE TRANSFER OF THE RESPONSIBILITIES AND OPERATIONS OF THE EXISTING SOUTH DAVIS METRO FIRE AGENCY

Barry Edwards reported that the County adopted this resolution earlier that day and that City staff has reviewed this many times with surrounding city managers. The resolution and by-laws are in place and will continue to ensure good service is provided. City staff recommends approval of the creation of the service area and the transfer of the responsibilities and operations of the existing South Davis Metro Fire Agency.

Dane Stone, Deputy Fire Chief of the South Davis Metro Fire Agency (SDMFA), reported that Woods Cross had already passed this resolution and that other cities would likely follow suit within the next few weeks.

Council Member Jacobson moved to approve Resolution 2015-28R approving the creation of a service area for fire protection, emergency medical response, paramedic, emergency response services and related services to the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and the unincorporated area of South Davis County and the transfer of the responsibilities and operations of the existing South Davis Metro

Fire Agency. Council Member Porter seconded the motion. The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.

7. CONSIDERATION OF A PROPOSED SITE PLAN FOR REDBONE TRUCKING A LOCAL FREIGHT TRUCKING COMPANY LOCATED AT 575 WEST 1100 NORTH. TOM STUART, APPLICANT

Ken Leetham reported that Redbone Trucking is proposing to relocate within the City and would like to construct a new building at 575 West 1100 North. The applicant has met the landscaping and parking requirements and has completed the architectural review. The applicant will be required to provide a lighting plan to demonstrate security and that the lighting is contained on site. The Development Review Committee (DRC) and the Planning Commission recommend approval.

Council Member Porter commented that the lighting plan seemed unusual in that it would require containment of light in a non-residential zone.

Council Member Mumford commented that chain-link fencing with barbed wire is currently allowable in the Manufacturing Distribution (MD) zone and asked if this should be changed or reconsidered going forward.

Council Member Mumford moved to approve the site plan for Redbone Trucking at 575 West 1100 North, with the following findings and subject to the attached condition:

Findings:

- 1) **The proposed use of local freight trucking is a permitted use in the MD Zone;**
- 2) **Sufficient parking is being provided for proposed use; and**
- 3) **The proposed use meets all requirements of the development code.**

Condition:

- 1) **Provide a lighting plan demonstrating security and that lighting is contained on the site.**

Council Member Jacobson seconded the motion. The motion was approved by Council Members Jacobson, Horrocks, Jensen and Mumford. Council Member Porter voted in opposition to the motion.

Mayor Arave commented that the City may want to require nicer fencing along 1100 North going forward.

Mike Haslam, Tom Stuart Construction, commented that the applicant may put in wrought iron fencing depending on the cost but will most likely be installing chain-link fencing.

8. CONSIDERATION OF A PROPOSED SITE PLAN FOR SIX TOWNHOME APARTMENT UNITS AND ASSOCIATED LANDSCAPING LOCATED AT 168 HWY 89. ARIC JENSON, KNOWLTON GENERAL, APPLICANT

Ken Leetham reported that there is an apartment building located at 168 South Highway 89 with eight units which the new owner had been remodeling. The applicant would like to make further changes to the site including the addition of more apartment units, removal of a retaining wall and re-doing a portion of the parking lot. The DRC and the Planning commission recommend approval of the site plan with the following findings and conditions: The proposed use for multi-family housing is a permitted use in the CH zone, the proposed architectural and landscaping improvements reflect the intent to improve and revitalize the town center area, sufficient parking is provided and the use meets all requirements of the development code. Conditions of approval include proof of easement with Green Briar HOA for a new water line, proof of easement for existing storm drain line, remodel of the existing building using materials, architectural features and colors in agreement with the new construction.

Ken Leetham commented that one issue the applicant faces is the upgrade of the existing building and the difficulties involved in removing the roof to perform improvements which would be delayed until spring.

Council Member Porter asked if the new building owners were part of the Good Landlord program. Aric Jenson, Knowlton General, replied that they were.

Council Member Jensen asked if the changes to the grading of the driveway would take place on a portion of the adjacent property belonging to the Green Briar HOA. Aric Jenson replied that all the changes would not impact Green Briar except for the installation of the water line.

Mayor Arave asked what the lease rates for the apartment units would be once the remodel and construction is completed. Aric Jenson replied that these units were renting for \$500 before the remodel but would be raised to \$800-\$1000.

Council Member Porter moved that the City Council approve the site plan for a six-dwelling unit addition at 168 South Highway 89, with the following findings and subject to the following conditions:

Findings:

- 1) **The proposed use for multi-family housing is a permitted use in the CH zone;**
- 2) **The proposed architectural and landscaping improvements reflect the intent to improve and revitalize the town center area;**
- 3) **Sufficient parking is being provided for proposed use and non-conformities corrected; and**
- 4) **The proposed use meets all requirements of the development code.**

Conditions:

- 1) **Proof of easement agreement with Green Briar HOA for installation of new water line;**
- 2) **Proof of easement for existing storm drain line;**
- 3) **The existing building will be remodeled using materials, architectural features, and the same colors as the new construction and must be completed prior to the final occupancy of the project.**

Council Member Jacobson seconded the motion.

Council Member Porter moved to amend his motion to add to condition number three “the existing building’s exterior.” Council Member Jacobson seconded the amended motion. The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.

9. **CONSIDERATION OF ORDINANCE 2015-18 AMENDMENTS TO THE CITY’S LAND USE ORDINANCE, CHAPTER 24, HIGHWAY COMMERCIAL ZONE (CH)**

Ken Leetham reported on the amendments to the City’s Land Use Ordinance, Chapter 24, regarding the Highway Commercial zone (CH). There is currently a moratorium on a portion of the area in the CH zone. The purpose of these revisions is to move forward with development in this area and assist with the Town Center and General Plan.

These changes and amendments include: developments in the CH zone will contain mixed use and will be required to go through the Planning District process, elimination of multi-family developments, maximum flexibility in land use and urban design, mixed use developments, flexible development standards (setbacks, parking, height), establishing a clear right-of-way cross section for Highway 89, requiring 10’ setbacks for flexible pedestrian space, 110’ right-of-way, implementing General Plan and new Town Center plan, and clarification of prohibited uses. Additional revisions included removal of the requirement that a lot in the P District zone must be five acres in size.

Mayor Arave commented that these items would be reviewed in three months.

Council Member Jensen moved to approve Ordinance 2015-18 amending the City's Land Use Ordinance related to the Commercial Highway (C-H) Zone with the following findings:

Findings:

- 1) **The proposed regulations are consistent with the goals of the City's adopted General Plan;**
- 2) **The proposed regulations achieve the City's goals to enhance the urban design in the Town Center and along the US89 corridor.**

Council Member Horrocks seconded the motion.

Mayor Arave clarified that the motion includes the amendments that Ken Leetham presented that evening and that the P District change shall only be in the CH zone.

The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.

10. CONSIDERATION OF RESOLUTION 2015-32R ESTABLISHING A VEHICLE REPLACEMENT POLICY FOR CITY-OWNED VEHICLES

Janice Larsen reported that the purpose of the Vehicle Replacement Policy is to give City staff guidelines for vehicle replacement. There will be a 15 point plan and will consider criteria such as age, mileage, repairs, etc. as well as when staff recommends replacement. Barry Edwards commented that the replacement vehicle would need to be included in the budget.

Council Member Jacobson clarified that this policy would provide replacement guidelines but would not force the decision to replace a vehicle.

Council Member Jensen moved to approve Resolution 2015-32R and establishing a Vehicle Replacement Policy for city-owned vehicles with the change under "Replacement Procedure" Step 5 to "Fleet Management Board finalizes vehicle replacement list and brings to the City Council for approval." Council Member Porter seconded the motion. The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.

11. CONSIDERATION OF SURPLUS OF POLICE DEPARTMENT VEHICLES

Chief Black reported that car #176-10, 2010 Ford Crown Victoria and car #173-08, 2009 Ford Crown Victoria are over six years old and have been out of use for a year. He said that the 2009 Ford Crown Victoria will be sent to auction per what is normally done and the 2010 Ford Crown Victoria will be sent to Safe Harbor to benefit victims of domestic abuse.

Council Member Horrocks moved that the City Council approve the surplus of two Police Department vehicles (176-10 and 173-08) for disposal as described. Council Member Jensen seconded the motion. The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.

Chief Black commented that a new vehicle had been budgeted for in anticipation of hiring an additional officer and that this purchase would be brought before the City Council in the near future. He said that the vehicles the department purchases do not come equipped and that the equipment would be an additional cost.

12. DISCUSSION OF SIDEWALK REPAIR POLICIES PERTAINING TO DAMAGE CAUSED BY TREES

Paul Ottoson reported on the sidewalk repair policy and damage due to tree growth. Current City ordinances are not clear about who is responsible in these instances and the code should be clarified to resolve any future issues. Typically the sidewalk is 4" thick and a 2" trip hazard would warrant replacement while trip hazards under 2" would be ground down. One option could be to notify the homeowner in writing that they have 90 days to remove the tree causing the issue. If the homeowner refuses the City would fix the sidewalk and place a lien on the property for the cost of repair.

Mayor Arave asked how many trees would need to be removed annually. Paul Ottoson commented that it would be hard to say as there are currently dozens that need to be removed but estimated that yearly it would be approximately five to ten trees.

David Church commented that the law is straightforward in that the City has a duty to keep the rights-of-way safe for the intended purpose and that the City cannot force the homeowner to keep the sidewalks safe. If the City has a repair and replacement plan in place it will make any future trip and fall claims easier to defend.

Council Member Mumford commented that the City should repair the sidewalks and not place a lien on a homeowner's property as this did not seem like a fair policy.

City staff will review options and obtain the number of trees within the City which would require removal at this time.

13. CONSIDERATION OF RESOLUTION 2015-30R GRANTING APPROVAL OF DEED RESTRICTION ON THE HATCH PARK DETENTION BASIN AREA

This item has been postponed.

14. APPROVAL OF SITE PLAN FOR BOAT TAKE-OUT FACILITY ON THE JORDAN RIVER IN THE CITY OF NORTH SALT LAKE

Ken Leetham reported that there will be no restroom facility or building of any kind at the boat take-out area. The total amount to fund the boat take-out facility would be approximately \$154,000.00. The City has applied for three grants and would also use natural materials, such as boulders from the landslide area, to help reduce costs. This approval would give staff the ability to move ahead with construction and additional funding authorization would be brought back before the City Council.

Council Member Porter commented that this plan was better than previous plans and that the boat take-out facility will be something that the City can be proud of.

Council Member Jacobson moved to approve the site plan for the canoe take-out facility. Council Member Jensen seconded the motion. The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.

15. CONSIDERATION AND APPROVAL OF PUBLIC WORKS DIRECTOR JOB DESCRIPTION AND FUNDING PROPOSAL

Barry Edwards reported on the job description and anticipated salary for the Public Works Director. He explained that the following changes would be made in order to accommodate the wage and position. The vacant Water Operator 1 position will not be filled at this time, the Assistant City Engineer and a utility clerk will be reduced to 30 hours per week each, the Assistant Public Works Director and Public Works Supervisor will be changed to a lower grade, salary allocations will be adjusted to more accurately reflect expenses in the City's Enterprise Funds, the Governmental Capital Projects Funds and the General Fund. The Public Works Supervisor will be given added responsibility of facility maintenance and a greater role in Storm Water records management.

Council Member Jacobson commented that the net financial impact sheet indicates that part of the increase from the gas tax reform and local option transportation sales tax would be used to fund this position. Barry Edwards replied that it would fund the position in that the transportation tax would go towards engineering.

Council Member Horrocks moved to approve the Public Works Director job description and funding proposal. Council Member Mumford seconded the motion. The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.

16. ACTION ITEMS

The action items list was reviewed. Completed items were removed from the list.

Council Member Jacobson asked if vehicles that were parked on the street had received warnings in regards to the 12 hour period of non street parking when plows are operating. Chief Black replied that contacts had been made but no warnings had been issued yet.

Mayor Arave asked if the sidewalk buckling issues had been fixed. Paul Ottoson replied that both areas would be fixed this week.

Mayor Arave mentioned that NSL Live appointments would need to be reviewed before March 2016. He also mentioned that there was a Planning Commission opening in January.

Council Member Mumford asked if there was an update regarding the encroachment on the trail. Barry Edwards replied that this would be addressed at the next regular City Council meeting.

17. COUNCIL REPORTS

Council Member Jacobson expressed appreciation for being able to serve the City and the friendships and associations he had made. Mayor Arave then expressed his gratitude for Council Member Jacobson's service on the City Council.

Council Member Horrocks reported that at the Mosquito Abatement meeting, the City's Redwood Road Community Development Area (CDA) was approved. He also attended a presentation at Foxboro Elementary on educating schools about the Medal of Honor program.

Council Member Jensen reported that the Second Sunday Concert at the Center Street Chapel was well attended and included performances by multiple choirs from local churches. There will be one more Second Sunday Concert this year on December 13th. It was also discussed at the

NSL Live meeting that there may be a community breakfast and health fair after the City 5K next year.

Council Member Jensen also reported on a recent missing child incident in Foxboro and commended the residents and police department for responding so quickly and working together.

18. MAYOR'S REPORT

Mayor Arave reported that the County will perform radon testing for free. He also said that he will be graduating from the Citizen's Police Academy which was a 10-12 week course.

19. CITY MANAGER'S REPORT

Barry Edwards reported that City staff had performed an inspection of Camelot per complaints received.

Mr. Edwards also said that all the cooperative agreements have been received for the Redwood Road CDA. He then reported that North Salt Lake is the third city on the list to receive a significant allocation of Proposition 1 funds and has made a proposal to Davis County for the City to take over services in the unincorporated area. Mayor Arave asked that staff determine and report on the costs to provide these services to the unincorporated areas.

20. CITY ATTORNEY'S REPORT

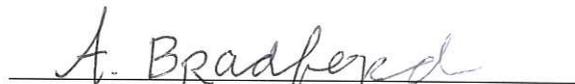
David Church had nothing to report.

21. ADJOURN

Mayor Arave adjourned the meeting at 10:08 p.m.



Mayor


Secretary