

NORTH SALT LAKE CITY  
CITY COUNCIL MEETING – WORK SESSION  
FEBRUARY 1, 2011

Mayor Arave called the meeting to order at 6:05 p.m.

PRESENT: Mayor Len Arave  
Council Member Stewart Harman  
Council Member Brian Horrocks  
Council Member Conrad Jacobson  
Council Member Matt Jensen  
Council Member Stan Porter

STAFF PRESENT: Barry Edwards, City Manager; Brian Passey, Assistant City Manager and Finance Director; Ken Leetham, Economic Development Director; Rod Wood, Public Works Director; Paul Ottoson, City Engineer; Chief Craig Black, Police Chief; Dave Church, City Attorney; LaRae Dillingham, City Recorder; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Jeanette Harris, Lewis Young Robertson Burningham (LYRB); Steve Israelson (arrived 6:45), Sky Properties.

1. BUSINESS LICENSE FEE STUDY UPDATE – JEANETTE HARRIS, LEWIS YOUNG ROBERTSON BURNINGHAM.

Brian Passey introduced Jeanette Harris of Lewis Young Robertson Burningham (LYRB) and explained that they have been working on a new business license fee study for the City. The last time this was done in its entirety was 1999.

Jeanette Harris presented the Council with an analysis of the City's current license fees and what could reasonably be charged for different areas. She showed comparable information from surrounding cities as well.

There was some discussion about the Good Landlord Program and fees associated with, or without, incorporating this program. Ms. Harris pointed out areas considered disproportionate.

Barry Edwards stated that this fee study will be reviewed at a future meeting with the option to adopt a new fee schedule.

Jeanette Harris added that some cities are implementing fee increases in phases.

2. ADJOURN

Mayor Arave adjourned the meeting at 7:05 p.m. to begin the regular session.

NORTH SALT LAKE CITY  
CITY COUNCIL MEETING – REGULAR SESSION  
FEBRUARY 1, 2011

Mayor Arave called the meeting to order at 7:10 p.m. Council Member Harman offered the invocation and Kyle Gibbs, BSA Troop 358, led those present in the Pledge of Allegiance.

PRESENT: Mayor Len Arave  
Council Member Stewart Harman  
Council Member Brian Horrocks  
Council Member Conrad Jacobson  
Council Member Matt Jensen  
Council Member Stan Porter

STAFF PRESENT: Barry Edwards, City Manager; Brian Passey, Assistant City Manager and Finance Director; Ken Leetham, Economic Development Director; Rod Wood, Public Works Director; Paul Ottoson, City Engineer; Dave Church, City Attorney; LaRae Dillingham, City Recorder; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Kyle Gibbs, Chris Tomes, Kelly Gibbs, BSA Troop 358; Nubia Peria, Allen Tidwell, Marty Peterson, residents; Michael, Jay and Eli Wadley, BSA Troop 715; Spencer McKay, BSA Troop 4579; Steve Israelson, Steve Smoot, Sky Properties.

1. PUBLIC WORKS REPORT

Rod Wood reported that there was another leak in the Springhill slide area; the second one in two weeks. The landslide continues to move significantly, and they are continuing to monitor it.

2. CITY ENGINEER

Paul Ottoson reported on the action item of reviewing safety measures on Eagleridge Drive. After reviewing the situation at different times of the day and with the school children, they found safety is not an issue with the high school and junior high kids because of the location of their bus stop. Mr. Ottoson offered to examine the situation further, including determining where the elementary kids cross, etc. No further requests were made of the City Engineer in this regard.

3. ECONOMIC DEVELOPMENT REPORT

Ken Leetham reported on the process for rezoning property to a P District as the February 15<sup>th</sup> meeting will have an agenda item requesting a rezone to a P District. He stated that when the City rezones property to a P district, it is different than any other kind of rezoning. The first step in the process is that a general development plan is proposed. It goes through the Planning Commission and City Council. If the Planning Commission denies it, then it does not continue. In this case, the Planning Commission forwarded it to the City Council.

The Council has three options. They can deny the general development plan and in doing so, the application would stop. If the Council approves the general development plan then an application to rezone the property would be submitted.

The property owner could propose a PUD property designation. PUDs are generally used for two purposes: managing the properties and maintaining open space and to have flexible lot sizes, density, etc., a more negotiated PUD. The City has more say in the second type of PUD.

The third option is a rezone. The developer has proposed a P district, and the general development plan is a critical, integral part of the approval. The difference between P and PUD is that in a general development plan, a formal adoption of a development agreement is required. Should the Council act on the general development plan and approve it, then prior to rezoning the property, the City would adopt a general development plan agreement.

#### 4. ACTION ITEMS

The list of action items was reviewed. Completed items were removed from the list; incomplete items remain on the carry over list.

#### 5. REVIEW AND ACTION ON THE PROPOSED CONCEPT PLAN FOR A PLANNED UNIT DEVELOPMENT AMENDMENT FOR THE BELLA VIDA AND EDGEWOOD PROJECTS LOCATED AT APPROXIMATELY 602 SOUTH EDGEWOOD DRIVE – SKY PROPERTIES, APPLICANT

Ken Leetham showed the approved plan from several years ago, with five, three-story buildings, each with 24 units. Sky Properties is now proposing 43 detached units. The road plan has changed very little, and parking spaces have been added. He stated that there are still some geotechnical issues that they are working on, and staff recommends that there be a condition that the City Engineer makes a determination that the geotechnical data is acceptable prior to the Planning Commission's review of a preliminary design plan for the project.

The new plan is an overall reduction of 39 units. It meets the open space requirements, and meets zoning requirements.

Steve Smoot approached the Council. He stated that sales in stacked units are very slim and securing financing for these types of projects is very difficult.

Mayor Arave stated that originally, there was limited parking in the stacked units. Steve Smoot stated that the new plan accommodates parking, with two stalls per home as well as some additional spaces along the street.

Council Member Porter asked if the clubhouse would be shared between the new homes and the stacked units. Steve Smoot said those expenses would be shared.

Council Member Porter asked how the current residents feel about the change. Steve Israelson said the homeowners liked the idea of the villas, but some were concerned about not having the 55 and over age restriction on the units.

Council Member Porter expressed concern over the apparent reduction in open space. Steve Smoot stated that they have not really looked at the net loss of space.

**Council Member Horrocks moved to approve the concept plan for a planned unit development amendment for the Bella Vida and Edgewood projects located at approximately 602 South Edgewood Drive. Council Member Harman seconded the motion.**

Council Member Porter expressed concern about the mining operations within 100 feet of this development. Council Member Jensen said he does not like the concept, as he believes the smaller homes are doing a disservice to the area. Once the project is in the ground, it is not something we can go back and change. Council Member Jensen also stated that the HOA fees are a poor safety valve for maintaining the desired age restrictions.

**The motion was approved by Council Members Horrocks, Porter and Harman. Council Members Jensen and Jacobson voted in opposition to the motion. The motion passes.**

6. REAPPOINTMENT OF RAND WEBB TO THE MOSQUITO ABATEMENT BOARD

Mayor Arave stated that with recent changes in the legislature, the board is moving toward having elected officials serve on this board, rather than a citizen. The Council agreed to appoint an elected official, and after a brief discussion, Council Member Horrocks agreed to serve.

**Council Member Harman nominated Council Member Brian Horrocks to serve on the Mosquito Abatement Board. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

7. APPOINTMENT OF MEL BANNER TO THE PARKS AND TRAILS ADVISORY BOARD

**Council Member Porter moved to ratify Mayor Arave's appointment of Mel Banner to the Parks and Trails Advisory Board. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

8. MAYOR PRO TEM

**Council Member Jacobson nominated Council Member Brian Horrocks as Mayor Pro Tem for 2011. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman, and Jacobson.**

9. APPOINTMENT OF STEVEN AND KYUNG HEE HORSLEY AS YOUTH COUNCIL ADVISORS

**Council Member Jensen moved to approve the appointment of Steven and Kyung Hee Horsley as Youth Council Advisors. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

10. REVIEW AND APPROVAL OF THE 2011 NSL LIVE ACTIVITIES CALENDAR AND BUDGET – COUNCIL MEMBER MATT JENSEN

Council Member Jensen reported that he has had a couple of meetings with interested participants on their activities committee. Events have been proposed, and he stated that many of the events would be covered by the cost of participation fees. He believes sponsors could be acquired for these events as well.

Mayor Arave suggested Council Member Jensen speak with the South Davis Recreation Center about renting or borrowing their computerized chip system for races.

Council Member Harman expressed concern about creating logos for just this committee as it may create confusion. He suggested keeping the logos for the City and this committee the same, or do a slightly revised take off from the same logo for the activities committee. He also added that with the other 5K races proposed, they should try not to detract from the July 2<sup>nd</sup> City Fun Run.

**Council Member Jacobson moved to approve the NSL Live activities schedule for 2011 and the proposed budget. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

11. APPROVE MINUTES

The January 18, 2011 minutes were reviewed and amended. **Council Member Harman moved to approve the work session and regular session January 18, 2011 minutes as amended. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

12. CITY MANAGER REPORT

Barry Edwards stated that he will cover his items during the closed session.

13. CITY ATTORNEY'S REPORT

Dave Church stated that he had nothing to report.

14. MAYOR'S REPORT

Mayor Arave received a letter from the Sutherland Institute in which they gave us a rating of 8 for transparency in government. The thing we were lacking was having our contracts on the web site.

Mayor Arave reported that he received a letter from the Spectrum Academy stating that in a recent study, 87% of the cars did not stop to let kids cross between schools in the Foxboro area.

Barry Edwards stated that Paul Ottoson is working on signage in the area as well as placing orange crossing flags to see if that helps.

Council Member Jacobson expressed concerns about the Foxboro roundabout and the apparent lack of knowledge in using it. Mr. Edwards stated that they are looking to install better signage in this area as well. He will also talk to Chief Black about doing warning enforcement at the roundabout to help educate the public.

## 15. COUNCIL'S REPORT

Council Member Jensen brought up the consolidation of the area police departments. He feels less comfortable with West Bountiful joining an interlocal agreement because of their different philosophy. Barry Edwards stated that they have pulled out of the discussions. Mr. Edwards added that Woods Cross is going to work through some of their issues and have agreed to commit one way or another by April 1st.

Council Member Horrocks reported on the last Planning Commission meeting. He stated that they have reached an impasse with the residents in the area of the proposed Crestpointe development. The developers came back to the Commission with a second proposal and addressed every concern that the citizens raised. However, at the end of the meeting, the Planning Commission voted to send it on to the City Council. Council Member Horrocks stated that the citizens are highly agitated and argumentative. The arguments were all the same: traffic counts, safety, and environmental. He added that he does not believe all the residents understand what is being proposed, that many of them are trying to prevent ANY development on that property. They need to understand that the City cannot prevent the developers from developing their own land, but only the zone in which they create the development.

Council Member Porter said he can relate this situation to the Kern River pipeline. It seems you are up against professionals, and the odds are stacked against you.

Council Member Porter reported on the recent Parks and Trails Advisory Board meeting. Their highest priority is to complete the Wild Rose Trail system going west. The trail has been put in, but incorrectly. Troy Duffin can be hired to fix that. The only section left is over the Kern River Pipeline, and 25% of it is in the Bella Vida development approved tonight. Sky Properties has agreed that we can put our trail system in there. Granite Construction has allowed us to use their easement, but they would like a "hold harmless agreement" from the City. The City paid another attorney to put together a hold harmless agreement, but got no results. They would like Dave Church to find out from Dave Peters, what, if anything, he did in this regard. Other priorities for the board: Mathis Park bathroom, Legacy Parkway pet waste disposal. Open space

in Foxboro is being used as a dog park with too much waste. They are working with Bountiful City trying to get an alignment from the Wild Rose Trail to a trailhead in Bountiful where they have a restroom. The board also discussed a Canoe in/out along the Legacy Nature Preserve, and a community garden in Foxboro (maybe in the Foxboro open space). Other future projects: expand the width of the Legacy Parkway Trail. Council Member Porter stated that we need to promote utilizing the west side of the trail, although not paved. The board would also like to see more info on the web for parks and trails. Mayor Arave asked about an annual report to the Council from the Parks and Trails Board, and Council Member Porter said it would be a couple of months.

Council Member Porter stated that with the Wild Rose Trail/Kern River pipeline issue, they had Gary Smith from J& L Garden talk to the board. He told them that a 1.5" caliper tree would be the largest you could get in there and have survive, and it would need water. He suggested that whoever does the planting use a root chemical to ensure the trees' survival. From here, Council Member Porter suggested determining what it is going to cost and find out whether Kern River will participate.

Council Member Harman said Melissa Hall made a suggestion of Jasmine Holgate who lives in Foxboro North to serve on the Parks and Trails Board.

Council Member Harman was informed that there was some graffiti on the Center Street Legacy Trail. Barry Edwards will speak to Chief Black about that. Council Member Harman asked if curbside recycling is available to the townhomes in Foxboro. Barry Edwards said they have a commercial hauler that picks up their garbage. Mr. Edwards agreed to look into whether they could pick up recycling cans as well.

Council Member Jacobson stated that the Local Officials day with the Legislature was good, and he thanked the Council for joining the Youth City Council. The next Youth Council event is the training conference at USU March 10-12, as well as filling Easter eggs in preparation for the annual Easter Egg Hunt.

Council Member Porter suggested that recycling cans be placed at the City offices since we are trying to promote recycling within our City.

Mayor Arave will be meeting with the new UDOT Director of Region One in the near future and asked if there is anything the Council wanted him to discuss. The Council encouraged him to bring up east/west arterial roadways.

**At 9:46 p.m. Council Member Harman moved to go into closed session to discuss the purchase, exchange, lease, or sale of real property and to discuss the character, professional competence or physical or mental health of an individual. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

**At 10:13 p.m. Council Member Harman moved to go out of closed session and back into regular session. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

16. ADJOURN

Mayor Arave adjourned the meeting at 10:13 p.m.

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Mayor

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Secretary

**New action items:**

- \_\_\_ 1. Action: put NSL Live activities on the calendar.
- \_\_\_ 2. Action: Paul – signs and educate users of the Foxboro roundabout.
- \_\_\_ 3. Action: Dave Church to do “hold harmless agreement” for trail system – find out from Dave Peters, what, if anything, he did.
- \_\_\_ 4. Action: annual report to the Council from the Parks and Trails Board – Council Member Porter said it will be a couple of months.
- \_\_\_ 5. Action: Barry talk to Chief about some graffiti on Center Street Legacy Trail.
- \_\_\_ 6. Action: Barry check to see if curbside recycling is an option for the townhomes in Foxboro.
- \_\_\_ 7. Action: recycling cans at the city offices.
- \_\_\_ 8. Action: Mayor – meeting with Region One Director – bring up east/west roadway access.