

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – WORK SESSION
DECEMBER 7, 2010

Mayor Len Arave called the meeting to order at 6:15 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; Marty Peterson, Emergency Preparedness Manager; LaRae Dillingham, City Recorder; Linda Horrocks, Minutes Secretary.

1. PUBLIC WORKS REPORT

Rod Wood asked that the agenda item entitled “Interlocal Cooperation Agreement between Davis County Cities and Davis County for UPDES General Permit” be tabled. This will be put off until January.

Mr. Wood reported that there are approximately 80 street lights in Foxboro neighborhood that the pole is having some galvanizing/deteriorating problems, and they would like to let the residents know that Public Works is working on it. They have been working with the manufacturer, and they have agreed to replace them at their own expense. Some have been falling over, and that’s why the City has not replaced them.

Council Member Jacobson asked about the City’s salt situation, and Mr. Wood responded that the City is approximately 40% spent at this point. Considering the amount of snow already received, the City is in pretty good shape.

2. CITY ENGINEER’S REPORT

Paul Ottoson reported that the Safety Committee met regarding safety issues on Eagleridge Drive. They should have some decisions made by January.

Mr. Ottoson stated that the other agenda item is the approval of the SWMP (Storm Water Management Plan), an EPA mandated program to the State. There is much more documentation required for this program, and is unfunded.

Mayor Arave then asked Paul Ottoson to make sure that Kern River is not taking more ground than has been agreed to as they work on their pipeline project.

3. POLICE REPORT

Chief Black presented his report showing a four month comparison from August through November of recent events and statistics. They are seeing a decrease in activity with the cooler weather. The drops are significant enough, that he believes some of it can be attributed to more arrests. Thefts have dropped in general; however, vehicle thefts are still too high. The problem this time of year is that people turn on their cars to warm them up and then leave them unattended.

Accidents are still low, but with the snow storms in November, they did see more accidents. Officers are being conscientious. November and December are high DUI violation months.

Mayor Arave asked where the majority of traffic violations are happening. He stated that tickets are expensive for people, as well as increased insurance rates from the violation, and the City should be careful not to just give excessive tickets to generate revenue.

Council Member Horrocks asked about morale within the Police Department. Chief Black stated that it certainly could be better, but he believes it is pretty good. Chief Black said he is not getting complaints about equipment or hours, but they are struggling somewhat with staffing overtime shifts. Council Member Porter stated that an outside source that works with NSL officers stated that the NSL officers are happy.

Council Member Jacobson stated that the recent D.A.R.E. graduations were successful, and that the officers seem to enjoy their assignments in that regard.

Council Member Harman asked about a security contact with the Foxboro apartments. Chief Black has met with Randy Cassidy, and the management group has hired some NSL officers to provide security on occasion.

Chief Black presented some other highlights stating that robberies are trending higher since 2008. Sex offenses are trending normally. Vehicle thefts are quite high. Juvenile and adult arrests are as high as they've ever been. DUIs are normal. Drug offenses are trending up – mostly marijuana. Overall alcohol offenses are normal. Graffiti has increased dramatically through the last four years.

4. KEN LEETHAM – ECONOMIC DEVELOPMENT REPORT

Mr. Leetham reported that he has been contacting local businesses to get e-mail data bases updated. They have gotten responses from their post card efforts. He stated that they have looked over business license forms and adjusted those to improve the effectiveness. The form will now have the ability to verify ownerships. They have also added e-mail information to those licenses. Next month, he is hoping to have a demonstration of a new program from

WebQA which will allow businesses to have a link site through the City's web site. He hopes that will improve the business presence in NSL.

Mr. Leetham then showed a copy of a document from the Governor's Office of Economic Development which shows data by employment, income, etc. He also showed building permit information for 2010 and invited the Council to contact him if they want a more detailed breakdown of information.

Mr. Leetham has also been working with consultants on the City's General Plan amendments. The City held an information meeting on November 22nd and invited anyone who wanted to be involved. Land use, transportation and an update to parks and trails plans are their main areas of focus. They have had a lot of interest from different consulting groups, and he believes very qualified groups will be submitting proposals. Mr. Leetham also made the same presentation to the Planning Commission. Council Member Horrocks stated that there may have been some questioning about the amount being allotted for this (\$100,000) and the Commission questioned whether some of this could be done in-house. Mr. Leetham stated (and Barry Edwards agreed) that the City's plan is so outdated that it really requires outside experts, at an additional cost, for these amendments.

There is a Family Dollar store slated to come into the City. Ken Cutler and the owners are working on the lease document, and Mr. Leetham expects them to be coming in for a site plan shortly.

5. MISCELLANEOUS

Barry Edwards showed the Council a copy of the new NSL City Code that will be on-line in January, and he recognized LaRae Dillingham for making this happen. Dave Church said the City should probably re-adopt the code as of "this date" to make sure that it's approved, so this will be on the next City Council agenda.

5. 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
DECEMBER 7, 2010

DRAFT

Mayor Len Arave called the meeting to order at 7:15 p.m. Council Member Conrad Jacobson offered the invocation, and Andrew McKinley, BSA Troop 348, 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; Chief Craig Black, Police Chief; Dave Church, City Attorney; Marty Peterson, Emergency Preparedness Manager; LaRae Dillingham, City Recorder; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Ben Lowe, Steve Lowe, Compass Development; Kevin Watkins, Lakeview Rock Products; Taylor Rowland, Woods Cross resident, Andrew McKinley, Michelle McKinley, BSA Troop 348; Steve Bear, Tyler Bear, BSA Troop 477; Hai Fitzgerald, Thyme and Seasons; Jason Burningham, LYRB; Allen Tidwell, Eric Willison, residents.

1. CITIZEN COMMENTS

Taylor Rowland, a resident of Woods Cross, approached the City Council. He said he wrote a letter in October about football violence and especially violence between coaches and the players.

Mayor Arave stated that if there is violence against children, the police will address those issues. He said he believes the recreational leagues are a benefit to the citizens and if there are issues, then the police officers need to be notified. NSL is not involved in the football or baseball programs; they are run by the various leagues themselves.

Chief Black agreed to contact Mr. Rowland and discuss the issue of violence against children in the recreational sports leagues.

2. CONSIDERATION OF A PROPOSED AMENDMENT TO THE EAGLEWOOD VILLAGE DEVELOPMENT AGREEMENT PROVIDING FOR ADJUSTMENTS TO THE PHASING REQUIREMENTS OF THE DEVELOPMENT

Ken Leetham stated that this proposed amendment adjusts the portion of the agreement that currently contains the restriction on the order of the development of different land uses. Currently, the restriction requires that prior to development of two parts of the residential project, the condominium flats and the live/work condominiums, that 50,000 square feet of commercial space will have been leased, sold, or otherwise developed first. The amendment being proposed eliminates that restriction allowing work to commence immediately on the residential portion of the project in the bottom portion of Eaglewood Village. The second thing the agreement does is reaffirms the land use plan that was approved by the City and the Redevelopment Agency (RDA) to the extent that there may be some doubt that the commercial development may actually happen. So, Compass Development and the Lowes have recommitted, in this agreement, that the land use plan is in place that they are committed to the retail portion of this development.

Mr. Leetham then stated that there are a couple of really important reasons why this makes sense at this time. The first, and biggest concern the City should have, is that this entire project is in an area that will potentially generate tax increment revenue. However, until there is development of any kind, there will be no tax increment revenue. It is Mr. Leetham's recommendation to do whatever the City can to assist the development of the property as fast as possible. Mr. Leetham stated that the second reason for amending the agreement is that he believes it would be difficult to get commercial development on the site right now without any residential development. It is important to the life of the development, to the construction of retail and office, that we have some residential development on the project sooner, rather than later.

Mayor Arave asked about the infrastructure requirements of the developer. Ben Lowe stated that the Hwy. 89 tie in has to be done before any residential can be put in anyway.

Council Member Horrocks said he believes this is going to "come back to bite us" as he does not believe the City will see any commercial for quite some time. Council Member Jacobson agreed.

Ben Lowe stated that he believes the market was different when this agreement was signed.

Ken Leetham stated that this project is unique because the financing structure is set up to highly incentivize the developer to get the commercial portions developed.

Mayor Arave expressed concern about the appearance of the gateway to our City, and asked if the developers are going to landscape and improve the area in order to get the commercial areas marketed. Ben Lowe stated that they are working with staff on these plans that will definitely improve the area along Hwy. 89.

Council Member Porter moved to approve the proposed amendment to the Eaglewood Village Development Agreement providing for adjustments to the phasing requirements of the development and with the addition that the Hwy. 89 improvements be done before any residential development is done. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

3. CONSIDERATION OF A REQUEST TO AUTHORIZE THE CITY'S CONSENT OF AN APPLICATION TO THE STATE OF UTAH FOR A LIMITED RESTAURANT LICENSE FOR THYME AND SEASONS RESTAURANT LOCATED AT 3211 SOUTH ORCHARD DRIVE, HAI LE FITZGERALD, APPLICANT

Mr. Hai Fitzgerald briefly addressed the City Council. He expressed and justified the need for his restaurant to have a license to serve limited alcoholic beverages with meals.

Council Member Harman moved to authorize the City's consent of an application to the State of Utah for a limited restaurant license for Thyme and Seasons restaurant located at 3211 South Orchard Drive. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

4. CONSIDERATION OF AUTHORIZATION TO ENTER INTO A CONTRACT FOR DESIGN SERVICES FOR THE EAST BENCH PARK PROJECT IN THE AMOUNT OF \$9,800 WITH G. BROWN SITE ARCHITECTS, INC.

Ken Leetham reported that this item is to authorize the continuation of the City's relationship with G. Brown Site Architects, Inc. The contract is broken into two separate portions of the east bench park options. Both parts together equal \$9,800.

Barry Edwards stated that staff did some preliminary soils testing and found that the ground is amenable for a park and cemetery.

Council Member Harman again raised opposition to further costs associated with developing a cemetery. He stated that all public comments were overwhelmingly against the cemetery, and he will oppose any motion to move forward with any funding or additional research into a cemetery.

Council Member Porter moved to authorize staff to enter into a contract for design services for the east bench park project in the amount of \$9,800 with G. Brown Site Architects, taking advantage of the discount in doing both designs. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, and Jacobson. Council Member Harman voted in opposition. Council Member Harman added that he would have voted in favor if it had just been for the design minus the cemetery.

5. CONSIDERATION AND POSSIBLE APPROVAL OF THE STORM WATER MANAGEMENT PLAN (SWMP)

Paul Ottoson stated that this is a federal mandate by the EPA. Each state is now the policing agency for this mandate, and there are significant fines for ignoring this.

Council Member Jacobson moved to approve the Storm Water Management Plan (SWMP). Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

6. NOTICE OF ENGINEERING AWARD FOR THE SECONDARY WATER FEASIBILITY STUDY

Rod Wood approached the Council and stated that they have received all the proposals for the irrigation feasibility study. The selection committee consisted of Barry Edwards, Rod Wood, Paul Ottoson and Ryan Rhees. They are recommending that the contract be awarded to Franson Civil Engineering in the amount of \$21,071. This firm will help them evaluate the value, and if it would be justified to enter into an agreement of this type. They will be looking at the entire City.

Council Member Jensen moved to award the secondary water feasibility study to Franson Engineering. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

7. CONSIDERATION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN DAVIS COUNTY CITIES AND DAVIS COUNTY FOR UPDES GENERAL PERMIT

Paul Ottoson recommended that this be tabled until January. **Council Member Jensen moved to continue this item until January. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

8. APPROVAL OF CITY COUNCIL TO DECLARE ITEMS IN THE OLD CITY BUILDING SURPLUS PROPERTY

Council Member Jensen moved to approve the list of building surplus property items. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

9. APPROVAL OF THE ANNUAL CITY COUNCIL MEETING SCHEDULE FOR 2011

Council Member Porter moved to approve the annual City Council meeting schedule for 2011. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

10. APPROVE MINUTES – NOVEMBER 16, 2010

The November 16, 2010 minutes were reviewed and amended. **Council Member Jacobson moved to approve the November 16, 2010 minutes as amended. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

11. CITY MANAGER'S REPORT

Barry Edwards reported that December 21st will be the Planning Commission, City Council and department heads Christmas get-together.

Mr. Edwards complimented Public Works on their snow plowing the last two weeks.

12. CITY ATTORNEY'S REPORT

Dave Church stated that he has nothing to report.

13. MAYOR'S REPORT

Mayor Arave stated that he had nothing to report.

14. COUNCIL REPORT

Council Member Harman stated that the Uniting Neighbors will be meeting the following night. He asked if anything is happening with commercial development in Foxboro. Barry Edwards said there is not anything moving there right now.

Council Member Porter said he and Ken Leetham met with the Jordan River group, and he stated that most of the cities along the river have many of the same concerns as NSL regarding funding of the Jordan River Commission.

Council Member Jensen reported that the next Community Development meeting is January 20th. They are working on names, etc.

Council Member Jensen received an e-mail from a woman in Houston stating that their group is planning their cycling trip around the Three Kings event.

15. ADJOURN

Mayor Arave adjourned the meeting at 8:40 p.m.

Mayor

Secretary

New Action Items – December 7, 2010

- ___ 1. Paul – ensure that Kern River is not taking more ground that they are supposed to.
- ___ 2. Action: Chief Black will contact Mr. Rowland and discuss the issue of violence against children in the recreational sports leagues.

-----Carry Over Items -----

- ___ 1. Action: Review mid-year budget amendment - put lights for Cutler Drive on next year's budget, if doesn't work for this year. *(Six lights needed, assuming they are wanted where the trail meets the road at a cost of \$10-12,000. In preparation for a budget amendment in the Spring of 2011, Rod will obtain a firm bid to install new street lights on Cutler, Foxhollow and Foxboro Drives.)*
- ___ 2. Action: Chief/Barry – look at court revenue numbers and identify reasons for 18% decreases each year.
- ___ 3. Action: put green waste pick up on future agenda outlining more details. *(Group formed to study and evaluate – January 18 report?)*
- ___ 4. Stan – Have Troy Duffin fix the trail that Eaglewood Village messed up. (Spring) – (\$7,600).
- ___ 5. Barry Edwards said they should probably look at the situation (Foxboro parking – all over the place) and see if there are any possible solutions.
- ___ 6. Action: Staff - look into possible crosswalk at Eagleridge (617 E.) and Ridgetop Circle – flashing lights on Lofty Lane? *(Safety Committee met – have not come to a conclusion.)*
- ___ 7. Council Member Harman – prepare a proposal for the Council on the Community Council reporting at the Uniting Neighbors Meetings.
- ___ 8. Action: Stan - update on web advisory board and social media. *(Barry Edwards stated that the City is waiting to hear from the woman at Deseret News who is going to make a proposal for the City.)*
- ___ 9. Action: Ken Leetham - work to get important thoroughfares cleaned up, i.e. Hwy. 89, Redwood Road, etc.
- ___ 10. Action: Rod – Landscape Eagleridge water tank - *(Rod says budget needs to be increased – discuss in budget meeting.)*