

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – REGULAR SESSION
FEBRUARY 7, 2012

Mayor Arave called the meeting to order at 7:03 p.m. Council Member Horrocks offered the invocation, and Tanner Bronson, BSA Troop 1581, 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; Ken Leetham, Community and Economic Development Director; Brian Passey, Assistant City Manager and Finance Director; Rod Wood, Public Works Director; Paul Ottoson, City Engineer; Craig Black, Police Chief; David Church, City Attorney; Marta Nielsen, Deputy Recorder and Administrative Assistant; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Laura Hansen, Jordan River Commission; Marty Petersen, Emergency Preparedness Manager and resident; Meridee McFalls, Orchard Lanes; Glenn Bronson, Tanner Bronson, Luke Madsen, BSA Troop 1581; Roy Rasband, Sterling Bennion, Riley Bain, Nathan Haws, Sam Richards, Keith Quist, David Wojnu, Mark Richards, BSA Troop 734; Gary Baschuk, Patrick Scott, Phyllis Stock, Steve Aase, Brad Pande, Salomon Vargas, Kristian Wang, residents; Louise and Spencer Brudnicki; BSA Troop 358; Lisa and Shaun Adamson, and Dana Fisher, WX Lacrosse.

1. CITIZEN COMMENTS

There were no citizen comments.

2. JORDAN RIVER COMMISSION REPORT – LAURA HANSEN, EXECUTIVE DIRECTOR

Laura Hansen addressed the City Council to provide an update on the Jordan River Commission. She stated that since the Jordan River Commission was formed in August 2010, thirteen local governments have joined, including all three counties that surround the Jordan River (Utah, Salt Lake and Davis), and she added that there are additional cities and special service districts planning to join. The Jordan River Commission now has a website, and she thanked Council Member Porter for his assistance in setting that up. They received a large grant from the Division of Water Quality and have been busy at the legislature with bills SB164 and HB173 and a request to put a tunnel under 90th South in an effort to complete one more section of trail. She stated that any additional support from the Council to get those bills approved would be helpful.

The Jordan River Commission and Salt Lake County announced receipt of the grant from the National Park Service's River and Trails Conservation Assistance program which will be used to develop a trail map for the Jordan River Parkway. The map will show trails, parking, trail access points, etc. helping enrich the trail users' experience while they use the trail. The grant is a result of the parkway being listed

in America's Great Outdoors Fifty-State Report released in October, which identifies two projects from each state representing sound investments for connecting the public to the outdoors. They are hoping to get funding from more sources for other great ideas this coming year.

Last fall, there were 1,000 volunteers pulling weeds along the Jordan River Parkway, and Ms. Hansen reported that there will be another volunteer day this spring.

3. ORDINANCE 2012-03: AN ORDINANCE AMENDING TITLE 5, CHAPTER 5, OF CITY CODE PROHIBITING OPEN CONTAINERS OF ALCOHOLIC BEVERAGES, INCLUDING BEER, IN PUBLIC PLACES

Chief Black stated that the City currently prohibits open containers of alcoholic beverages in parks, but amending this ordinance will prohibit them in other areas such as parking lots, and general public access areas. There have been occasions in public areas where this has been a problem, leading to disturbances, fights and undesirable elements. This ordinance would allow officers to take appropriate action in public places. This does not extend to multi-family housing complexes. There have been several apartment complexes that would like this restriction on their property; however, as a department, they decided that the property owners would have to post it if they want this rule on their property. The ordinance has been reviewed by the City Attorney.

Council Member Porter moved to approve Ordinance No. 2012-03, amending Title 5, Chapter 5, of City Code prohibiting open containers of alcoholic beverages, including beer, in public places with the change to add “parking lot” after office buildings. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

4. RESOLUTION 2012-04R: A RESOLUTION AUTHORIZING THE RELEASE OF DESIGNATED PROPERTY BEING HELD BY, OR LATER COMES INTO THE POSSESSION OF, THE NORTH SALT LAKE POLICE DEPARTMENT THAT IS UNCLAIMED OR NO LONGER NEEDED AS EVIDENCE.

Chief Black stated that this resolution would allow the police department to properly dispose of items being stored by them that are unclaimed or no longer needed as evidence. Items such as drugs and alcohol would be properly destroyed, and usable items could be sold or turned over to the City to use. If money were received from a sale, it would go back to the treasurer. As it currently stands, the police department cannot dispose of anything in their evidence room without the Council's approval.

Mayor Arave stated that he was in a meeting at the Juvenile Justice Center recently and was told they hold an auction for charity. He then asked the chief if that is something they could do with these items, and Chief Black responded that this could be an option. Council Member Porter asked about valuable property, like a car, cash or diamond ring. Chief Black stated that the items would still have to go through the proper channels. Council Member Jacobson suggested advertising on the website and in the next newsletter that the police have lost and found property. Chief Black stated that the State Asset Forfeiture Procedures do dictate how long the property must be held.

Council member Jacobson moved to approve Resolution 2012-04R authorizing the release of designated property being held by, or later coming into the possession of, the North Salt Lake Police Department that is unclaimed or no longer needed as evidence. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

5. AWARD BID FOR PICKUP TRUCK

Rod Wood stated that the Public Works department would like to replace a 2007 Dodge utility truck with a new truck. With this purchase, they would be able to reduce the fleet by consolidating equipment and parts. The truck bed will be used for more than one vehicle, and the beds last two to three truck lives. He stated it is a large capital expense at first, but future expenses would be reduced by not having to repurchase the bed. They are also considering powering it with natural gas (CNG), requiring the City to purchase the EPA certified kit in order to get it licensed. City trucks cost the City about \$1,000 per month in gasoline, and CNG would run much cheaper. Mr. Wood reported that they are also waiting for a grant to offset \$15,000 budgeted in the Water Department. It is possible that by the time the vehicle arrives they could have the grant in hand.

Council Member Harman asked about the service body line item of \$41,544. Mr. Wood explained some of the mechanics on this truck, such as large onboard hydraulics, enabling workers to use wrenches, and other tools, as well as a portable generator for re-circulating air into manholes while employees are working.

Council Member Jacobson asked if there is money budgeted for this truck, and Rod Wood responded that it is a line item in this year's budget.

Council Member Jensen moved to approve the purchase of a 2012 Ford F550 Utility truck for the cost of \$90,182. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

6. PLAYING FIELD RESERVATION POLICY

Barry Edwards stated that staff reviewed park reservation policies in neighboring communities and drafted a policy for North Salt Lake, most closely patterned after Woods Cross City's. Staff is proposing a policy that allows for practice and game reservations, by hierarchy, although games would take priority over practices. There would be two times during the year for making reservations. Council Member Jacobson asked about the danger of a lower priority scheduling earlier and a higher priority coming in later. It was Barry Edwards' recommendation that priorities 1 and 2 take priority over most reservations no matter when they are made. If the City wants to sponsor an event, then it should have priority over someone else, providing enough notice is given.

Council member Porter asked about the different parks and their designed amenities, including backstops for baseball, etc. He suggested that baseball should have priority at Hatch Park since the facilities lend themselves to baseball. The reason backstops were not included at the Regional Park was because we were going to split that up.

Council Member Horrocks said there are many teams currently in limbo waiting for the City to act. Council Member Porter stated that Woods Cross High School Women's Lacrosse has historically been at Hatch Park, and the City has received requests from both Woods Cross and Bountiful's men's lacrosse teams. There are groups that would request the lacrosse fields every day, if allowed to do so.

Rod Wood stated that last year, there were teams showing up in buses from Tooele County. Right now the City has one field at the Foxboro Regional Park, and one at Hatch Park. There will be four fields available to play lacrosse/soccer. The lacrosse teams have enough need to use the fields during two different seasons, which happen to overlap soccer season. There are also a lot of soccer teams.

Dana Fisher, 732 East 300 North, NSL, stated that she and Gary Baschuk coach the Woods Cross boys' lacrosse programs. (She is the coach for the girls' team). She said they have contacted the school districts, and the fields are rented at South Davis Junior High, Bountiful Elementary, Orchard Elementary, Boulton Elementary, and the Foxboro neighborhood.

Gary Baschuk, 532 Canyon View Circle, NSL, said he is the Woods Cross boys' lacrosse varsity head coach. They have varsity, junior varsity and sophomore teams, as well as a couple of other teams. They start practice the following Monday and are desperately looking for a place to practice. Rod Wood stated that a couple of the fields are not ready at the Foxboro Regional Park, as the grass needs to get established, and it could be June or July before that happens.

The Council discussed the various sport seasons, observing that the lacrosse season begins in the middle of February and ends in the middle of April. Baseball begins in April, and fall lacrosse is during August and September, and into October.

The City requires a million dollar insurance policy, and Ms. Fisher and Mr. Bascheck said they do have that in place through the Utah Lacrosse Association. Council Member Harman said there needs to be a bit more language in the agreement about insurance, including an indemnity clause. Council Member Harman pointed out that the school should not get priority reservations, as they have their own fields. Private clubs, such as these lacrosse groups should have priority.

Barry Edwards stated that one option would be to decide to only reserve a portion of the fields and leave others to a first-come-first-served basis.

The Council agreed that the City should have first priority for its events such as the annual Easter Egg hunt, and that a "bump policy" should be in place to allow the City to take that priority should an event come up at the last minute. The Council reviewed the proposed priority list.

Council Member Harman stated that if Woods Cross City pays its park maintenance fees for the Foxboro Regional Park, they should fall into the City-sponsored programs priority for that park.

There was some discussion about the fee schedule and liability. The Council asked David Church to look into an indemnity and hold harmless provision in the insurance policy for park playing fields.

Council Member Porter asked about storage rooms at some of the parks and if they are available for teams to use. Paul Ottoson responded that there is already lacrosse and soccer equipment in them.

Council Member Jensen stated that he is okay charging more than the going rate for field rental, which could potentially eliminate some of the demand.

Council Member Horrocks asked if there is something in place to eliminate/cancel reservations if fields are abused. Barry Edwards responded that this is included.

Council Member Harman moved to adopt the athletic field use policy as amended, specifically on the playing field usage fee of \$6, and the non-resident fee for \$10 for a two-hour block. Council member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

7. ORDINANCE 2012-04: AN ORDINANCE ADOPTING CERTAIN AMENDMENTS TO THE CITY'S LAND USE ORDINANCE

Ken Leetham addressed the Council and stated that staff put together some ordinances they believe are necessary to adopt before the building moratorium ends, as the City is receiving some development pressure. There are other ordinances with changes proposed, and staff has been working on several land use changes. He said the sections of code recommended for amendment relate to deficiencies in improvements. They have added standards for U.S. Highway 89, and taken an opportunity to consolidate land uses in the land use table. Mr. Leetham went over some of the changes from the material handed out to the Council.

The Council suggested adding that if an applicant, or member of the governing body, finds the use categorized incorrectly, they can appeal it to the Planning Commission, including property notification process, etc.

Council Member Porter moved to approve Ordinance 2012-04: An ordinance adopting certain amendments to the City's Land Use Ordinance pertaining to parking regulations, landscape standards for Redwood Road and Highway 89, permitted and conditional uses, and standards for a commercial highway zoning district, with 10-7-7-K changed to include the requirement of graffiti guard on fences and changes discussed in 10-11-2, adding that an applicant or member of the governing body may appeal a staff decision of whether a use is conditional. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

8. ORDINANCE 2012-05 AN ORDINANCE AMENDING THE CITY'S ZONING MAP FOR CERTAIN REAL PROPERTY FROM MANUFACTURING DISTRIBUTION, M-D TO GENERAL COMMERCIAL, C-G

Ken Leetham stated that the Planning Commission recommended that the City Council change the zoning on only one parcel, the southeast corner of Redwood Road and Center Street, from M-D to C-G. They also recommended that the Council table any action on the FVC zone along the entry parcels of

Foxboro and the RAC zone, the southwest quadrant of Center Street and Redwood Road. He stated that staff has drafted zoning districts for both of those areas. The property owners have copies of the drafts, and in both cases have requested additional time to study the drafts. The City also wanted to hear public comment on proposals included in both of those zoning districts. Staff recommends the parcels outlined in yellow (on Mr. Leetham's map) be rezoned to C-G. They are all zoned M-D right now, and making that change would be consistent with the General Plan element being presented soon.

The City Council received copies of correspondence and comments from property owners and residents. The overlay zone was designed to be a good compromise for the current business owners, as it would allow current uses to continue. Mr. Leetham stated that the City has a great opportunity right now, as it is a good time to pursue development for retail/grocery, etc. in this area. There may be a developer right now willing to put together this type of development.

Mayor Arave opened up the meeting at 9:55 p.m. to hear comment from landowners wishing to address the Council.

Ben Wellman, Horizon Manufacturing and Repair, 980 West Center Street, just north of the proposed RAC area, stated he would like to have the Council consider a dual zoning and apply the M-D. If this area was zoned C-G, his company would not have been able to make the improvements they have thus far, such as paving the parking lot, etc.

Council Member Harman asked about the time-frame for the overlay zone. Mr. Leetham said the overlay zone had not been drafted yet, and he would have to confer with David Church, but he assumed it could expire after a certain number of years. Council Member Harman asked if that would hinder the RAC zone. Mr. Leetham stated that whether additional retail is sustainable is the question, and would only be determined over time. The question was raised whether the Council could reverse a zoning change if it was not successful, and Mr. Leetham responded that the Council does have the authority to zone property.

Council Member Horrocks asked what would be the result if the City did not make the zone change, and would it affect the developers. Barry Edwards stated that some parcels are significantly more important to the future of the RAC zone, and other parcels are not. The 1100 North parcel is not critical to the RAC, but the two parcels on the east side of Redwood Road, north and south of Center Street, are vital to the RAC zone. The impediment to developers right now is that the surrounding property is blighted.

Council Member Jensen asked about the area being considered by Wasatch Integrated for waste disposal, and if this change was made, would they be amenable to finding a different parcel. If the City does not do anything, what would be the likely response from them? Ken Leetham said they did not get this far in discussions with Wasatch Integrated; however, he believed there were several parts of their proposal that are not allowed in the M-D zone. Mayor Arave said he believed Wasatch Integrated would be willing to work with the City in finding a different location.

Barry Edwards stated that the parcels being presented by Mr. Leetham were the only ones that should be rezoned now. Mr. Leetham said the General Plan would state that the RAC zone "could" apply to properties within a half mile of the intersection. Mayor Arave asked how the overlay would work. Mr.

Leetham responded that staff would have to write those provisions and bring them through the Planning Commission to the Council, which would not be completed by the 15th of February. Council Member Horrocks asked who had objected to the overlay zone, and Mayor Arave responded that Stericycle had expressed concern.

Council Member Jensen said he did not think any of the parcels needed to be changed now, but they would all have to be changed if the RAC zone takes place. Council Member Jacobson said it would not be good to jeopardize current business owners. Mayor Arave stated a concern that if the zoning is not changed now, the City could put the future RAC development in jeopardy if the wrong application came in under the M-D zone.

Council Member Jensen moved to approve Ordinance 2012-5 an ordinance amending the City's zoning Map for certain real property from Manufacturing Distribution, M-D, to General Commercial, C-G, and to direct City staff to create a site specific overlay plan to bring to the Council for adjusted zoning. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

9. ORDINANCE 2012-06: AN ORDINANCE AMENDING TITLE 8-5-2 OF THE CITY OR NORTH SALT LAKE'S MUNICIPAL CODE

Barry Edwards reported that this ordinance is a housekeeping item to correct an incorrect number in the code. **Council Member Jensen moved to adopt Ordinance 2012-06 an ordinance amending Title 8-5-2 of the City of North Salt Lake's Municipal Code. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

10. APPROVE MINUTES

The City Council minutes of January 17, 2012 were reviewed and amended. **Council Member Jacobson moved to approve the work session and regular session minutes of January 17, 2012 as amended. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

11. COUNCIL REPORTS

Council Member Jensen reported that the Second Sunday Concert Series would be hosting a local group of jazz performers Sunday, February 12th at 6:00 p.m. at City Hall.

Council Member Porter met with Lieutenant Simmons of the National Guard and suggested the City choose a date for a signing event for their veteran's program. It was decided that Saturday May 19th, Armed Forces Day, would be a good option. There was some discussion about hosting a 9-hole golf tournament for the first 50 or 60 active duty military personnel who sign up, or just give them a 9-hole voucher. Council Member Porter said it would probably be less than 50 people who would participate. Mayor Arave asked Barry Edwards to talk to Brent Moyes about a possible 9-hole voucher as part of Armed Forces Day and the signing event.

Council Member Harman reported that the Uniting Neighbors would be meeting the following evening to discuss the Great Shakeout in April, and specifically assessments and communication. He then asked for a follow up on the Safety Committee meeting and the Spectrum crossing guard situation. Paul Ottoson stated that they made a plan to put “no parking” signs south of the roundabout, and put some striping along Cutler Drive. They looked at putting in a pedestrian crossing with a solar powered light and crosswalk signs on Foxboro Drive, and they would like to relocate the crosswalk 150 feet further to the west. Mr. Ottoson added that they could not do this until the weather is warmer. These proposed improvements will be coming back to the Council for approval.

Mayor Arave asked Mr. Ottoson to also give an update on the Camelot light (Highway 89). Mr. Ottoson reported that it has gone back to the City’s consultant who will be approaching UDOT. The City asked for a couple of modifications, including relocating the cross walk slightly to the south to accommodate 800 West. Barry Edwards said the real hang-up is with Rocky Mountain Power.

Council Member Harman referred to the letter from Neighbors Market about their business license fees, and asked how the City was responding to this. Mr. Leetham stated that staff does respond to all of the requests and comments. The Mayor asked Brian Passey to look into whether or not a study was done for a beer license disproportionate fee.

Council Member Jacobson reported that the Youth City Council has scheduled the annual Easter Egg Dash for April 7, 2012 at 9:00 a.m. at Hatch Park.

12. ADJOURN

Mayor Arave adjourned the meeting at 10:45 p.m.

Mayor

Secretary