

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – WORK SESSION
NOVEMBER 6, 2012

Mayor Arave called the meeting to order at 6:18 p.m.

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

STAFF PRESENT: Barry Edwards, City Manager; Brian Passey, Assistant City Manager and Finance Director; Ken Leetham, Community and Economic Development Director; Paul Ottoson, City Engineer; Rod Wood, Public Works Director; Craig Black, Police Chief; Brent Moyes, Golf Course Director; Marta Nielsen, Deputy Recorder and Administrative Assistant; Linda Horrocks, Minutes Secretary.

1. CONSTRUCTION UPDATE AND NORTH TOWNE WAY DISCUSSION

Paul Ottoson discussed the impact of the Center Street construction project on the North Towne neighborhood. A lot of traffic chose to detour through North Towne Way while Center Street was closed, and the management of North Towne Station blocked off their street soon after construction began. As staff has met with representatives to discuss the street, there was some talk about the City taking it over making it a public street. Mr. Ottoson stated that in reviewing the street, he found that it had not been maintained well in the last 12 years. No slurry sealing has been done, and some of the sidewalks have sunk, so it would require bringing it up to ADA standards. The cost estimate to bring the street to City standards would be approximately \$100,000. North Towne Station management asked that the City give them some possible options to give to their members.

Council Member Jacobson stated that with twelve years of neglect, taking over the street would be a “bitter pill” for the Council to swallow. Council Member Harman asked what the benefit is for the City to own that street, other than police enforcement. Mayor Arave asked who approached whom on this. Council Member Porter said some residents approached him with the question of a permanent closure to the road. A meeting was held with the officers of the HOA, where they wanted options. One option presented to them was that they could approach the Council and ask for the City to take over the road. They asked if Paul Ottoson would give them cost estimates. They would take that information to their members, discuss it with them and make a decision on what to do. So, nobody, in an official capacity, has approached anyone in regards to taking over the road.

Paul Ottoson stated the asphalt width meets City standards, but there are no park strips. He added that the street is still closed to through-traffic, but the car wash has rights to use their

private street. The Mayor asked if this issue would go away now that Center Street is open, and if the City is willing to invest any money to make the improvements. Council Member Jensen said North Towne Way does not have the feel of a public street and does not believe it is in the best interest of the City, or that community, to make it a public street.

Council Member Jacobson stated that if the City designates it as a public street, the residents will complain because it will increase the traffic. Their idea is to close, or restrict traffic on that street so they do not have through traffic, but if it is public, the City could not control the traffic, so it would not be doing them a favor. Paul Ottoson said this is the first time the City has allowed them to close the street. The fire district does not like the fact that there is already a gate on their 200 West entrance.

Council Member Harman said he would only be inclined to make it a public street if North Towne Station pays to bring the street up to City standards. He does not see any benefit to the City to incur those improvement costs. It was noted that sidewalks would be their expenses, and Council Member Porter said he would look at the other two roads in the development to consider bringing those into the equation.

Council Member Horrocks suggested acknowledging that the City caused some wear and tear on the street during the Center Street reconstruction, and determine a dollar figure to contribute toward them fixing their street.

Chief Black said there is a pretty good public safety argument, as it is wise for the City to have an alternate, secondary route in that area. The only other way through is 350 North. He agrees that it would be a financial concern for the City to consider, and he does not feel that public safety is the strongest position to consider, but kids do go through that development to catch the bus, etc. The Police Department does receive complaints from residents about excessive speeds through the area, and currently, the police do not have any way to enforce speeds.

Council Member Jacobson asked what the life expectancy is of an asphalt street that has not been maintained. Paul Ottoson said it can vary, depending on several factors, including regular slurry seal treatments, but it could last 20 years. North Towne Way has missed two slurry sealing treatments, and Council Member Porter suggested the HOA pay the amount of two slurry seals. Council Member Harman pointed out that the lack of the maintenance has caused exponentially excessive damage.

Council Member Jensen said he would support the City paying somewhere between 25-40%. Mayor Arave said it would be good to have another street going through that area. Barry Edwards said if the Mayor and Council agree to pay as much as 40% for the street, then it should become public. Otherwise, the City should not pay more than \$5,000.

Paul Ottoson then gave a quick update on various City projects. ADA handicapped ramps – The ramps in this project were done mostly in the older hillside area of the City. They have taken the worst ones, some that did not even have ramps, or come close to meeting ADA standards, and now the City has a good portion of ramps that meet ADA standards.

Sidewalk safety project on Highway 89 from City Hall to the car lot -- The City has received another grant to finish that project, and they will be working on the other side of Main Street to Eagleridge Drive.

Center Street water line project from the railroad tracks to Hwy. 89 -- This was to be done in advance of the concrete street. The boring under the railroad tracks still needs to be done. After the potholing, it was almost impossible, so the contractor will come back in the spring to finish. Staff did not want to close the street again right now.

The Orchard Drive water line project turned out very well. Some traffic problems were caused during the summer, but that is now complete.

Center Street up to Marialana – They had a few issues with that contractor, but it turned out well.

Center Street/Town Square Project -- Mr. Ottoson said they poured the final section of concrete on the south side the day before. He plans to give it another week to cure, after which they will open both sides. The median curb walls will be put in at that time. They will spend the rest of this week on curb and gutter, driveway approaches, and finish the asphalt to the bottom section. He said they hope to be complete in two weeks. It has been a rough project, especially trying to keep it open all the time.

Frontage road reconstruction (in front of the gravel pits) -- This project came in under budget and turned out very well.

Biking and hiking trails in Wildrose area -- Mr. Ottoson said he and the Davis County consultant looked at where the upper loop trail will become part of the Bonneville Shoreline Trail. Horses will be allowed on that section of that trail.

Tunnel Springs Park -- Everything but the playground is complete. The contractor has made an error where he installed the curb wall and will need to enlarge the playground area. Native grass has been seeded, and Mr. Ottoson expects to hear back soon from Hughes Construction about timing status.

Slurry seal projects throughout the City are progressing.

2. APPROVE MINUTES

The City Council minutes of October 23, 2012 were reviewed and amended. **Council Member Harman moved to approve the October 23, 2012 City Council minutes as amended. Council Member Jacobson approved. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

3. ACTION ITEMS

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

The City is looking at other grants for the Springhill Slide Area.

4. ADJOURN

Mayor Arave adjourned the meeting at 6:55 p.m. to begin the regular session.

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – REGULAR SESSION
NOVEMBER 6, 2012

Mayor Arave called the meeting to order at 7:03 p.m. Council Member Matt Jensen offered the invocation and led those present in the Pledge of Allegiance.

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

STAFF PRESENT: Barry Edwards, City Manager; Ken Leetham, Assistant City Manager and Community and Economic Development Director; Paul Ottoson, City Engineer; Rod Wood, Public Works Director; Craig Black, Police Chief; Brent Moyes, Golf Course Director; Marta Nielsen, Deputy Recorder and Administrative Assistant; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Garret Seely, Woodside Homes; Wilford Cannon, Steve and Annette Israelsen, Sky Properties; Ben Lowe, Seth Ure, Eaglewood Village; Benson Whiting, Henry Walker Homes; Colton and Kevin Hyer, BSA Troop 1916.

1. CITIZEN COMMENTS

There were no citizen comments.

2. CONSIDERATION OF A PRELIMINARY DESIGN PLAN AND FINAL PLAT FOR
FOXBORO NORTH PLAT 14. GARRET SEELY – WOODSIDE HOMES,
APPLICANT.

Ken Leetham reviewed the preliminary design plan for Foxboro North Plat 14. This plat is located south of Legacy Park in Foxboro North on the west side of Skipton Drive. The proposed single-family lots are in conformance with the approved concept plan for Foxboro North. Plat 14 contains eight (8) single-family lots with an average lot size of 8,863 square feet. There is a typical ten foot (10') wide public utility easement along the front of each of the lots. An easement for Questar Gas that is 30' in width goes through this plat and follows the road through Ethnie Court and then becomes a side lot line easement on Lots 1403 and 1404, each 15' in width. There is also a Questar easement that varies from 30' to 38' in width at an angle from south to north across the plat, but it is not located on any residential building lots. Parcel A is a detention basin that is being conveyed to the City to own and maintain. Parcel B is a wetlands area that is also being conveyed to the City to own and maintain.

Mayor Arave asked David Church and Garret Seely what the status is of getting the agreement signed. David Church stated that Woodside has agreed to the City's latest language, and the City is ready to sign the agreement. However, the City has not heard from Woodside although two weeks ago, we understood that both sides had agreed on the language.

Mayor Arave asked why the City would want ownership of the wetlands. Ken Leetham said he does not believe that has been addressed. Garrett Seely said the reason they are adding wetlands to this plat is because Parcel B is part of the detention basin, and they do not want the storm swale of water coming in from 1100 North. Mayor Arave asked who is going to maintain the wetlands, and if the HOA should maintain them. Garret Seely stated that "maintain" is a very broad term.

Paul Ottoson stated this is a little different from the big wetlands, as this parcel does not have the channel going through it. He is not sure it would require a lot of maintenance, except for voles. This is jurisdictional wetlands and must be maintained as wetlands.

Council Member Harman moved to approve the preliminary design plan and final plat for Foxboro North Plat 14 with no conditions. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

3. CONSIDERATION OF A PRELIMINARY DESIGN PLAN AND FINAL PLAT FOR FOXBORO NORTH PLAT 15. GARRETT SEELY-WOODSIDE HOMES, APPLICANT.

Ken Leetham stated that this plat is located west of Skipton Drive along proposed streets named Bexley Drive and Surrey Drive. The proposed single-family lots conform to the approved concept plan for Foxboro North. Plat 15 contains 41 single-family lots with an average lot size of 5,583 square feet. There is a typical ten-foot wide public utility easement long the front of each of the lots. A 20' wide storm drain easement runs along the south lot line of Lot 1506. Parcels A and B are being conveyed to the South Davis Sewer District to provide access to their manholes. The parcels will be covered in a washed gravel surface and fenced/gated to restrict public access. Parcel C is an open space lot which is planned to be a pocket park, and that will be owned and maintained by the Foxboro North Homeowners' Association. The plat and construction drawings have been reviewed by the City Engineer and have been found to be in compliance.

Per the sewer district's request, the sewer access road will be a gravel road, with required weed fabric placed beneath the gravel. Paul Ottoson said this is similar to an area the City previously had that residents complained about. Mr. Ottoson thought the sewer district would not mind having concrete in the first 20 feet of their driveway. The Council suggested requiring concrete in the front 20' x 20'. Garrett Seely stated that 20' x 20' is a really large piece of concrete. Asphalt would be better than gravel, but concrete would be preferred.

Paul Ottoson agreed to talk to a representative at the South Davis Sewer District and determine if they want concrete or asphalt in the new phase of Foxboro.

Council Member Harman moved to approve the proposed preliminary design plan and final plat for Foxboro North Plat 15 with the condition that the sewer access points be modified to include a hard-surface from the road to the setback to the fence. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

4. PRELIMINARY DESIGN PLAN AND FINAL PLAT FOR FOXBORO NORTH
STONEHAVEN WEST PLAT 2

Ken Leetham stated that this plat is located along the west side of Skipton Drive and Bexley Drive in Foxboro North. The proposed single-family lots conform to the approved concept plan for Foxboro North and are included in the Foxboro North Stonehaven West P.U.D.

Mayor Arave asked if Stonehaven is a Courtyard project. Mr. Seely stated that they are fronting public streets, and they are Stonehaven house plans, but not in a Stonehaven layout.

Council Member Harman moved to approve the proposed preliminary design plan and final plat for Foxboro North Stonehaven West Plat 2 with no conditions. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

5. CONSIDERATION OF A CONCEPT PLAN FOR EAGLEPOINTE ESTATES
PHASES 17-19. STEVE ISRAELSEN – SKY PROPERTIES, APPLICANT.

Ken Leetham stated that the Development Review Committee (DRC) recommends approval of the concept plan for Eaglepointe Estates Phases 17-19 with the condition that this development participates in the extension of a pressurized irrigation water line to the subject property based upon requirements to be determined by the City Engineer. On October 23, the Planning Commission recommended approval of this application with two conditions: 1) consider providing proper drainage behind lots 1901 through 1907 and lot 1813, and 2) consider providing a pedestrian walkway between lots 1814 and 1815.

Paul Ottoson stated that permission would need to be granted from Davis School District, Questar, and Kern River to put a connecting trail through the area, as suggested by Commissioner Knowlton in the Planning Commission meeting.

There are some site-specific geotech studies being done in the area to make sure the homes are set appropriately. Mr. Leetham said there were also two residents expressing concern at the Planning Commission meeting about the blasting in the area, and it was their belief that at times, the mining and blasting exceeds the permitted allowances for blasting, both in size, noise, and vibration. Staff is going to meet with the State and make sure the City is in communication with

them about this site, although we are not the regulatory agency for this. It is not affected by the moratorium.

Mayor Arave asked about the hillside ordinances. Ken Leetham stated that the project is still at concept approval, but staff has seen a preliminary grading plan, and it appears there will not be mass grading.

Council Member Harman had someone contact him who is considering building a house in this area, and they had a geotech expert say there is a water issue from the City's aquifers in this area. Paul Ottoson stated that staff always recommends individual homeowners have a geotech study done.

Ken Leetham stated that this is a location where staff believes there must be pressurized irrigation. The City is doing a pressurized irrigation system in the foothills, and the DRC recommends that before preliminary and final plat, we have a methodology to extend a line (not sure how far) to Eaglepointe Drive, at least, to get secondary water service from the City. Mr. Leetham said the recommended condition of approval is that between the developer and staff we can negotiate a way to provide secondary water to the property. Rod Wood stated that the City is hoping to have secondary water to the golf course in the summer of 2013, and they will be bidding the reservoir and turnout in January.

Mr. Leetham stated that as far as the hillside ordinance, staff does not believe there will be issues.

Council Member Jensen moved to approve the concept plan for Eaglepointe Estates, Phases 17-19 with the following conditions: 1) this development must participate in the extension of a pressurized irrigation water line to the subject property based upon requirements to be determined by the City Engineer, 2) the developer provide proper drainage behind lots 1901 through 1907 and lot 1813, and 3) provide a pedestrian walkway between lots 1814 and 1815. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

6. CONSIDERATION OF A FOURTH AMENDMENT TO DEVELOPMENT AGREEMENT FOR EAGLEWOOD VILLAGE

Barry Edwards reported that the Eaglewood Village developers have requested another amendment to the development agreement. In the deepest part of gravel pit, (where there were proposed twin homes) they feel they have a better product for the soils type and the market. Staff has taken a look at the proposed changes, and based on what the developers are doing in Phase 1, they have made a reasonable effort. They are requesting a reduction in units to have single family homes rather than multi-family homes. They may need to provide some type of parking, as the lots are fairly narrow. The developer has agreed to install street lights along Eagle Gate and Orchard Drives and to provide certain amenities for the detention pond park. These include access for the public, use of six parking spaces, a dock within the pond and enhanced landscaping. Based on the reduction in units and quality of work and that it is more

agreeable to property owners, staff does not see a problem with the concept. It has not been completely vetted, but staff believes there is enough information to move forward.

Council Member Porter asked if there is enough room to have houses right next to the trails. He was told that the footprint of the homes will not change.

Council Member Jensen said they are doing high quality work; however, he does feel this is another bait-and-switch tactic by the developers. The City is ending up with apartments and no commercial development. It seems like a waste of space to have nice amenities next to one-bedroom apartments.

Council Member Harman said it does not have the feel of other apartment communities, but of a higher class area, like City Creek. It is a good product, and he does not believe it decreases the value of what is there and could be a nice benefit to the City.

Barry Edwards stated that staff made it as clear as they could that they would not make any other positive recommendation on changes to the land than what was originally agreed to. He said he does agree with the rooftop quantity concept, and something should begin happening once all these rooftops get built.

Council Member Harman asked about the upper section of the development, particularly in parcels D and E, and what size of lots those are. Mr. Whiting of Henry Walker Homes stated that 40'x80' will be the smallest lots and showed some renderings for the Council. They have some larger homes at Crestpointe, and are also attracting people who want these patio homes. The finished square footage of the Blackstone is 1,724, with a total of 2,596 square feet. Mr. Ure stated that the neighbors are pleased with the change in product.

Barry Edwards addressed adjusting the TIF (Tax Increment Fund) on this project. He does not believe the development will generate the income previously thought, and with a recent experience with the school board, he is not sure they would be able to do that. This heavily-weighted residential project would not be approved today, and he is not sure this is where we want to expend our good will.

Council Member Jacobson moved to approve the Fourth Amendment to the Eaglewood Village Development agreement with the stipulation that it be reviewed and approved by legal counsel. Council Member Harman seconded the motion. The motion was approved by Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

7. DECLARATION OF CITY OWNED LAND AS SURPLUS AT 170 WEST CENTER STREET

Rod Wood reported that this land has never been used by the City, and it is .38 acres located within the property at 170 West Center Street. Rod Wood reported that several years ago, the City purchased this property and water rights from Zion's Security. This property contained an

old half-buried reservoir that has since been pushed in and buried. The land is being used currently by Mr. Roberts, and it is land-locked. Paul Ottoson stated that Mr. Roberts actually approached the City about buying it. Mayor Arave asked if the City would need this property for a well in the future, or for some other purpose. Rod Wood said it is not in a target area for a well now, as they do not believe there is significant water there.

Council Member Jacobson moved to declare the property on 170 West Center Street as surplus. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

8. CONSIDERATION OF SOUTH DAVIS TRANSIT STUDY AGREEMENT

Barry Edwards reported that some South Davis cities have dropped out of participation in the South Davis Transit Study Agreement, and he asked if the Council would like to be included in the agreement at a cost of \$15,000. This agenda item approves the expenditure of money and when it will be paid. The City's liability is \$15,000 total, and at the completion of the study, the City will receive a recommendation. Mr. Edwards said there is a quick start, small start, and a normal start on transit, and he is being told that this may very well be the place UTA goes and secures funds for a line.

Council Member Porter asked if UTA would bring a line to NSL without going further north. Mr. Edwards said there are a lot of things going for the City, including the new Eaglewood Village, which will be a nice transit hub project. Things are coming together in the City's favor. The study will work on the economics. Mayor Arave said you have to go through each of the different processes. It is not a tasteful process, but in order to get in line and get some money, the City needs to do this. Barry Edwards recommended the Council approve the expenditure. He added that since it is only NSL and SLC participating in the project, NSL would have a big influence on the results.

Council Member Porter moved to accept the South Davis Transit Study Agreement with the \$15,000 expenditure. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

9. CITY MANAGER'S REPORT

Barry Edwards reported that they had a Taxing Entity Committee meeting, and that with some finesse, they were able to get the committee to approve the blight and URA. He stated that Mayor Arave and Council Member Jacobson handled it very well.

Mr. Edwards said it is getting more difficult to accept the housing proposals for the area on the west side. Staff met with the transportation committee and got two projects on the priority list. Staff is trying to cover things on the financial side with Brian Passey's departure. The City's auditor has been able to give some explanations, and they are working through several issues, so they have been very busy.

Mr. Edwards stated that things are really heating up all across the board on the development side and every level of activity the City's is doing. Finally, every revenue category has come up, including courts, which has collected more than in 2008 and more than \$16,000 from last year. The City has had the very best October in sales tax than in all previous historical charts.

Council Member Harman asked about the residential aspect of the Gun Club property and if they still looking at large-scale apartment complex. Mr. Edwards responded that they are considering a 700+ unit complex.

Mr. Edwards reported that he met with Carmacks (the food service provider at the golf course club house), and they were able to come to a resolution on remodeling. Carmacks agreed to pay the City \$5,000 toward the replacement of carpet, which is about 25%. He added that they have been put on notice that things need to be improved in their relationship with golf course staff, the City and customers. Their contract will expire in two years, and the City can look at other options, if necessary.

10. MAYOR'S REPORT

Mayor Arave reported that a woman from the Joy Foundation talked to him about using a City facility for their meetings. (The Joy Foundation works with troubled youth.) They have been meeting in the Bountiful Arts Center, but because it is being torn down, she asked for somewhere to meet. They hold concerts, open microphones, and would need something with probably 800 square feet. Barry Edwards suggested that a portable unit could be placed on the Washburn property right next to the park. This may be discussed at a future meeting.

11. COUNCIL REPORTS

Council Member Jacobson reported that the Youth City Council is distributing coloring pages for a coloring contest to Adelaide Elementary. They will collect them next week and would like to post the winning entries in City Hall. Their next activity will be a Sub for Santa in December. Council Member Jacobson added that Barry Edwards attended their meeting earlier that day and presented information about the duties of a City Manager.

Council Member Harman asked about the graffiti issue and if the City is seeing an increase in tagging in Foxboro. Chief Black stated the City has a decrease in reported graffiti incidents this year. Some neighbors are very conscientious in getting it removed and do not report it. Council Member Harman asked if they could possibly budget some funds to buy some ZEP. Chief Black said they have a couple of cases, and have funds in the budget to purchase more, if needed.

Council Member Harman asked about an Emergency Preparedness Manager and possibly hiring someone new. Marty Peterson has taken a position in SLC, and he is much less accessible now. Barry Edwards said staff is trying to work with the fire district and police dept. to make a recommendation. They are considering a possible full-time South Davis coordinator. Apparently, North Salt Lake is one of the only cities who has an Emergency Preparedness Manager.

Council Member Horrocks reported that with a slight upturn in the economy, the Planning Commission has seen a lot of activity. He added that the Planning Commission held a public hearing on the new General Plan, and there were a few more changes.

Council Member Jensen said this Sunday is the Interfaith Sing Along at the Center Street Stake Center (as part of the Second Sunday Concert Series), and he encouraged everyone to attend.

Council Member Jensen met with Dallas Hanks from the USU extension about planting biofuels along the Legacy Trail. Mr. Hanks wanted to know how much the City spends in maintaining the trail each year, and he wanted to know if that could go for funding this program and get it going off the ground. Rod Wood stated that it costs the City about \$15,000 per year to maintain. Council Member Jensen suggested offering them \$10,000 to get the project going, which would still result in a savings for the City. Mr. Hanks and his group would plant the bio fuel product at the end of next summer. Rod Wood stated that he had informed residents in the Foxboro area that the City would be planting things for the voles to eat.

Council Member Jensen asked about CERT training and if the City pays for residents to become trained. Council Member Porter said in the past the City has paid for the class. Residents could contact the South Davis Fire District for more information.

12. ADJOURN

Mayor Arave adjourned the meeting at 9:05 p.m.

Mayor

Secretary