

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – WORK SESSION
AUGUST 6, 2013

FINAL

Mayor Arave called the meeting to order at 6:31 p.m.

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

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

OTHERS PRESENT: Lee Baumann, CRC Construction; Denise Montgomery, Kids Care Co.

1. DISCUSSION OF REDWOOD ROAD POWER LINES- KEN LEETHAM

Ken Leetham reported that while reviewing a site plan the Developmental Review (DRC) discovered that per the City's new General Plan, power lines on the east side of Redwood Road are required to be buried. The DRC made that recommendation to the applicants who obtained a cost estimate from Rocky Mountain Power for their property. The 200 feet of frontage would cost \$200,000. Rocky Mountain Power expressed that they did not want to bury just one small section at a time. Ken Leetham and Paul Ottoson met with Rocky Mountain Power today and received the information that Rocky Mountain will provide a formal cost estimate. The price for the project, which would include wire, transformers and other supplies, would be approximately \$5,000,000 for the entire stretch of the east side of Redwood Road. Rocky Mountain also commented that the services for some of the businesses may change voltage and could cause machines to function improperly. This situation could be resolved at an extra cost to the businesses.

Mr. Leetham commented that the applicants want to move forward with their site plan but were concerned about the cost of the buried power lines if that becomes a condition of approval. The site plan will be reviewed by the Planning Commission next week and by the City Council in two weeks.

Council Member Harman commented that burying the lines would be nice and that it would be better to have them all buried at once but that the price was definitely an issue.

Paul Ottoson commented that there were some power lines that weren't as high and would hit the tree line causing the trees to need trimming. He suggested that trees be planted that would not grow as tall.

Ken Leetham responded that the City code did not explicitly say that developers must bury the power lines, and under current code the applicant could move ahead. The City Council generally agreed that the \$5,000,000 price was excessive and that the City would likely never bury the lines at that cost.

2. FINANCIAL REPORT

Janice Larsen distributed the monthly financial report to the Council. She reported on the end of year financials and said that the second to last column of this year's budget report is the amount that has currently been received and that the final column is what is expected to be received this year. Ms. Larsen commented that sales tax is received two months behind. She also commented that they will move \$2.2 million from the water bond proceeds to secondary water and use part of the bond proceeds to help pay for the Freda well and other well rehabs.

Mayor Arave asked how much money was left from the water bond proceeds. Ms. Larsen replied that there was \$500,000 left but that the money was all budgeted.

Ms. Larsen commented that all departments came in on budget and that City staff was starting the audit process. Everything is being gathered and the audit should be completed the first week of October. She also said that there will be a budget adjustment presentation at the next City Council meeting.

Council Member Horrocks commented that the City was 11% over budgeted revenue regarding the RAP tax and asked if the money had to be used for bond repayment. Janice Larsen responded that City staff would research this issue.

3. IRRIGATION AND CONSTRUCTION UPDATE

Paul Ottoson reported that Foxboro residents used less water in July after receiving notices for high water usage in June, and it does not look like any restrictions will need to be issued to that area at this time. Culinary water usage has also improved as a portion of the golf course is now receiving secondary water. In regards to construction projects, the Deer Hollow reservoir is almost complete, minus concrete flatwork and reinstallation of the playground. The work on Foxboro South Park is on hold until decisions are made by the Council regarding pavilions. City Hall Park is expected to be completed by

mid September. Site restoration was started at the Spring Hill landslide which included most of the asphalt and sidewalk removal from the area and installation of a storm drain. Bids for the site stabilization portion will be requested on August 28th.

Mr. Ottoson reported that Eaglepointe 17 subdivision is nearing completion and the Foxboro North 13 subdivision has just been started. Completion of the upper pump building at the golf course is planned for late August. There will also be another irrigation project at the golf course which includes completion of the upper pump building at the golf course.

Bids for the annual street striping will be requested in a few weeks. The 1100 North 30 % plan will be in place Thursday with bids for this project being collected next spring. Mr. Ottoson also reported that there are park strips and areas near the Foxboro Wetlands on the west side of Cutler Drive and both side of Fox Hollow and Foxboro where landscaping and curbing is needed with the cost estimate at \$55,000, including irrigation system, trees, etc.

Council Member Horrocks asked if the funds would come from impact fees. Mr. Ottoson responded that it would probably come from capital project funds.

4. ADJOURN

Mayor Arave adjourned the meeting at 7:02 p.m. to being the regular session.

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – REGULAR SESSION
AUGUST 6, 2013

FINAL

Mayor Arave called the meeting to order at 7:14 p.m. Council Member Porter 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 Conrad Jacobson
Council Member Stan Porter

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

OTHERS PRESENT: Steve Aase, James Potter, Steven Andersen, Nathan Tuckett, Josh Bailey, Mark Zaugg, Bob Evans, Maureen Evans, Phyllis Stock, Rick Stock, Dick Thompson, Rhonda Thompson, Mike Boyer, Cindy Boyer, Bruce Garrett, Tricia Garrett, residents; Russ Tolbert, Sandy Resident; Steve Israelson, Sky Properties; Ken Menlove, Menlove Construction; Garrett Seely, Woodside Homes.

1. SWEARING IN OF CHRISTOPHER MARQUEZ, NSL POLICE OFFICER

Chief Craig Black introduced Chris Marquez as the newest police officer for North Salt Lake City. He reported that Mr. Marquez worked as an animal control officer in Logan, Utah and quickly rose to the top of the list of potential candidates for the position. Mayor Arave performed the swearing in of Officer Marquez.

2. PUBLIC COMMENT

James Potter, resident, addressed the Council to discuss the unfinished portion of Hatch Park and said that a basketball court would be a welcome option. Mayor Arave responded that the final plans had not been completed and that impact fees could be used for new parks but that City funds would have to be used for existing parks.

3. APPROVAL OF FOXBORO SOUTH PARK IMPROVEMENTS

Ken Leetham reported that the Development Review Committee (DRC) reviewed the requests and comments received by the City's residents regarding the Foxboro South Park and recommends the following in support of those requests: 6' solid vinyl fencing adjacent to the backyards and vinyl rail fencing placed in the front yard setbacks, a solid vinyl fence on the east side adjacent to the commercial buildings with a see-through rail fence along the front setback of the commercial property to where the street ends, a gate or opening for pedestrian access, uniform fencing for the unfinished lots when they are completed, lighting in the northeast portion of the park and adding walkways on to the cement sidewalks particularly leading to the openings in the fence on Robinson Drive.

Mayor Arave asked if there could be a solid fence along the commercial area except for the area where the snow will be pushed. Mr. Leetham responded that would be fine as long as there were no clear view issues.

Mayor Arave opened the meeting to public comment at 7:31 p.m.

Steve Aase, 911 W Somersby Drive, addressed the Council with a petition he compiled regarding the Foxboro South Park. Some of the concerns residents include the access to the commercial area, which currently does not have sidewalks. He said that for the most part, he agrees with the recommendations provided by the DRC. Mr. Aase also expressed the desire for two picnic shelters or at least a four table shelter.

Council Member Horrocks commented that one big picnic shelter seemed like a better option than two smaller shelters set far apart for group use at the park.

Council Member Porter commented that excess tables may create an issue of too many people in the park especially with limited parking and no restroom facility currently in place. He said that perhaps just tables on a cement pad would be a better solution than two larger pavilions.

Council Member Jacobson expressed that it would be appropriate to have one large shelter with four tables as the homes in that area have smaller yards and could not accommodate a neighborhood party.

Council Member Harman moved to accept all the recommendations of the DRC with the exception that the one table picnic shelter be expanded to a four (4) table picnic shelter. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Harman and Jacobson. Council Member Porter voted in opposition to the motion.

4. CONSIDERATION OF RESIDENTS' REQUEST RELATED TO DEER HOLLOW PARK

Mayor Arave commented that a landscaping committee has been set up for Deer Hollow Park and that two meetings have been held. Ken Leetham reported that City staff determined some recommendations from those meetings and asked that the Council consider \$100,000 for improvements including: a seven foot wrought iron fence with curvature at the top, landscaping in front of the fence and treatment of the concrete walls. The fence could be completed for \$40,000 with the remainder of the funds to be used for treatment of the concrete and heavy landscaping to help hide the concrete basin from view.

Mayor Arave commented that not all the trees need to be purchased or planted at this time, and that a budget of \$100,000 seems reasonable for this project.

Mayor Arave reviewed the requests from Lisa Baskin regarding the Deer Hollow Park. These requests included a point of contact with the City, which will be Ken Leetham. Linda Horrocks will keep Facebook updated and send out email notifications. Mayor Arave commented that there is older playground equipment in other parks that should probably be upgraded before this park. The roofing alternatives are currently a month or so out, but bids are being collected. The security website will be something for future consideration.

Council Member Horrocks suggested that the landscaping on the south side be continued west to create a barrier for the pump stations and that the park could be completed in phases. He also asked where the funds for this project were coming from. Ken Leetham responded that the money would be from the capital projects fund.

Mayor Arave opened the meeting to public comment at 8:14 p.m.

Tricia Garrett, 287 Springridge Dr, addressed the Council and presented a letter regarding Deer Hollow Park expressing the residents' disapproval with the size and location of the concrete water basin and pump house. Ms. Garrett also expressed disappointment with communication on this project, the state of the playground and the aesthetics of the basin. She commented that they appreciate the landscaping and fencing plans and would like the landscaping committee to be called the Master Plan Committee. Ms. Garrett asked if plans for the playground and the roof could possibly be presented at the next meeting on August 19th.

Mike Boyer, 298 Woodhill Lane, commented that he agrees with extending the tree line to block the pump house.

Josh Bailey, 848 Springwood, said that the neighbors would appreciate new playground equipment at the park.

Mark Zaugg, 217 Woodhill Lane, stated that he appreciated accompanying the Council to Deer Hollow Park and asked who would be responsible for repairing the damaged playground equipment and if they could be repaired or replaced. He suggested that the contractor who removed the equipment might be responsible for fixing or replacing these items that were damaged. Mr. Zaugg commented that the park is the only park in that neighborhood and the usability of the park would be commensurate with how nice it is. He also asked that the powdery soil on the site be taken into consideration before it is all dispersed by the wind.

Cindy Boyer, 298 Woodhill Lane, commented that the park was used when it was available and is greatly missed.

Mayor Arave commented that for existing parks that general City funds have to be used and that the playground equipment will be discussed in two weeks. Ken Leetham commented that per the building contract, the grass and existing equipment were to be reinstalled by the contractor but the City may wait for a better option.

Council Member Jensen asked how soon grass and sprinklers could be reinstalled. Paul Ottoson responded that this could be done by the contractor now.

Council Member Porter asked how much the contractor would pay towards the park. Paul Ottoson responded that they were meeting the contractor this week and would discuss these issues.

Mayor Arave asked if impact fees could be used as this is basically a new park that is starting from scratch. City Attorney David Church commented that no impact fees have been collected or saved for this park and the fees would have to be taken from another project or area.

Tricia Garrett commented that a concrete industrial structure was placed in their neighborhood without any input from the residents and that the fence is a safety issue and not just for beautification. Mayor Arave responded that the park would be discussed in two weeks when more information was available.

Council Member Harman commented that this project was not done behind closed doors and that the public was invited to all meetings but that meeting attendance is always low until after projects are underway, or complete. He said that this project was not an afterthought and was done to save irrigation costs for the entire city.

Mayor Arave closed the public comment at 8:54 p.m.

5. APPROVAL OF DEER HOLLOW PARK IMPROVEMENTS

Council Member Jensen moved to instruct City staff to set up a budget amendment of approximately \$100,000 for this project to be discussed by the City Council in two weeks. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

Council Member Harman asked that in the discussion that consideration of playground equipment be included versus stucco on the concrete walls. Mayor Arave commented that the budget would be discussed and the improvements would be chosen at that time.

6. CONSIDERATION OF PRELIMINARY DESIGN PLAN AND FINAL PLAT FOR FOXBORO SOUTH, PLAT 8. HALLMARK HOMES, APPLICANT.

Ken Leetham reported that this area is on the south side of Foxboro South. The DRC is recommending approval with the condition that the City allow 90 days for this plat to be recorded. The City ordinance is currently set at 30 days for plat recording. The 90 day timeframe would allow the developers sufficient time to gather all the legal paperwork after the Council's final approval. Mr. Ottoson commented that the 30 days was put in place to push the developers to finish things quickly but the DRC has noticed it usually takes longer than 30 days.

Council Member Jacobson moved that the City Council approve the proposed preliminary design plan and final plat for Foxboro South Plat 8 subject to the following condition:

- 1) The subdivision plat must be recorded within 90 days of this approval.**

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

7. CONSIDERATION OF FINAL PLAT FOR FOXBORO NORTH STONEHAVEN EAST P.U.D. WOODSIDE HOMES, APPLICANT.

Ken Leetham reported that this is the southernmost part of the Foxboro North development and that all the construction designs have been approved by the City Engineer and that all clear view issues have been resolved.

Council Member Harman moved to approve the proposed final plat for Stonehaven East P.U.D. with no conditions. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

8. CONSIDERATION OF FINAL PLAT FOR EAGLEPOINTE ESTATES PHASE 18. SKY PROPERTIES, APPLICANT.

Ken Leetham reported that there are 3 phases in Eaglepointe Estates and that this was the middle phase. There are Kern River and Questar gas easements on this plat with a trail easement that runs between lots

1814 and 1815 and is shown as Parcel A. The DRC recommends that this space be dedicated to the City as an open parcel. There is an agreement that if improvements are not made to Parcel A or property is not acquired to the southeast to connect the trail then the property will revert back to Sky Properties. The DRC recommends approval with no conditions.

Council Member Harman moved that the City Council approve the proposed final plat for Eaglepointe Estates Phase 18 subject to the approval of a trail agreement related to Parcel A. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

9. CONSIDERATION OF A TRAIL AGREEMENT BETWEEN SKY PROPERTIES AND THE CITY FOR A PORTION OF PROPERTY LOCATED WITHIN EAGLEPOINTE ESTATES, PHASE 18.

Ken Leetham reported that this agreement transfers the ownership of Parcel A to the City for a period of five years. If there are no improvements to the property or connecting property is not acquired to complete the trail to Parkway Drive, then the land will revert back to Sky Properties.

Council Member Porter asked if the land had to be acquired or if a trail easement would be sufficient. David Church responded that the intent is to connect the trail so the wording would be clarified to reflect this as the Davis School District owns the land.

Council Member Porter asked if both options needed to be fulfilled. Steve Israelson with Sky Properties commented that the concern was that nothing might be done with the property and would detract from the development. They would prefer improvements. David Church suggested including that within five years the land be improved or given back to Sky Properties, with the amendment that the City improve the area as a trail.

Council Member Jacobson moved to approve the trail agreement between Sky Properties and the City for a portion of property located within Eaglepointe Estates Phase 18. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

10. CONSIDERATION OF A SITE PLAN FOR STORAGE CITY, PHASE 2 LOCATED AT 209 WEST CENTER STREET. MENVLOVE CONSTRUCTION, APPLICANT.

Ken Leetham reported that this project was approved in 2006 and is consistent with the land use plan. The DRC had two concerns with water-line easement with approval subject to new water-line easement being approved by the City Engineer prior to the issuance of a building permit. The second issue is that this is a locked, gated area and would require a lock box placed at the entry as a condition of approval. The Planning Commission had a question regarding the phasing of this plan to determine if the commercial development had to be finished before the storage units. Upon review it was determined that this requirement does not need to be completed first.

Ken Menlove, Storage City, commented that the property on the end of the site is leased to a stone company and the property to the north is leased to a gas company.

Council Member Horrocks moved that the City Council approve the site plan for Storage City Phase 2 located at approximately 209 West Center Street subject to the following conditions:

- 1) A waterline easement be approved by the City Engineer and recorded with Davis County prior to the issuance of a Building Permit.**
- 2) A lock box for emergency personnel must be provided for the gate on-site prior to issuance of a Building Permit.**

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

11. AWARDING OF CONTRACT FOR LEGACY TRAIL ASPHALT PRESERVATION PROJECT- HOLBROOK ASPHALT.

Jon Rueckert reported that City Staff recommends that the contract for Legacy Trail asphalt preservation be awarded to Holbrook Asphalt for the cost \$35,776.97. This would include the 3.2 miles of trail that runs from the Woods Cross border to the Salt Lake imports and would include the trailhead parking lot with re-stripping at Center Street. As Holbrook Asphalt is the only provider of HA5 asphalt, this project did not go out for bid.

Council Member Jacobson asked if this treatment would be consistent with what other cities would use for the trail. Mr. Rueckert commented that the HA5 is much smoother and hopes that other cities start to use the HA5 on the trail.

Council Member Jensen commented that a vending machine would be a nice option at the trailhead. Ken Leetham commented that staff will look into this option.

Council Member Harman moved accept the recommendation to award the bid for the Legacy Trail asphalt preservation project to Holbrook Asphalt for the price of \$35,776.97. Council Member Jensen seconded the motion. The motion was approved unanimously by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

Mayor Arave asked who maintains the wooden bridges on the trails as some of the screws were loose. Paul Ottoson commented that it would be the City's responsibility to maintain these.

12. CITY ATTORNEY'S REPORT

David Church commented on Mr. Warner's property (formerly the Tran home) regarding the water leak and asked that he comply with the previous requests. There have been more leaks since then with mud and water flowing down into the neighbor's property. Further items will be discussed in a closed session.

13. MAYOR'S REPORT

The Mayor had no items to report.

14. CITY MANAGER'S REPORT

Ken Leetham reported that the taxing entity committee would be meeting Thursday at 2 p.m. to approve the Orbit EDA budget and plan and that progress has been made on the Redwood Road CDA and the Orbit EDA.

15. ACTION ITEMS

The action items list was reviewed. Completed items were removed from the list. Consideration of Paul Ottoson's recommendation for park strips in Foxboro will be considered at a future meeting. It was noted that a letter was sent to the Boyer's regarding their concerns about the Deer Hollow detention basin.

16. COUNCIL REPORTS

Council Member Jacobson reported that the movie in the park sponsored by the Youth City Council was well attended. The next movie will be Friday, August 16th and will be Little Rascals. The Senior Lunch Bunch will meet Wednesday, August 14th at 11 a.m. The Bountiful Davis Arts Summerfest Mayor's reception will be Wednesday, August 7th at 5 p.m.

Council Member Harman asked Council Member Jensen to report on Stericycle. Council Member Jensen reported that the State gave Stericycle an extension until the end of August and that residents are taking pictures of anything abnormal. He commented that Stericycle does a cleaning of the emergency stack once a week. Council Member Jensen said that there will be another protest by the residents next week.

Council Member Harman reported that the Night Out Against Crime will be August 21st from 6-8 p.m. at Hatch Park and will include food, a K-9 demonstration, fingerprinting and photographing. Council Member Harman brought up the recent issue of a soliciting group that was in his neighborhood and was acting strangely. He commented that solicitors need a solicitation badge to solicit in the City.

Council Member Porter asked for photographs of the City and City events so they could be posted on Google Earth.

Council Member Jensen reported that while driving on Fifth North in Bountiful near the refinery that the train gates were down for 15 minutes or more. He called the dispatch police line and commented that the dispatcher was not very helpful and wanted to relay this to the City's police department and that dispatch could be more courteous to those who call in.

He also reported that this Sunday is the second Sunday Concert at Rose Trailhead Park with local resident, Ali Gardner performing. Council Member Jensen said that the Polynesian Festival will be August 23rd and 24th and that the stage rental would be \$700 to \$1500 with the \$1500 including the setup and removal of the stage. It was determined that City staff would be held liable if they set up the stage so the rental company will install the stage for \$1500. He commented that there will be a VIP dinner on Friday with roasted pig and asked if a food handler's permit would be required for those preparing food at the event.

Mayor Arave responded that if the County or Health Department hears about the event they will shut the event down if the participants do not have the permits.

Council Member Jensen reported that the annual family golf tournament would be August 31st and the Army Band will be playing at the golf course on September 8th.

17. CLOSED SESSION

At 10:25 p.m. Council Member Jensen moved to go into closed session for the purpose of discussing pending litigation. Council Member Porter seconded the motion. The motion was approved unanimously by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

At 10:41 p.m. Council Member Harmon 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.

18. ADJOURN

Mayor Arave adjourned the meeting at 10:41 p.m.



Mayor



Secretary