

NORTH SALT LAKE CITY
CITY COUNCIL MEETING-WORK SESSION
OCTOBER 15, 2013

FINAL

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

PRESENT: Mayor Len Arave
Council Member Stewart Harman
Council Member Brian Horrocks
Council Member Conrad Jacobson
Council Member 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: Camille Thorpe, resident.

1. DISCUSSION OF POTENTIAL PUBLIC ART

Council Member Porter introduced Camille Thorpe and said they have been discussing art ideas for the amphitheater area in front of City Hall and other areas around the City. Ms. Thorpe commented that she had talked to a few local artists and members of the community who have expressed an interest in helping with this project. She said ideas for City Hall Park include: highlighting the history of North Salt Lake and the railroad, or honoring the fallen police officer.

2. DISCUSSION OF CREATION OF PARKS AND ARTS COMMITTEE

Ken Leetham commented that the Land Use Ordinance needed to be amended for the new Parks and Arts Committee and asked for the Council's opinion.

Mayor Arave commented that they want it to be a Parks and Arts Committee with at least five members who would be in charge of concerts and other events depending on how involved the committee members wanted to be.

Council Member Porter asked if a representative from the Planning Commission should be on the committee again and how much authority the committee would have.

Council Member Harman asked if the NSL Live Committee could be used for, or combined with, this committee.

Council Member Jensen commented that the way the NSL Live Fund works now is that the committee member wanting to spearhead the event provides a budget for their event and the City provides the resources. This person is in charge of organizing and planning the event. He said it would be nice if a group of individuals put the events together instead of just one person doing the majority of the work.

Council Member Harman said it seemed like it would be easier if all community events, including the July 3rd celebration and 5K as well as the NSL Live events were handled by this committee.

Ken Leetham was asked to prepare a draft of what the Parks and Arts Committee's responsibilities would entail to present to the Council at a later date.

3. GOLF COURSE REPORT

Brent Moyes reported that they have hired a new assistant, Aaron Brown, who is scheduled to start next week. Mr. Brown has a marketing degree and has worked at a few other golf courses. Mr. Moyes said that August and September rounds and revenue were down slightly compared to last year, but he understands that other courses are down as well and that he would try to get the numbers on those courses. He also commented that less than 60% of the Groupon passes that were purchased were redeemed and that it seems like a better idea to do something like a city card or pass that would encourage people to come back rather than a one-time coupon. He said he also talks to area hotels, particularly in downtown Salt Lake, to encourage hotel staff to recommend Eaglewood to their travelers. Mr. Moyes said that the rental clubs are nice sets and that they are selling some of their current sets to raise money for new clubs for next year. The fiscal year from July to September was down a little bit but at the five year average the golf course revenue was up.

Mayor Arave commented that maybe there could be special evening rates offered. Mr. Moyes responded that they would look into that as the 2 for 1 promotion on Sundays and the Ladies' Night on Wednesdays does fairly well.

4. COMMUNITY AND ECONOMIC DEVELOPMENT REPORT

Ken Leetham reported that just by comparing the single family permits for the 2013 calendar year (January to September) from the previous full years of 2008 to 2012 (January to December), there has been tremendous amounts of growth. He said that in the first nine months of 2013 they have issued almost as many single family permits as the entire twelve months of 2012. Mr. Leetham also commented that there has been great growth in the number of business licenses issued with a total of 116 licenses issued. Permit applications have not slowed down yet but will during the winter months.

Council Member Horrocks asked how close the City is to being built-out. Mr. Leetham responded that City staff has been working on building projections for the year and are about

85% built-out with the remaining 15% to include the Granite parcel. He said that up to approximately a thousand units could still be built to fit into that current zoning.

Mayor Arave asked for an update on the gravel pit property. Ken Leetham responded that he talked to Ben Lowe who said they were working on Phase 2 of the apartments in Eaglewood Village.

Ken Leetham also commented on the Trail Installation Agreement with the developers of Edgewood, (on the regular session agenda) and said that there is a section in the agreement that calls for a bond, and he recommended that section be removed. Sky Properties agreed to put in the trail but did not like the bond as it is a two year bond period with no set budget amount.

Council Member Porter stated that part of the trail is based on Kern River granting permission, which they did, so the City should have that agreement already. Barry Edwards responded that the Kern River did give their approval and that they were waiting on approval of the Granite parcel.

5. CITY ATTORNEY'S REPORT

David Church reported that during the hearing on the Warner property, the judge granted a motion for a summary judgment. The current tenants need to be moved out by November 15th so the water can be shut off and the repair work completed.

Mayor Arave asked if in the event a resident is constructing a retaining wall, or something similar, can the City step in and disagree with their engineering plans. Paul Ottoson responded that the City typically doesn't have an engineer go out unless there is a problem such as the water damage that occurred at the Warner property.

6. ADJOURN

Mayor Arave adjourned the meeting at 7:06 p.m. to begin the regular session.

NORTH SALT LAKE CITY
CITY COUNCIL MEETING –REGULAR SESSION
OCTOBER 15, 2013

FINAL

Mayor Arave called the meeting to order at 7:16 p.m. Council Member Porter offered the invocation and Chris Hughes, BSA Troop 1916, led those present in the Pledge of Allegiance.

PRESENT: Mayor Len Arave
Council Member Stewart Harman
Council Member Brian Horrocks
Council Member Stan Porter
Council Member Conrad Jacobson
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; Linda Horrocks, Deputy Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Steve Israelsen, Sky Properties; James R. Hood, Jennifer Hood, Ryan Mumford, Timothy Kaspar, residents; Chris Hughes, BSA 1916.

1. CITIZEN COMMENT

James Hood, 80 South Main #8, addressed the Council and asked about the composition of the City Council and if they would be adding more council seats since the City was growing. He also asked why there were not more positive public relations done for the City especially regarding Stericycle and the Springhill landslide. Mayor Arave responded that the form of the Council is determined by State statute, and North Salt Lake has five council members, and a “weak” mayor, or a mayor with no voting or veto power. He said the Council has discussed doing some public relations, and that he would ask City staff to look into this.

Council Member Jacobson stated that with the Springhill landslide issue, the City did some great things to help those residents, and after the park is complete the City could show all the improvements that have been made.

Mayor Arave asked when the Springhill Park would be completed. Paul Ottoson responded that the contract for soil stabilization and re-vegetation would start in November, but the work would not be completed until the spring.

Barry Edwards said the park design plans include a spring, trail and native grasses as irrigation water cannot be installed in that area.

2. CONSIDERATION OF A TRAIL INSTALLATION AGREEMENT BETWEEN EDGEWOOD NSL DEVELOPMENT, INC, AND THE CITY OF NORTH SALT LAKE

Ken Leetham reported that the trail segment being discussed runs along the western edge of the Bella Vida development and is a segment of a larger trail that will ultimately connect with the Legacy Trail. When the Edgewood development was first approved, Sky Properties made a commitment to install the trail but the commitment was never put into writing. The City would now like this agreement in writing that reflects the City's and Sky Properties' understanding of who is responsible for the trail. The development of the trail has since become a condition of approval for Edgewood Plat J. This agreement provides for a timeframe on completion of the trail, and the trail could be completed on the property today but it would be very steep. If the trail could be expanded to the Granite property, the trail would not be as steep and would be more accessible to trail users.

Mayor Arave commented that the agreement is between Edgewood NSL Development Inc. and that this entity would probably only last until the North Salt Lake development was completed and that Sky Properties would move out of the area at that time as well. He asked if the developer would be interested in paying the City now for the trail instead of waiting until the Granite parcel opens up.

Steve Israelsen, Sky Properties, said that they put in the trail for Trailhead Park to Parkway Drive and would have done this section in Edgewood except that the City's Parks and Trails Committee asked them to wait until the trail could be expanded into the Granite parcel.

Council Member Porter commented that most trails have an 8% grade and this trail would currently be at a 15% grade or more and there would need to be something done to stabilize the trail. The rest of the trail is complete except for this section and he recommends that the agreement is changed to show that the City is seeking additional permission from Kern River.

Mayor Arave commented that the Council's preference is to wait to develop the trail; however, he questioned whether to take a cash payment now, to require the bond or to add Sky Properties as a party to the installation agreement.

Council Member Porter moved to adopt the Trail Installation Agreement as outlined with the following changes:

1) To add Sky Properties as a party to the agreement by changing the first paragraph to the following: "This Trail Installation Agreement (this "Agreement") is made as of the ____

day of October 2013, by and between Edgewood NSL Development Inc., a Utah corporation, Sky Properties Inc., (hereafter known as “Edgewood”); and the City of North Salt Lake, a Utah municipal corporation, (the “City”). In contemplation of the following facts and circumstances:”

2) To change Section B of the agreement to say “The City is seeking additional permission of Kern River and Questar for the installation of the trail”.

3) To remove Section 3 regarding bonding for the trail completion in its entirety.

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

3. CONSIDERATION OF BETTERMENT AGREEMENT WITH UDOT FOR A WATER LINE IN THE 1100 NORTH/2600 SOUTH RECONSTRUCTION PROJECT

Barry Edwards reported that UDOT is reconstructing the 1100 North/2600 South overpass, and that there is a steel water line under that structure that needs to be replaced, and staff believes this is the time to do it. Once the City notifies UDOT that they would like this done UDOT will have the contractors provide the City with bids.

Mayor Arave asked if this project could be done with impact fees. Mr. Edwards responded that this could possibly be done with impact fees and the water fund. The City can request other betterments on this project, but since they will be mostly aesthetic they go through a separate process and do not need to be determined now. He also suggested the City attorney review as a condition of approval.

Mayor Arave asked if any other additional lines for future secondary water needs should be looked at as well. Paul Ottoson replied that there would not be enough water rights available to necessitate adding secondary water lines.

Council Member Harman moved that the City Council adopt the UDOT Betterment Agreement Local Agency Modification to Federal Aid Agreement with the stipulation that it first be reviewed and deemed acceptable by David Church, City Attorney, with specific reference to indemnification and reimbursement provisions of the agreement. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

4. ORDINANCE NO. 2013-20: AN ORDINANCE ADOPTING CERTAIN PROCEDURES RELATED TO THE BUDGETING OF CAPITAL PROJECTS

Janice Larsen reported that this ordinance provides for the Capital Project budget to have a separate term from the budget of the City and would carry over the term of the project. If the City spends below the budgeted amount on one project, the remaining funds cannot be applied to another project, but would go to the General Fund for additional approval from the City Council. The primary objective of this ordinance is for projects that carry over for more than one year to also have a budget that carries over with it.

Council Member Harman moved to adopt Ordinance 2013-20: an ordinance of the City of North Salt Lake adopting capital improvement project terms of budget. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

5. APPROVAL OF SOUTH DAVIS TRANSIT STUDY AGREEMENT NO.1
(ADDING BOUNTIFUL CITY AS A PARTICIPANT)

Barry Edwards reported that the City Council previously approved participation in this study, and at the time, Bountiful did not choose to participate. However, they would now like to be involved in the study, and this amendment is to add them.

Council Member Jacobson moved to approve the South Davis Transit Study Agreement No. 1 adding Bountiful City as a participant. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

6. ACTION ITEMS

Council Member Harman asked Jon Rueckert if there was an update on the Wi-Fi tower. Mr. Rueckert replied that he went out with First Digital to look at sites but has not heard anything back from them.

Council Member Jensen asked when Ordinance 2013-17, relating to business license revocation, would be reworded and presented to the Council. Barry Edwards responded that he would follow up with the City attorney.

Mayor Arave asked that an ordinance to require notification of by-pass events be reviewed with the City attorney as well.

Council Member Harman asked if a lobbyist had been retained to relocate Stericycle. Mayor Arave responded that the City has a lobbyist under a general retainer contract who has been helping with this issue. These lobbyists were also used for the Springhill landslide, Flying J and the 1100 North Exchange as well.

Barry Edwards commented that the City should participate in Davis County's CDBG program as there is no other way to apply for this funding. He added that it also benefits local agencies in the county such as the food pantry, etc.

Council Member Horrocks reported that he met with John Petroff and expressed concerns with the county's CDBG program and that Mr. Petroff expressed surprise and asked the City to stay with the program.

Council Member Harman asked about the Coke machines at Legacy Park and said that it would be nice to have two in the park with one by the trail, and the other by the splash pad. Jon Rueckert said that the City electrician will put in outlets at Legacy and Hatch Park and then the machines will be installed.

Council Member Porter suggested the City consider a drink machine at City Hall as well.

7. COUNCIL REPORTS

Council Member Jacobson said there have been up to five deer in his yard at a time and they cause problems. Chief Black replied that the last time he spoke to the Department of Wildlife Resources (DWR), they said they were working with Alpine and Bountiful on a trap and relocation plan.

Mayor Arave asked Barry Edwards to contact DWR and provide the City Council with some options for the deer problem.

Council Member Harman commented that there is graffiti on the southeast corner of 900 South and Foxhollow Drive and asked if there was a graffiti problem in other parts of the City. Chief Black responded that there was a run in Foxboro and the detective was aware of it.

Council Member Harman also asked about the street light outages in Foxboro. Jon Rueckert responded that if he could be provided with the pole numbers he could follow up on getting the lights fixed.

Council Member Horrocks mentioned the Fall dumpster cleanup that next weekend and stated that some people have complained that it is hard to get the trash up to the golf course and asked if there could be street drop off points. Jon Rueckert responded that the cleanup is expensive and if dumpsters were placed in the neighborhoods it would take the City crews longer to go around and pick them up.

Council Member Horrocks also commented on thefts of brass and copper. Chief Black replied that the police department has a good relationship with the local foundries and have asked them to keep an eye on who turns these items in. The Utah Chief of Police Association is working with the Utah Legislature to try and implement rules on who foundries and recycling locations can accept these materials from.

Council Member Jensen reported that the Halloween Fun Run would be the following Saturday at 9am and asked that volunteers arrive at 8am. He also asked for an officer to be present at the run. He commented that the Second Sunday concert was nice but that there was not a large turnout this time. He asked if a sidewalk was planned along Center Street near Orchard Elementary. Barry Edwards replied that since the apartments have been built on Orchard that there are steep driveways and there is not a simple solution at this time. He said they are looking at funding solutions as the project would cost about \$220,000 to add a sidewalk in that area.

8. MAYOR'S REPORT

Mayor Arave reported that he was meeting with the Governor's representative on Thursday to discuss Stericycle. He also said that KUER would be running a piece as well that would include an interview with the Mayor.

9. CITY MANAGER'S REPORT

Barry Edwards reported that City staff met with Big West Oil to discuss their water usage. Big West agreed to pay for their usage and also said they would look into fixing up the well. He also said that it would be thirty days before the culinary water report was done.

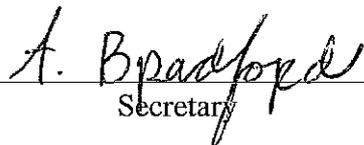
Mr. Edwards asked if a quorum of Council Members would be available to meet at 6 p.m. on October 22nd for a special session to approve a bid for the plow truck equipment.

10. ADJOURN

Mayor Arave adjourned the meeting at 8:47 p.m.



Mayor



Secretary