

NORTH SALT LAKE CITY
CITY COUNCIL MEETING-WORK SESSION
OCTOBER 7, 2014

FINAL

Mayor Arave called the meeting to order at 6:03 p.m.

PRESENT: Mayor Len Arave
Council Member Matt Jensen
Council Member Brian Horrocks
Council Member Conrad Jacobson
Council Member Stan Porter
Council Member Ryan Mumford

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

OTHERS PRESENT: James Hood, Jen Hood, residents; Bruce Jackson.

1. 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.

Mayor Arave asked for the status on the City's deer management plan. Barry Edwards replied that he and Chief Black were reviewing the plan and that archery seemed like the best option for removal at this time. Staff is also working on a bait and trap plan to be implemented for fall and winter.

Council Member Mumford asked if the South Davis Metro Fire Agency's request for funds was a typical request or something more specific. Mayor Arave responded that normally the Fire Agency has a 2-3% cost increase but this increase would be 20% and would be an increase from 18 firefighters to 28. He also said that a fire district is still being considered and asked that City staff research the benefits and possible issues.

2. COUNCIL REPORTS

Council Member Horrocks reported that he attended the annual Mosquito Abatement Conference and Training and received additional education on mosquito control and applicable State laws.

Council Member Jensen reported on the Second Sunday Concert which was held at the golf course and said that the next Second Sunday Concert would be October 12th at City Hall. He then reported that the Halloween 3K would be October 18th at 9 a.m.

Council Member Mumford reported that there was a citizen who wanted to discuss the Foxboro area tennis courts with the NSL Live committee. Council Member Jensen replied that there would probably not be any courts installed on the west side of the City but that the resident was welcome to come to the next NSL Live meeting.

Council Member Mumford asked if the vacant Planning Commission position had been filled. Mayor Arave replied that the City would be taking applications until Wednesday October 8th and that four applications had been received so far.

Council Member Horrocks mentioned that the traffic circle near Eaglewood Village was getting worse. Barry Edwards replied that a contractor would be out to review the area and would give the City recommendations on fixing the problem.

3. POLICE DEPARTMENT REPORT

Chief Black reported on the new Spillman Records Management System that the Police Department has been using for the last three months. As the City had this program in the past they were able to sign up again and only had to pay the maintenance fees instead of a start up fee. The monthly fees are also cheaper than the previous Fatpot system that was being used. He said that he is more confident in the reports that this system is able to provide, and the biggest improvement is the ability to get timely and more accurate records. The department is able to monitor the reports on a day to day basis and these reports are almost immediately accessible.

Chief Black then reported that there have been 12 auto thefts since July 1, 2014. There have also been 13 residential burglaries and three commercial burglaries. These burglaries were scattered with no apparent pattern. There were also 66 thefts since July 1st. He then reported that there were three sex offense cases, one which was closed and an arrest made. Another was reported and is currently being investigated by Davis County and the third case was still actively being investigated. There are currently seven active sex offender cases open in the detective division which was why a detective was hired for that division.

He then expressed concern about the number of traffic violations and said that most were related to distracted driving and not speed. There have been 65 reportable accidents since July 1st with 65 accident citations issued, 148 moving violations and 72 non moving violations.

The total number of cases by area since July 1, 2014 include: 214 in Foxboro with 25 at Foxboro Terrace Apartments, 261 in Orchard with 15 at North Pointe Village, 208 in the industrial area, and 77 in Eaglewood. With the Good Landlord program and good managers there has been a decrease in issues at the Foxboro Terrace and North Pointe Village apartments.

Chief Black the reported that the Spillman program can generate maps and specific lists of all types of offenses. This helps the department look for patterns, motives or areas being targeted by individuals or groups. He then demonstrated how to pull up a report and how quickly the information was available.

4. ADJOURN

Mayor Arave adjourned the meeting at 6:47 p.m. to begin the regular session.

NORTH SALT LAKE CITY
CITY COUNCIL MEETING-REGULAR SESSION
OCTOBER 7, 2014

FINAL

Mayor Arave called the meeting to order at 7:00 p.m. Council Member Ryan Mumford offered the invocation and Braxton Webster, BSA Troop 1388, led those present in the Pledge of Allegiance.

PRESENT: Mayor Len Arave
Council Member Matt Jensen
Council Member Brian Horrocks
Council Member Conrad Jacobson
Council Member Stan Porter
Council Member Ryan Mumford

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

OTHERS PRESENT: Judson Jennings, James Hood, Jen Hood, Melanie Lilyquist, Roby Lilyquist, Helen Prodan, Katie Garrett, Caralyn Bingham, Sarah Sargent, residents; Philip Markham, Ace Disposal; Marlin Eldral, Davis County; Kent Sulser, Davis County CED; Rob Sant, Lewis Young Robertson and Burningham; Ben Lowe, Eaglewood/CDG; BSA Troop 1388.

1. CITIZEN COMMENT

Helen Prodan, 631 East Lacey Way, addressed the Council and said that she lives on .21 acres with three large trees and asked if it could be a code violation for trees that grew too high and were a danger to neighboring properties. Ms. Prodan asked if there could be a second Saturday pick up in November to help with all the leaves from those trees. She also asked when the area would have secondary water as she has a large lot to water.

Ms. Prodan said she had a problem with gophers on her property and asked if information on dealing with this pest problem could be put in the City newsletter. She then asked about the possibility of an on-ramp and a light near Highway 89.

Mayor Arave responded that the Code Enforcement officer could look at the issues with the trees. He said that the City would like to get secondary water on the bench but that it would be a number of years before this could happen. He also explained that an on-ramp would take time as well and that the State would be involved in a project of that size.

Katie Garrett, 243 North Boston Drive, commented that she is eager to hear the Stericycle discussion and will be happy when Stericycle is no longer a part of the community. She stated that the efforts and response shown by the community in this situation could be funneled into other more positive causes once Stericycle is gone.

2. PURCHASE CONSIDERATION OF NEW VGB FOR METER READING IN THE AMOUNT OF \$39,700

Jon Rueckert reported that the City has been using automatic meter reading equipment since 2004 and that during this time the technology has saved time and labor related to meter reading. The vehicle transceiver unit (VXU) reads modulating transceiver units (MXU) from a vehicle as it drives by the in ground MXU meters. In the past decade the MXU receivers have become more reliable and more powerful and now operate on FCC frequencies which would be registered to the City. The current City equipment only has the capability of reading the older style MXU and it would be beneficial to start upgrading the equipment on a 6-10 year plan. The new VGB system would work with the current equipment as the older style MXU's are phased out.

Mayor Arave asked if the City did not spend the proposed \$39,700 for the new VGB equipment what would happen. Mr. Rueckert said that the City could continue to use the old radios until they are completely outdated and no longer manufactured. He said there have been some issues with the older radios and their reading capabilities and that this would not be an issue with the new radios. He also said that staff will be able to get reports much faster from the new MXU radios.

Council Member Jensen commented that even with the new radios it seems like staff would still need to drive by most of the radios. Jon Rueckert replied that a propagation study was done to see the frequencies that could be read throughout the City if a tower was installed and that almost all the areas in the City were able to be read without any issues.

Council Member Horrocks asked how much was budgeted for this upgrade. Jon Rueckert replied that \$40,000 was put into the budget in anticipation for the VGB equipment. The City would not upgrade the radios this year but would start installing 500 meters within the next ten years.

Mr. Rueckert said that there are approximately 40 of the upgraded radios already in the City and that all the new developments in the City are required to install the new radios. He also said that one advantage to the tower system is that the City only does a monthly reading now but that with the tower there could be daily readings with real time data for residents. He said that the tower system would be operational 8-10 years in the future.

Barry Edwards stated that the issue is the older technology and the question of when it should be replaced. He said that at some point the entire system would need to be changed out.

Mr. Rueckert said the \$39,700 would include the VGB reader, an updated laptop to run the software, 25 readers, 25 MXU, and a handheld device to program the readers.

Council Member Jensen moved to authorize the purchase of VGB equipment in the amount of \$39,700. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Jacobson, Mumford and Porter.

3. CONSIDERATION OF AN AGREEMENT FOR THE PURPOSE OF INSTALLING PUBLIC STORM DRAIN IMPROVEMENTS ON THE NORTHEAST CORNER OF REDWOOD ROAD AND CENTER STREET

Paul Ottoson reported that several months ago High Rustler LLC approached the City and expressed interest in filling two ditches near their property. One ditch runs along the east side of Redwood Road and is owned by Davis County. The other ditch is on the north side of Center Street and is owned by North Salt Lake. The agreement would have the property owner purchasing all the materials for the property including: pipe, backfill, concrete, etc. Davis County would provide all the labor and installation while North Salt Lake would prepare the design, plans and prepare all the bids. The City would also become the project manager and ensure quality control. The cost to the City would include in-house engineering and design and an outside surveyor fee. Mr. Ottoson said that if the City were to do this project alone that it would be approximately \$500,000 and that by doing this project with the assistance of Davis County and the property owner it would save the City considerable time and money.

Mayor Arave asked if the funds could come from the Redwood Road CDA. Barry Edwards replied that it would be funded out of the Storm Sewer fund and then reimbursed through the CDA.

Council Member Mumford moved to accept the agreement for the purpose of installing public storm drain improvements on the northeast corner of Redwood Road and Center Street. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Jacobson, Mumford and Porter.

4. DISCUSSION AND SUPPORT OF THE STATE OF UTAH'S ATTORNEY GENERAL IN THE INVESTIGATION OF STERICYCLE VIOLATIONS

Council Member Mumford commented that there have been allegations of violations at Stericycle and that the Utah Attorney General has launched an investigation. He expressed that the City should send an official letter of support to the Governor, the Attorney General and the Davis County Department of Health.

Council Member Horrocks said that when the original Foxboro subdivision was approved and the zoning was changed that Stericycle was one of the first to comment on the zoning change and the location of the housing development and what would likely occur. He said that he wants to treat Stericycle fairly, but that he is unhappy with their recent conduct.

Council Member Jensen stated that there were residents who do not think that the City is doing enough or anything at all. He agreed that the letter of support should be sent for the sake of clarity to the public.

Mayor Arave commented that a statement about Stericycle is on the City's website and that the City does not have the resources or expertise to pursue the problem.

Barry Edwards said that City staff has talked to the Governor's office and the Attorney General's office and expressed support. If or when evidence is upheld in court, then the City would be authorized to take action. The Attorney General's office has the power to obtain the evidence and proof that is necessary and a judge would have the authority to close the business.

Council Member Mumford moved to send a letter of support to the State of Utah Attorney General to get a speedy resolution to the investigations against Stericycle. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Jacobson, Mumford and Porter.

5. AWARD BID FOR NEW SOLID WASTE COLLECTION SERVICES AND DIRECT STAFF TO BRING CONTRACT BACK TO CITY COUNCIL

Janice Larsen reported that four bids were received for the solid waste contract which would run for five years until 2020. Waste Management came in as the low bidder at this time.

Council Member Jensen commented that the City currently uses Waste Management and asked why the prices were lower than the current price. Janice Larsen replied that it could be because the company was better able to determine the cost after a period of operation.

Council Member Porter moved to accept Waste Management's bid for solid waste recycling and collection services through 2020. Council Member Mumford seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Jacobson, Mumford and Porter.

Janice Larsen reported that there were additional services not on the original contract including weekly pick-up of recycling and green waste pick-up. She asked if the City Council would like a price on the monthly charge. The Council advised City staff to review how many residents have two recycling cans and the cost benefit of weekly recycling pick-up.

Barry Edwards recommended that the option for weekly recycling pick-up and green waste pick-up be written into the contract for future needs and that staff would look into the option of weekly recycling pick-up now.

6. CONSIDERATION OF RESOLUTION: RDA-2014-03 A PROPOSED AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF NORTH SALT LAKE AND THE NORTH SALT LAKE REDEVELOPMENT AGENCY RELATED TO THE EAGLEWOOD VILLAGE CDA

Ken Leetham reported that this resolution was proposed by the developer of the Eaglewood Village project and that they were requesting a change to the base tax year, which is the year to

begin the measure of tax increment, from 2006 property values to 2008. Those values would be used to measure a baseline and then increases in value as the project progresses through the timeline. Those increases in value would generate tax increment revenue. This project was originally approved in 2006 but property values were lower in 2008. The second item that they are requesting is to change the trigger date when the tax increment revenues would be collected. This would be changed from 2009 to 2015 and would extend the agreement date. This would benefit the developer but would also effectively create a larger amount of tax increment revenue. The current expiration date of the agreement would also change from 2021 to 2027. Mr. Leetham said that all of the taxing entities currently have a different percentage of tax increment and trigger dates.

Ben Lowe, Eaglewood Village, said that they have not received any increment as of today and that all of the CDA's are trying to figure out how to implement the process now. All the agreements were negotiated separately and have different base years and trigger dates. He said that this is the first CDA in Davis County and that when the recession hit he had approached the County and asked if they could be reimbursed the infrastructure expenses by increasing the percentage and the number of years of the CDA. They were denied but the County did ask if the base years could be more uniform.

Kent Sulser, Davis County CED said that with the near collapse of the US banking system that this delayed the project significantly. The original purpose of the agreement was to encourage economic development as the property taxes previously collected on this was only \$85,000 annually. He said that since there have been 12 more CDAs added that having a uniform start date would be beneficial to Davis County staff and that the reasons for the original CDA on that property are still there. Mr. Sulser said that once commercial and office spaces develop there, this land could ultimately yield \$1.6 million in property taxes plus \$200,000 in sales taxes annually.

Council Member Jensen commented that the promises of condos, office buildings and a grocer were not fulfilled and that there are only apartments there now.

Mayor Arave said that the issue is that the recipient of the CDA funds is different from the current property owner which was Compass Development. Ben Lowe replied that Compass Development put in a number of infrastructure improvements and that those CDA funds stay with Compass for those improvements and that Eaglewood only owns the apartments at this time. He also said that the trigger date would be extended but that it would still be a 12 year timeframe.

Mayor Arave commented that Compass Development would benefit with the change of base year and the County would benefit as it would be slightly easier to administer. Ben Lowe replied that the RDA would benefit if commercial development occurs there.

Rob Sant, Lewis, Young, Robertson and Burningham, commented that he was representing Compass Development. He said that even though the trigger date was 2009 no tax increment was

received until 2012. The reason for this is that since this was the first CDA in Davis County that the auditor did not know how to administrate it until 2012.

Mayor Arave asked how much more funds Compass Development would be receiving from this change. Rob Sant replied that it would be \$450,000. The City's portion would be approximately 20% of that number.

Council Member Jacobson commented that it was all the taxing entities that would be going through this process. Rob Sant replied that the RDA would be approaching all the taxing entities and asking for amendments.

Barry Edwards said that the problem is that there is no possible way that this CDA will generate the amount of money listed on the budget. He said the improvements on the frontage road were made and the fishing pond was installed but that the commercial projections may not be fulfilled. He said City staff would collect the estimated increment projections and bring this item back on a future City Council agenda.

Ben Lowe commented that the CDA did not turn out to be what everyone hoped for but that they had gotten the infrastructure work done and that they needed to receive reimbursement and that the system needed to be fixed to pay out the expenditures that were made.

Council Member Porter moved to table this item until the next City Council meeting so that actual costs could be analyzed. Council Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Jacobson and Porter. Council Member Mumford voted in opposition to the motion.

7. MAYOR'S REPORT

Mayor Arave reported that staff met with Dereck Bauer and his attorney regarding his claim of \$25,000 for IT invoices that were not paid to him by the City. The City has paid \$16,000 and will look at the remaining \$9,000 once additional information is provided.

Mayor Arave said that remediation has been started on the Warner property. The water was turned off and has since been turned back on and the property owner is now working to fix the issues with the property.

8. CITY MANAGER'S REPORT

Barry Edwards reported that all the concrete work on the Warner property has been completed at this time and that the issues are almost finished.

Mr. Edwards also said that \$9,500 was raised at the charity golf event for the Utrilla Family who lost their home in the recent landslide. He said that City staff is working with the designer on the plans for the slide remediation. Current reports show that the underlining clay soil is stronger than what was originally thought which means it can withstand a steeper grade.

9. ADJOURN

Mayor Arave adjourned the meeting at 8:37 p.m.



Mayor



Secretary