

NORTH SALT LAKE CITY  
CITY COUNCIL REGULAR SESSION MEETING  
MARCH 2, 2010

Mayor Arave called the meeting to order at 7:05 p.m. Council Member Harman offered the invocation, and Jansen Ogden, BSA Troop ?, led those present in the Pledge of Allegiance.

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

STAFF PRESENT: Brian Passey, Assistant City Manager and Finance Director; Blaine Gehring, Community Development Director; Paul Ottoson, City Engineer; Michael Nielsen, City Attorney; LaRae Dillingham, City Recorder; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Lynze Wardle, *Standard Examiner*; Dillon Charles, Hayden Charles, BSA Troop 770; Allen Tidwell, Jansen Ogden, Matthew Lamy, J.R. Hood, residents; Todd Hughes, Kevin Watkins, Scott Hughes, Lakeview Rock Products.

1. CITIZEN COMMENTS

There were no citizen comments.

2. CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION NO. 2010-5R APPROVING MAYOR SCHAEFERMEYER AND COLLIN WOOD'S LIFETIME GOLF PASSES

There was some discussion about past golf passes being given to former mayors.

Michael Nielsen stated that there is a good argument that these passes are really not transferring value, as they are valid Monday through Thursday. Council Member Porter suggested adding that the passes have no monetary value in the resolution.

Council Members Horrocks and Jensen agreed that the golf pro should have discretion over passes.

Council Member Harman suggested some language changes to the resolution.

**Council Member Horrocks moved to approve Resolution No. 2010-05R as amended approving Mayor Schaefermeyer and Collin Wood's Lifetime Golf Passes as amended. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

3. CONSIDERATION OF A SETTLEMENT AGREEMENT BETWEEN LAKEVIEW ROCK PRODUCTS, INC. AND THE CITY OF NORTH SALT LAKE

Michael Nielsen showed maps of the area being discussed to the Council. There were some suggested changes to the settlement agreement.

Paul Ottoson stated that some changes need to be made to the Metes and Bounds descriptions in Exhibit A.

Council Member Harman stated that litigation is always risky, so if a settlement can be reached, that would be preferable.

**Council Member Porter moved to accept the settlement agreement between Lakeview Rock Products and North Salt Lake as amended, with the stipulation that the city engineer agrees with the metes and bounds changes, and with cosmetic and grammatical changes as deemed necessary by the City Attorney. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

4. CONSIDERATION OF MODIFICATIONS TO THE EMPLOYEE APPEAL PROCESS

Michael Nielsen reported that this employee appeal process was discussed some time ago. He has concerns that the City Council might not want to assume responsibility for approving all hirings and firings of employees. Currently, the City Council has to approve these actions.

Three City employees and two City Council members currently make up an appeals board. If the City Council is to approve the hiring and firing, he would rather have the City Council not be involved on the appeals board. One suggestion would be to set it up so that if someone is terminated, and they wished to appeal, the appeal would come directly to the Council. This would be the administrative hearing, and if the City has been arbitrary and capricious, then a district judge would straighten that out. Mr. Nielsen then asked if the Council wants to be involved in this hiring/firing process for all employees, or if they would rather be the appeals board.

Council Member Horrocks asked for Mr. Nielsen's recommendation. Mr. Nielsen recommended allowing the department heads to work with the City Manager and the Mayor, or change the policy to allow the City to appeal as well.

Council Member Porter suggested that the Council become the appeal board, and leave the hiring and firing to the department heads and City Manager.

Council Member Jacobson said that having the City Council as the appeal board takes one layer of protection from the employees. Mayor Arave said that the City Council could invite other employees to speak and listen to all information in a hearing.

Brian Passey agreed that it could be perceived as removing a layer of protection for the employee.

Michael Nielsen also brought up the Board of Adjustment and stated that the City Council could also act in this capacity.

Council Member Harman suggested getting employees' thoughts before making a decision. The Council asked Michael Nielsen to draft language on both options and bring it before the Council.

5. CONSIDERATION OF RESOLUTION NO. 2010-06R AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$4,500,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS OF THE CITY; FIXING CERTAIN MAXIMUM TERMS FOR THE BONDS; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND THE HOLDING OF A PUBLIC HEARING; AND PROVIDING FOR RELATED MATTERS

Brian Passey introduced Jonathan Ward from Zions Bank Public Finance. Mr. Passey stated that this is a first step to declare the City's intent to utilize the RAP tax via a sales tax bond (utilizing RAP tax proceeds for the next eight years).

Jonathan Ward stated that to repay the City's obligation in an eight year period of time would only allow a small amount of bonds and would not allow the City to do as much as it would like. If the RAP tax is not renewed, then the sales tax is pledged as security for the funds and would have to be repaid from whatever funds are available.

RAP tax is limited to specific purposes, but sales tax can be used in addition for collateral.

Mayor Arave stated that if the City proceeds on the proposed parks with the funds they know can be generated with the RAP tax, there would have to be cut backs on the Foxboro North Park as well as the Bonneville Shoreline Park. However, bonding in this way allows the city to take the money up front. Mayor Arave asked if these bonds are callable. Mr. Ward responded that they could be called at mid-term, or 10 years.

**Council Member Jacobson moved to approve Resolution No. 2010-06R authorizing the issuance and sale of up to \$4,500,000 aggregate principal amount of sales tax revenue bonds of the City; fixing certain maximum terms for the bonds; providing for the publication of a Notice of Public Hearing and the holding of a public hearing; and providing for related matters. Council member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

6. MAYOR'S REPORT

Mayor Arave updated the Council on the Legacy Trail maintenance agreement between UDOT and the COG. After some discussion, the Council agreed that NSL needs to be involved in the cooperative agreement with the other municipalities to maintain the trail.

7. CLOSED SESSION

**At 8:50 p.m. Council Member Jensen moved to go into closed session to discuss the character, professional competence or physical or mental health of an individual. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

**At 9:18 p.m. Council Member Harman moved to go back into regular session. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

8. APPROVE MINUTES (CONT.)

The City Council minutes of February 16, 2010 were reviewed and amended. **Council Member Porter moved to approve the February 16, 2010 minutes as amended. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

9. MAYOR'S REPORT (CONT.)

Chief Harder has given his notice of retirement effective May 1<sup>st</sup>. Mayor Arave said he will create a committee to select a new police chief.

Mayor Arave reported that the Davis School District approved the Eaglewood Village CDA.

Mayor Arave reminded the Council of the budget retreat this Saturday from 9 a.m.-until 1:00 p.m. at the Eaglewood Clubhouse. He asked the Council to come prepared with goals.

Mayor Arave met with the Wasatch Front Regional Council and talked about road projects. Council Member Porter stated that the east side of Redwood Road, south of Center Street, toward Flying J is a three lane road and should really be a four lane road.

10. ACTION ITEMS

The action items list of February 16, 2010 was reviewed. Completed items were removed from the list. Incomplete items remained on the list.

11. COUNCIL REPORTS

Council Member Jensen stated that the City Facebook group has been created and encouraged the Council Members to look at it.

Council Member Horrocks said the Planning Commission is working on the off-street parking ordinance.

Council Member Horrocks then asked Mike Nielsen about the Davis County Sherriff who parks between the three LDS church buildings along Eagleridge/Bountiful Blvd. on Sunday mornings. Mr. Nielsen stated that the two jurisdictions are required to share the revenue collected from tickets in our City. He agreed to look into this matter.

Council Member Porter reported that Blueprint Jordan River has come up with a blueprint, and it is an extensive document. Individuals from Blueprint Jordan River would like to meet with the Council and bring the Council up to speed. In drafting the agreement, they do not know what amount to put in for how much to charge each City for their participation. They do not know how many cities are going to join. There are similar coalitions for Utah Lake and Bear Lake, etc., and there are grants available. Council Member Porter will send the document to Mike Nielsen and Barry Edwards for review.

Council Member Porter reported that the Parks and Trails Board may be meeting this week. Robert Franson, Chairman of the Parks and Trails Board has sent correspondence stating he wants to be paid for his service. It is not the City's policy to pay volunteers, and Mayor Arave agreed to discuss this with Mr. Franson. The Council agreed to allow Council Member Porter to call a meeting with the Parks and Trails Board.

Council Member Harman said Mike Shafto will make a presentation to Uniting Neighbors next week. He also asked the Council if there are some areas in which he should be specifically trained. The next meeting is March 11 at 7:30 p.m.

Council Member Jacobson stated that the annual Youth City Council Easter Egg Hunt will be held at 10:00 a.m. on March 27<sup>th</sup>. It was suggested that the City make sure the restrooms are open that day.

Council Member Jacobson reported that the Youth City Council, YCA Youth, is in Logan March 18-20 at USU.

12. ADJOURN

Mayor Arave adjourned the meeting at 10:30 p.m.

  
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Mayor

  
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Secretary