

NORTH SALT LAKE CITY COUNCIL  
REGULAR SESSION MINUTES  
APRIL 20, 2010

Mayor Len Arave called the meeting to order at 5:30 p.m. He then offered the invocation, and Tanner Bronson, BSA Troop 1581, led the Pledge of Allegiance.

PRESENT: Council Member Stewart Harman  
Council Member Brian Horrocks  
Council Member Conrad Jacobsen  
Council Member Matt Jensen  
Council Member Stan Porter

STAFF PRESENT: Barry Edwards, City Manager; Mike Nielsen, City Attorney; LaRae Dillingham, City Recorder; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Rob Greenburg, Daniel and Kaye Donahoe, Toby Sausedo, Clisanta Gwilliam, Lui Jacketta, Martin Johnson, Lisa Watts Baskin, Paul Baskin, Stephanie Christiansen, Reva Wadsworth, Allen Tidwell, John Herndon, residents; Dalane England, Phil Wright, Sylvia Perkins, Becky Poulson, Freedom's Light Foundation; Ashley Elliott, Utah Geological Survey; Brandon Johnson, Chapman and Cutler; Lynze Wardle, *Standard Examiner*.

1. CITIZEN COMMENTS

Rob Greenburg, resident of Eaglepointe Drive, stated that they are experiencing a lot of motorized traffic at the end of their street (also known as the Bonneville Shoreline Trail), despite the fact there are signs prohibiting motorized vehicles. He stated that this does not seem to be enforced and asked what could be done. Barry Edwards agreed to look into the matter.

Kaye Donahoe, 1036 East Fairway Drive, reported that she is on that trail (Bonneville Shoreline) regularly, and the large gravel trucks come through there which she believes come from the gravel pit.

Mrs. Donahoe then reported that there are residents raising chickens along the 12<sup>th</sup> hole of the golf course, and she stated that there must be some restrictive covenants prohibiting the keeping of chickens within the City limits.

2. DALANE ENGLAND – FREEDOM'S LIGHT FOUNDATION

Dalane England, Freedom's Light Foundation, addressed the Council along with Phil Wright, Sylvia Perkins and Becky Poulson. She stated that the United States was set up and founded upon principles in the United States Constitution, and she believes most adults have never read the Constitution. The Freedom's Light Foundation does not talk politics or parties, but organizes events to celebrate the Constitution. They held a celebration in Davis County last year. It is a law that every school receiving federal funds is required to teach the Constitution on, or around,

September 17<sup>th</sup>, which is when they would like to hold their celebration. She added that the students and teachers who participated last year loved the program.

As part of their program, there is a large mural showing Ellis Island; participants watch a video about the immigrants who took an oath, and the participating children do some of the same things the immigrants did. Becky Poulson stated that the celebration is held on a Friday and Saturday. Students usually participate on Friday as part of a field trip, and it is open to anybody on Saturday. They have interactive exhibits that really teach about early America and the Constitution. There is also a Jamestown exhibit with people wandering around in costume.

Ms. England then asked if the Council would perform the Oath of Citizenship to the participants (September 17-18). They would also like information to be put in the City's newsletter and website, and would appreciate a financial donation as well (other cities have pledged \$500). Ms. England added that all man hours are 100% volunteer.

The Mayor stated that no decisions could be made on this tonight and suggested that this be put on the next meeting's agenda.

### 3. REVA WADSWORTH – AMERICAN CONSTITUTION STARS

Reva Wadsworth said that as part of the City's July 3<sup>rd</sup> celebrations in the past, her organization has presented a Constitution or Declaration of Independence program. They would once again like to perform a show on July 3<sup>rd</sup>. She is seeking a location to hold the event, and support from the City (as participants/actors), as well as money for costumes, advertising, programs, etc.

She said she may be competing with the group who just spoke. (Mrs. Wadsworth said that Dalane England actually borrowed her information last year.)

Mayor Arave asked Conrad Jacobson to work with Mrs. Wadsworth in determining her needs for this program.

### 4. ASHLEY ELLIOTT (UTAH GEOLOGICAL SURVEY) – GEOLOGIST HAZARD UPDATE ON THE SPRINGHILL LANDSLIDE

Ashley Elliott presented an update for the Council and those present on the Springhill slide area. On April 13<sup>th</sup> she measured ground movement which showed a seven to nine times increase in speed at which the land is moving. Right now, the land is moving at .2 inches per week. Ms. Elliott stated that the good news is that it is seven to nine times slower than this time last year. Even with the relative dry winter, it is still moving and did not stop at all during the winter. If the area experiences an increase in precipitation, the area will increase its movement, and currently, ground water levels are on the rise.

Ms. Elliott suggested that the City (a) utilize existing hazard maps, and (b) update and add to existing geologic hazard maps. (Her organization is continually mapping hazards). It would require some funding and would make updating hazard ordinances easier.

Mayor Arave asked about the slide which happened the day before at a home in the City. Ms. Elliott stated that from the preliminary investigation, it was a fill-induced failure. The fill failed, and the rock wall went with it. She said it was not classified as a landslide. A break in a water line, or excess water, caused the slide. As long as there is no additional water accumulation on this hill, there will be less potential for it to continue sliding.

With additional rain anticipated, Council Member Jensen asked if this is going to be a problem. Ms. Elliott responded that they did tell the homeowner to call her if there was another problem; however, it is more of a structural engineering issue. She added that there is also fill dirt under the building pad that could come down the slope.

Ms. Elliott stated that this is just a preliminary opinion, and experts are looking into it and will make a further report at a later date.

The question was asked by a homeowner, from 350 East, if the street expansion will be continued along 350 East. Mayor Arave stated that the engineer was not present to answer this; however, the expansion sections were put in to accommodate the utility lines as the street is moving.

Ms. Elliott stated that the Springhill Landslide is a bedrock landslide, so it is unique. Most of the State's landslides are in soil, and other dirt.

The Mayor asked Ms. Elliott to send him a copy of her presentation as well as maps for the Council.

5. PUBLIC HEARING – TO TAKE PUBLIC COMMENT REGARDING THE ISSUANCE OF THE BONDS FOR THE PURPOSE OF PAYING ALL OR PART OF THE COST OF THE ACQUISITION, CONSTRUCTION, MAINTENANCE AND IMPROVEMENT OF PARKS AND PARK FACILITIES, AND THE POTENTIAL ECONOMIC IMPACT THAT THE PROJECT WILL HAVE ON THE PRIVATE SECTOR

Mayor Arave opened the public hearing at 8:31 p.m. He stated that the bond issuance allows for "up to \$4.5 million," but the City will not necessarily use that much.

Allen Tidwell, 33 East 200 North, addressed the Council. He read from a RAP Tax brochure from the November election. He said he would hope that in the future, bond issuing such as this would be noted in these brochures. He feels that you should not have a 20 year loan on an 8 year revenue source. Mr. Tidwell asked about issuance fees and rates.

Mayor Arave said that the bond could be paid off early if we have sufficient park impact fees. Kaye Donahoe expressed interest in the Parks and Trails Advisory Board. Mayor Arave invited her to sign up on the website to receive information pertaining to the parks and trails.

There were no other comments, and Mayor Arave closed the public hearing at 8:38 p.m.

Brandon Johnson of Chapman and Cutler, serving as the City's bond counsel, stated that the actual approval of the bonds will be in a couple of weeks. He said issuance fees were in the 2% range.

Barry Edwards stated that the true interest cost of the bonds will be somewhere in the 3.75 to 4% range.

6. CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION NO. 2010-10R CHANGING SECTION 8: DISCIPLINARY ACTION, NO. 6 APPEAL PROCEDURES OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL FOR THE EMPLOYEE APPEAL PROCESS

Michael Nielsen reported that the appeal procedure as it previously read in the Personnel Policies and Procedure Manual was poorly constructed, as there were duplicate people hearing the appeals and dealing with the case. The proposed resolution mandates that the hearing officer be someone in the legal profession, i.e. a retired judge, etc. (There will be a list of qualified and interested persons.) The hearing would be held like a regular trial. The hearing officer will make a very complete review, and it will then go straight to the court of appeals, rather than to the City Council, etc. The process has been very informal in the past, and now it will be more formal.

Mr. Nielsen stated he is not sure whether to attach the sections setting forth the prior and present code sections, but they can be left in to make them easier to understand. Council Member Jacobson suggested that those sections be included.

Michael Nielsen reported that the City employees have seen the new policy, and have discussed it with the City Attorney. He stated that they liked the changes to the resolution.

**Council Member Harman moved to adopt Resolution 2010-10R changing Section 8: Disciplinary Action, No. 6 Appeal Procedures of the Personnel Policies and Procedures Manual, of the City of North Salt Lake. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

7. RATIFICATION OF THE MAYOR'S APPOINTMENT OF KEVIN AND KARINA SWENSON AS YOUTH COUNCIL ADVISORS

**Council Member Horrocks moved to ratify Mayor Arave's appointment of Kevin and Karina Swenson as Youth Council advisors. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

8. APPROVE CHANGE ORDER FOR NEW CITY HALL AND AUTHORIZATION OF \$17,767 FOR A SNOW MELT SYSTEM

Barry Edwards stated that this snow melt system is a warm zone hydroponic system and will be for the north sidewalk of the new City building. It will be set up as extension of the inside HVAC system. There was some discussion about the system's warranty and making sure one is in place.

**Council Member Jacobson moved to approve the change order for the new City Hall and authorization for \$17,767 for a snow melt system conditioned upon getting a warranty review by the City Attorney. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

9. CLOSED SESSION

**At 9:05 p.m. Council Member Horrocks moved to go into closed session to discuss the character, professional competence or physical or mental health of an individual. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

**At 9:31 p.m. Council Member Jensen 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.**

10. RATIFICATION OF THE MAYOR'S APPOINTMENT OF A NEW POLICE CHIEF

**Council Member Jacobson moved to ratify the City Manager's recommendation of Craig Black as North Salt Lake City's new Police Chief. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

Council Member Harman gave praise to Officers Gwilliam and Veigel for the manner in which they conducted themselves and for the qualifications they bring to the City's Police Department.

11. CITY ATTORNEY'S REPORT

Michael Nielsen reported that he has the DOGM letters ready (refer to past Action Items list).

12. CITY MANAGER'S REPORT

Barry Edwards reported that he has been working with Senator Bennett's office to acquire a hazard mitigation grant for the Springhill slide area. They were not able to complete the process prior to the deadline this year, but they will apply for the earmark next year. Mr. Edwards added that Senator Hatch will continue to pursue that for the City, should there be a senate change.

After finding the information on the bond issuance, Mr. Edwards reported that the cost of issuance is \$103,190, or 2.6 percent of the total bond proceeds. The City Council will meet May 6, 2010 at 6:00 p.m. for a special City Council bond meeting.

### 13. ACTION ITEMS

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

### 14. MAYOR'S REPORT

Mayor Arave reported that the week of May 2<sup>nd</sup> is Youth Week. He asked LaRae Dillingham to include this proclamation on next meeting's agenda.

As part of youth week, Council Member Jacobson said the Elks Lodge will sponsor a pizza party on May 4<sup>th</sup>. The Mayor said he would like to attend if possible.

### 15. COUNCIL REPORTS

Council Member Harman reported that during his evening on Neighborhood Watch, he and Police Officer Everett had a conversation about installing some lighting on the green space in Foxboro. At 1:30 a.m., a couple of kids were hiding out in the weeds in the green space (behind Spectrum Academy), which happens quite often. There is currently no lighting in this area, and it is a problem. He asked if lights could be installed at access points, or where the trail meets the street.

Barry Edwards stated that another option could be to expand the City's definition of parks (to include trails) so that they are technically closed after a certain time, and the police would have authority to arrest trespassers after hours. He said there might also be some spots where lighting would be appropriate. He is going to work with the Police Department and look into either closing, or lighting, these areas.

Council Member Harman asked about City-wide e-mails and if the system works. Linda Horrocks agreed to test the system and send out information about the Arbor Day celebration.

Council Member Harman asked if the command center would be at City Hall during an emergency. Mayor Arave responded that it would.

A resident asked Council Member Harman if North Salt Lake has a "good neighbor" program. The City has an ordinance officer that handles reports on a case by case basis.

The U of U MPA program has interns looking for work in Cities. (NSL does have an intern currently, but if there is a need for more, the City could utilize this.)

Council Member Harman has been asked by George Watanabe to organize the 5K race associated with the July 3<sup>rd</sup> celebration. The race is usually the Saturday before the celebration, but this year, the actual celebration and fireworks is on a Saturday. It was decided that NSL should keep the tradition and do it within NSL, rather than combining with another City. All

proceeds from the race could be given to the landslide victims (or the El Nino foundation, set up to assist these residents).

Council Member Porter reported that per the Mayor's suggestion, Trailhead Park has been redesigned to include more grass. This will allow more people to enjoy the park.

He stated that the ULCT mid-year conference in St. George was excellent. At the conference, Dan Jones suggested cities inform their residents of what they provide, versus the State agencies, the county, etc. Council Member Porter also attended a class on cities using social media, i.e. Facebook, Twitter, etc., to communicate with its residents. Barry Edwards is going to get more information on this from Deseret Digital Media.

Council Member Porter asked that public hearings also be noticed on the City's web site.

Council Member Horrocks stated that the City needs an official proclamation for 2010 for Tree City USA.

Council Member Horrocks added that the residents utilized the bulky waste pickup the prior week, but he is getting feedback on the recycling cans and how during windy days, the lightweight garbage is blowing out of the cans and around the neighborhoods.

Council Member Jensen reported that the Army Band (Rock Band) is going to play for the July 3<sup>rd</sup> celebration. Mayor Arave asked LaRae Dillingham to check into the possibility of having the Air Force do a "flyover" during the July 3<sup>rd</sup> celebration as they have done in previous years.

Council Member Jensen reported that the first Economic Development Committee meeting was held, at which they determined to meet the second Tuesday of every month. Kent Kirkham will be serving as the new chairman.

Council Member Jensen reported that the Three Kings bike event is scheduled for July 17<sup>th</sup>. He passed around a draft of the web site design which will be linked to the City's web site. Hatch and Trailhead Parks need to be reserved that morning. They will also need to involve the Police Department.

Council Member Jensen stated that there have been kids fighting around the school in Foxboro. The police should be called if people see this.

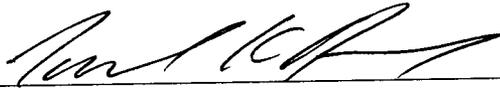
16. APPROVE MINUTES

**Council Member Harman moved to continue the approval of minutes for March 6, 2010 (budget retreat) and March 16, 2010 City Council meeting until next meeting. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

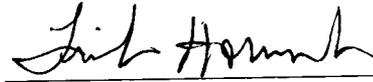
17. ADJOURN

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Mayor Arave adjourned the meeting at 10:50 P.M.



Mayor



Secretary