

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – WORK SESSION
JUNE 18, 2013

FINAL

Mayor Arave called the meeting to order at 6:10 p.m.

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

EXCUSED: 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, Finance 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: Louenda Downs, Bret Millburn, John Petroff; Davis County Commissioners.

1. DAVIS COUNTY COMMISSIONERS

The Davis County Commissioners provided an update on the Chevron tax issue. It is currently in a waiting position i.e. examination stage at the Attorney's level. Chevron is appealing or asking for a rebate on two years' worth of appeals. This is the first time it has been appealed this way. Specialty appraisers will look at the case to make sure it is fair and right. The County Commissioners will keep the City Council updated.

Mayor Arave discussed the City's efforts to clean up and beautify areas along Highway 89, and asked for the commissioners' help in involving the County. The City would also like to coordinate policing and other public safety functions with the county sheriff. There are unincorporated areas of the city (approximately 220 homes) serviced by the County, that would make more sense for North Salt Lake to service. The Mayor petitioned the commissioners to look into contracting these public safety functions with North Salt Lake. Louenda Downs said that the County would research the number of calls that the county gets from the City and will follow up. The City stated that if service is provided to those unincorporated areas, then it would be a natural step toward annexing these unincorporated islands of homes. Commissioner Petroff stated that the County deputies serve as paramedics and that someone is always on-call, patrolling the area.

Commissioner Petroff reported on the County's box culvert being installed at the intersection of Highway 89 and Center Street. He stated that although they encountered some challenges with Qwest, and that the box culvert was supposed to be finished two years ago, it is now on-track to be finished soon.

The question was raised whether the Foxboro area would be flooded if the Great Salt Lake rose. Paul Ottoson responded that the City did not allow the Foxboro homes to include basements for this reason, and also that the lake would have to raise 19 feet to reach the lowest door. He added that the Woods Cross area with full basements would be more likely to flood.

It was reported that the JP-DNRG Trail is not finished in Farmington (it is next to the fairgrounds) but is expected to be finished this summer.

Commissioner Downs reported on the status of completing the Bonneville Shoreline Trail. She stated that some sections are not finished because the County is waiting on grant money to complete these areas. There are a couple of cities along the trail system where the local cities do not have the right-of-way and are not allowed to use eminent domain to complete the trail. Therefore, there are some areas that are difficult to ride. However, they would like to complete this trail all the way from Ogden to Salt Lake City. Commissioner Downs also commented on Salt Lake City's Bike Share Program (GREENbike) and that more and more residents of the state are utilizing bicycles in the cities as well as on trails.

Commissioner Downs reported that the certified tax rates are complete for the year and asked if the City had received its rate. Janice Larsen responded that the City had not, but that she would watch for it.

2. ADJOURN

Mayor Arave adjourned the meeting at 6:56pm to begin the regular session.

NORTH SALT LAKE CITY
CITY COUNCIL MEETING-REGULAR SESSION
JUNE 18, 2013

FINAL

Mayor Arave called the meeting to order at 7:07 pm. Council Member Conrad Jacobson 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 Matt Jensen

EXCUSED: 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, Finance 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: Jeff Bassett, South Davis Metro Fire Agency; Michael and Cindy Boyer, George Watanabe, Lon Stuart, Eddie Hanks, Gary Davis, Karen Anderson, Marv Hendrickson, John McGee, residents.

1. CITIZEN COMMENT

Eddie Hanks, 1063 Darcy Drive, approached the Council to request a meeting space at City Hall for one hour every Wednesday night for the Toastmasters Club, which focuses on speaking and leadership skills. The Council expressed concern about building access, and asked Barry Edwards to review the request and determine the best meeting space for Mr. Hanks and his group.

Mike and Cindy Boyer, 298 Woodhill Lane, stated that their property is right next to the pump house at the Deer Hollow Park detention basin and expressed several concerns, including noise, and asked if a fence or other sound barrier could be built between their home and the pump. They also expressed concern about property values and their need for flood insurance. The Boyer's would also like to have input on the landscaping around the pump. They stated that the wall is a lot higher around the retention pond than they expected, and noted the risks of someone falling into the basin. Their neighbors agree, and are not happy with the appearance of the wall, the construction noise, the potential for graffiti, crime, safety hazards, increased mosquitoes, or that the pond is not being covered. They stated that the cost might not justify the project with all the different companies working on this project and the appearance/size.

The Mayor asked staff to set up a meeting or open house with the council and community members. Notices need to be sent out to homeowners in that area and also posted online on the City's website.

2. AMATEUR RADIO OPERATOR APPRECIATION FOR JULY 3, 2012 EVENT SUPPORT

George Watanabe, Event Coordinator for the City's annual July 3rd celebration, introduced several HAM radio operators and thanked them for their support during last year's July 3rd Celebration. The following individuals were presented certificates:

Ryan Young, Mike Young, Lon Stuart, Natalie Brody, Paul Brody, Scott Macintyre, Gary Johnson, Aaron Houcks, Ethan Mayfield, Lance Goodman, Gary Davis, Mike Chandline, John & Karen Anderson. Gary Davis, Emergency Coordinator for Amateur Radio in Davis County, extended an invitation to the Council to attend the annual Amateur Radio field day the following Saturday

3. CONSIDERATION OF ORDINANCE 2013-10 ADOPTING RESTRICTIONS ON THE USE OF FIREWORKS WITHIN CERTAIN AREAS OF THE CITY OF NORTH SALT LAKE WITH CONDITIONS

Jeff Bassett, Deputy Chief with the South Davis Metro Fire Agency, stated that with this year's extreme fire danger, it is once again necessary to adopt restrictions on the use of fireworks within certain areas. The weather is expected to be dry, hot and windy with an equal to, or greater, fire season this year.

Council Member Jacobson moved to approve Ordinance 2013-10 Adopting Restrictions on the Use of Fireworks within Certain Areas of the City of North Salt Lake with conditions. Council Member Harman seconded the motion. The motion was approved unanimously by Council Members Jensen, Horrocks, Harman and Jacobson. Council Member Porter was excused.

4. CONSIDERATION OF BID PACKAGES ON SPRINGHILL LANDSLIDE RESTORATION PROJECT

Paul Ottoson reported that bids were received for the Springhill landslide restoration project. The project will be done in two phases. The first phase, beginning in August, will include site cleanup, abandoning all utilities, and installing new storm drain pipes to collect spring water. The second phase of the project will be ground stabilization.

The bid from Wolff Excavating, Inc., who did the Center Street project, came in at \$64,181. The project is currently below budget due to the FEMA grant, which funded 75%. He added that the utility abandonment was also less than expected.

Council Member Jensen moved to award construction of the Springhill landslide restoration project to Wolff Excavating, Inc. for the price of \$64,181. Council Member Harman seconded the motion. The motion was approved unanimously by Council Members Jensen, Horrocks, Harman and Jacobson. Council Member Porter was excused.

5. CONSIDERATION OF BID PACKAGES ON FOXBORO SOUTH PARK BID

Paul Ottoson reported that the City received six bids for the Foxboro South Park project. The bids were broken down into a base bid for seeding the park and an alternate bid for sod at the park. Weber Basin is cutting all allotments, so secondary water will be decreased by October 1st. The alternate bid of sod would be a better solution due to the water cut off. The sod could be in early September and should be able to grow with no problems.

Mr. Ottoson stated that the low bid was received from LSI Contractors, LLC for \$180,901.80, which includes sod and playground equipment. He noted that the engineer's estimate was \$233,000.00. LSI is committed to getting the project done this year.

Council Member Jensen moved to award construction of the Foxboro South Park to LSI Contractors, LLC for the price of \$180,901.80. Council Member Jacobson seconded the motion. The motion was approved unanimously by Council Members Jensen, Horrocks, Harman and Jacobson. Council Member Porter was excused.

Council Member Horrocks asked if it would be possible for certain entities to pay off fines, etc. by providing funding for the park, or working at the park in the cleanup/sod stage.

6. CONSIDERATION OF ORDINANCE 2013-07 VACATING A PORTION OF RIGHT-OF-WAY ON MAIN STREET AND ESTABLISHING AN EFFECTIVE DATE

Ken Leetham presented Ordinance 2013-07 regarding a six-foot wide strip on the east side of Main Street with the proposal to vacate this right-of-way (which runs north and south). The Development Review Committee (DRC) supports the vacation, as it believes the property is no longer needed as a right-of-way, and has negotiated an agreement with the property owner to acquire the vacated parcel.

Mr. Leetham noted that the applicants would need to improve the west side of the property if approved.

City Attorney David Church recommended 90 days notice to potential owner for site plan approval and other development processes required by this project.

Council Member Jacobson moved to approve Ordinance 2013-07 Vacating a portion of right-of-way on Main Street, with an effective date 90 days from the date of this meeting, June 18, 2013. Council Member Horrocks seconded the motion. The motion was approved unanimously by Council Members Jensen, Horrocks, Harman and Jacobson. Council Member Porter was excused.

7. CONSIDERATION OF AGREEMENT BETWEEN THE CITY OF NORTH SALT LAKE AND MARVIN L. HENDRICKSEN RELATED TO THE ACQUISITION OF A PORTION OF RIGHT-OF-WAY ON MAIN STREET

The Council then discussed the proposed agreement with Mr. Hendricksen relating to the Main Street right-of-way. It was noted that Section 3 should be amended to reflect the Council's decision to include

the effective date of 90 days from today. Also, under terms and conditions of transfer of ownership, it should be noted that Mr. Hendricksen will construct the wall after the Planning Commission and city engineer have approved the retaining wall's specifications. The second part of the agreement is that the City has reserved the right to a roadway at the area where Main Street intersects with US 89.

Mayor Arave brought up a question on Paragraph 4 to ensure that the City is not responsible for the cost of improvements to the retaining wall. The owner is responsible for the cost.

Marvin Hendricksen, who owns the property adjacent to the 250 ft long strip, requested that the south end area is the only section affected in accordance with the second part of the agreement.

John McGee, who is the other property owner of above referenced property, expressed concern that the entire area of property could be subject to repossession by the City even after improvements are made at his expense.

City Manager Barry Edwards stated that the City would be giving that section of property to Mr. Hendricksen and Mr. McGee at no cost, and would like to retain some right to the property in the event that a need arose.

City Attorney David Church stated that the property would only be taken for highway/street improvements and that a larger area would most likely be necessary if any improvements to the road were made. If this were the case, discussions would be held with the property owners at that time.

Council Member Harman moved to table the Consideration of an Agreement Between Marvin L. Hendricksen and the City of North Salt Lake to Acquire a Main Street Right-of-Way. Council Member Jacobson seconded the motion. The motion was approved unanimously by Council Members Jensen, Horrocks, Harman and Jacobson. Council Member Porter was excused.

CONSIDERATION OF ORDINANCE 2013-11 AMENDING CITY CODE TITLE 5, CHAPTER 4, PARAGRAPH G(3), PLACES PROHIBITED TO ANIMALS.

Barry Edwards reported that Ordinance 2013-11 is an attempt to meet the public health and safety needs of its residents and still provide an opportunity to enjoy their pets. The ordinance prohibits dogs in Foxboro Regional Park completely, due to the splash pad. Dogs are allowed on a leash in all other City parks and trail areas.

Council Member Jacobson expressed that the key to this ordinance is enforcement. Council Member Horrocks stated that it can be uncomfortable confronting people about their dogs in the parks.

Council Member Jensen moved to approve Ordinance 2013-11 Amending City Code Title 5, Chapter 4, Paragraph G(3), Places Prohibited to Animals. Council Member Harman seconded the motion. The motion was approved unanimously by Council Members Jensen, Horrocks, Harman and Jacobson. Council Member Porter was excused.

8. FOXBORO WETLANDS TRAIL DISCUSSION

Paul Ottoson presented three options for the Foxboro Wetlands.

Option 1 includes sodding the area around the trails (3 acres worth of grass).

He stated that the annual maintenance costs are high already and mowing of this area would be an additional cost.

Option 2 includes groups of trees (around 500-600 trees) planted around entire area. He stated that this would be a better option with a higher initial cost, but a drip system would be less costly over time.

Option 3 is to spray for weeds twice a year, and mow every couple weeks.

Council Member Jensen suggested a community orchard or a Frisbee golf course area.

The Council was in agreement to continue with option three, spraying for weeds regularly and mowing to keep the weeds controlled.

Mayor Arave asked Mr. Ottoson about the status of the Deer Hollow Park detention basin. Mr. Ottoson responded that the cement will be poured soon, violating the noise ordinance. This area is the same area referenced in the Citizen Comment section above regarding Mike & Cindy Boyer.

9. COUNCIL REPORTS

Council Member Jacobson stated that last day of the Youth City Council's concession stand at Hatch Park grossed \$83. The City's Recreation Director was approached about the possibility of having the stand open during the recreation hours in the summer. They will try extended hours on Saturday to see if it is worth the time and effort.

The Youth City Council will also be helping at the Three Kings and 5k races. Their Movies in the Park nights will be Saturday July 27th and Friday August 16th.

Council Member Harman reported on the United Neighbors/ Neighborhood Watch meeting which was moved from Tunnel Springs Park due to strong winds. The meeting had about 20 attendees.

Council Member Harman reported that the pre-registration for the 5K is coming along well. There have been around 80 to 100 pre-registrations so far. Volunteers would be appreciated and will be given yellow volunteer shirts with white shirts for the runners.

Council Member Horrocks had nothing to report.

Council Member Jensen said that he spoke with someone recently from the Davis County Library Board and asked if there are plans to build another Davis County library in North Salt Lake. He responded that there were no plans in the near future.

Council Member Jensen reported on the June Second Sunday Concert Series where the Davis County Orchestra performed. They had a great concert which was attended by around 200 people. He was disappointed that all the benches in the pavilion have been chained to the ground which makes utility of space difficult. John Rueckert responded that the tables were chained down because they are often moved over for soccer games etc., and not put back, and were destroying the grass when moved.

Council Member Jensen notified the Council that there will be a meeting at City Hall on June 27th with a Representative from the Governor's office, as well as other elected officials, to discuss the Stericycle issue. He added that Stericycle was fined and advised to bring their operation into compliance, and outline a plan showing how they will comply.

He also commented on the Three Kings cycling race scheduled for this Saturday. Volunteers are needed to help with registration and marking the course. The course has been swept.

Council Member Jensen reported that he met with Pele about the Polynesian culture event which will be August 23rd and 24th at Hatch Park pavilion.

10. CITY ATTORNEY'S REPORT

David Church had no comments.

11. MAYOR'S REPORT

Mayor Arave had no comments.

12. CITY MANAGER'S REPORT

Barry Edwards mentioned the County Commissioners' visit from the work session portion of the meeting and the discussion about providing services.

Council Member Harman asked how much the City is billed for paramedic services. The County is responsible for these services and the City's budget is \$7 million. The County spends about \$75 per person excluding South Davis and Layton which are \$7 per person.

Council Member Harman stated that the distribution of funds seems inequitable. Funds seem to be more heavily allotted to the northern portion of Davis County. In the City Council work session the County Commissioners stated that county paramedic services were used by the City quite often.

Jeff Bassett of South Davis Metro Fire responded that he will look into the numbers on how often they actually use their services.

13. CLOSED SESSION

At 8:55 p.m. Council Member Harman moved to go into closed session to discuss the character, professional competence, of physical or mental health of an individual. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Harman and Jacobson. Council Member Porter was excused.

At 9:23 p.m. Council Member Harman moved to go out of closed session and back into regular session. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Harman and Jacobson. Council Member Porter was excused.

14. ADJOURN

Mayor Arave adjourned the meeting at 9:23 p.m.



Mayor



Secretary