

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – WORK SESSION
SEPTEMBER 6, 2011

Mayor Arave called the meeting to order at 6:15 p.m.

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: Barry Edwards, City Manager; Brian Passey, Assistant City Manager and Finance Director; Ken Leetham, Economic Development Director; Rod Wood, Public Works Director; Paul Ottoson, City Engineer; David Church, City Attorney; Craig Black, Police Chief; Brent Moyes, Golf Course Director; Marta Nielsen, Administrative Assistant; Linda Horrocks, Minutes Secretary.

1. GOLF COURSE REPORT

Brent Moyes reported that July golf rounds increased over 1,000 from 2010, and revenue increased \$30,000. He noted that this is the second highest revenue for July. August rounds increased over 800 (not including 400 tournament rounds). August revenue is down, however by \$4,000. For the calendar YTD, the golf course is up 2,176 rounds and \$42,000 in revenue (not including the rounds and revenue not posted).

Mr. Moyes stated that the family golf tournament the prior weekend was a success, and many families expressed interest in doing this again in future years.

2. CITY ENGINEER

Paul Ottoson reported that staff has been reviewing the Center Street reconstruction project and specifically looking at overall costs between using concrete versus asphalt. He stated that staff believes concrete would look better as well as last longer. There is \$700,000 budgeted for Center Street. One negative aspect of concrete, however, involves utility repairs. Staff has sent letters to utility companies informing them they need to dig now, if they want to replace lines, since it is a much more difficult and costly process to do so after the concrete is put in.

Council Member Jacobson stated that Bountiful's concrete streets are rough and noisy, and wondered if asphalt would be a better choice for North Salt Lake. Paul Ottoson responded that techniques have improved making new concrete streets smoother and quieter. He then stated that in the Streets Maintenance Plan, they have included the concrete streets with a 50-year lifecycle, with some repairs through that time.

Council Member Porter moved to approve the Center Street reconstruction project using concrete for the street. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

Paul Ottoson then distributed an aerial map of a proposed trail above Trailhead Park. Portions of the trail are on Forest Service property. Troy Duffin, trail designer, charges \$2.65 per lineal foot to build the trail, which is 1.9 miles. Council Member Porter stated that the Craig Hughes family donated \$20,000 for trails and/or parks, and suggested this money be used for the new trail. Paul Ottoson stated that if the City chooses to construct just the basic loop, it would cost approximately \$25,000. Council Member Horrocks suggested naming the trail the Mel Banner Trail. Mayor Arave added that the trail needs to include signage.

Council Member Jacobson moved to approve the trail construction, adjacent to Wildrose Trail, and costs associated with the project up to \$30,000. (This does not include any of the portions on Forest Service property.) Council Member Porter seconded the motion. The motion was approved Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

Another issue Mr. Ottoson was asked to address is the parking situation on Kensington in Foxboro. Staff contacted the HOA managing this area and told them the “no parking” sign will be removed on the north side of Kensington. They recommend removing the sign and letting people park their cars on the street at this time. Since it is a public street, parking cannot be prohibited by the HOA.

Council Member Jensen stated that this will not alleviate the problem that has been expressed by the residents. He believes that simply prohibiting overnight parking year-round would help the situation. Chief Black stated that they would enforce it to the best of their abilities, should it pass.

3. PUBLIC WORKS REPORT

Rod Wood discussed the east bench park and cemetery options. The Council had requested staff to look at relocating the main access road between the park and the cemetery. G. Brown Design, Inc. was asked to look at the feasibility of relocating the road as an alternative plan. After reviewing the new plan, G. Brown concluded it was not a preferred option because of the close proximity of the proposed road location to the cemetery. It does not seem conducive to the cemetery atmosphere. The road would be uphill of the cemetery which would minimize the ability to buffer the drive from the cemetery from noise, views, exhaust, etc. Also, adding the road along the west side of the pavilion would surround this area with too many roadways/parking lots. This would counteract design efforts to minimize potential pedestrian/vehicle conflicts and keep roadways to the edges. Instead of simply bypassing the park area, the newly proposed configuration requires the trail head users to drive past the park’s parking lot and pavilion. This would be more confusing from a wayfaring standpoint and would result in a greater possibility that trail head users would use the park parking lot. With the

current design, a single sign at the Y in the road would effectively direct users at the point they need the information.

Rod Wood stated that he believes this is a good plan and would like to move forward, with the Council's approval.

Council Member Porter moved to approve the new design of the east bench park. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

The next item for discussion is the North Salt Lake City Hall Park. The designers, MGB&A, have incorporated the City Council and staff's recommendations. The total cost of the new design is approximately \$350,000. However, if the City chooses not to do the concrete design, it would cut out about \$43,000.

Staff was directed to approve the concept plan, but eliminate the concrete paving, increase the size of the amphitheater with seating capacity of 100, and include plumbing for a future water feature.

4. ADJOURN

Mayor Arave adjourned the work session to begin the regular session at 7:05 p.m.

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – REGULAR SESSION
SEPTEMBER 6, 2011

Mayor Arave called the meeting to order at 7:15 p.m. Council Member Porter 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
Council Member Stan Porter

STAFF PRESENT: Barry Edwards, City Manager; Brian Passey, Assistant City Manager and Finance Director; Ken Leetham, Economic Development Director; Rod Wood, Public Works Director; Paul Ottoson, City Engineer; David Church, City Attorney; Craig Black, Police Chief; Brent Moyes, Golf Course Director; Marta Nielsen, Administrative Assistant; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Kitt Robertson, Dennis and Jane Crandall, Bruce Oblad, Karen Brunner, Allison Anderson, Amanda Evans, Steven and Kyunghye Horsley, Brittany Brunner, Camille Horrocks, Jacob Cho, Brianne Sterner, Lysie Allen, Sevnghun Choi, Kyoho Ji, Daniel Cho, Makell Dillon, Ben Horsley, Allen Tidwell, residents; Nathan Rich, Wasatch Integrated; Patrick Scott, Woodside Homes.

1. SWEARING IN OF THE NORTH SALT LAKE YOUTH CITY COUNCIL

Mayor Arave performed the swearing in of the newly appointed North Salt Lake Youth City Council, and thanked them for choosing to be involved in their community.

Council Member Jacobson stated that they are great kids with many talents, and added that they really make a difference.

2. REAPPOINTMENT OF BRUCE OBLAD TO THE NORTH SALT LAKE PLANNING COMMISSION

Council Member Horrocks moved to approve the Mayor's reappointment of Bruce Oblad to the North Salt Lake City Planning Commission. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

3. SWEARING IN OF OFFICER JESSE WHITEAR

Chief Black introduced Jesse Whitear as a newly hired police officer for North Salt Lake, and Officer Whitear introduced his wife. Mayor Arave then performed the swearing in of Officer Whitear.

4. PUBLIC COMMENT

Dennis Crandall, representing residents from Springridge, Springwood, lower Eaglewood and Woodhill Lane, addressed the Council. He stated that he and his neighbors were awakened by the home invasion in their neighborhood recently. He stated the police officers did a great job with their task, and wanted to come and express their appreciation to the police department for this response. Mr. Crandall said he spent 35 years in law enforcement, and appreciates the efforts made by the local officers and Chief Black.

5. ORDINANCE NO. 2011-17; AN ORDINANCE REPEALING 5-5B-1 FIREARMS AND WEAPONS OF THE NORTH SALT LAKE CITY CODE, ENACTING ORDINANCE 2011-17 REGARDING USE OF A PROJECTILE WEAPON

Chief Black stated that hunting season has begun, and there was an incident in the City which caused some concern in one of the neighborhoods. As a City, we cannot change the hunting ordinance without involvement from the Division of Wildlife Resources, which can take a long period of time, but by making some changes to the City's ordinance, we can provide citizens more clarity of what they can and cannot shoot, or propel, during hunting season and throughout the year. This would be a public safety ordinance. He believes the officers would use common sense and discretion in enforcing this law, but this would give the officers the correct tools, if necessary, to maintain public safety.

There was some discussion, and Council Member Jensen said he is uncomfortable passing an ordinance making toys illegal. Council Member Porter said he feels comfortable with the way the ordinance is written.

Council Member Porter moved to approve Ordinance No. 2011-17 repealing 5-5b-1: Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Harman and Jacobson. Council Member Jensen voted in opposition to the motion.

6. REVIEW AND ACTION ON A PROPOSED MEMORANDUM OF UNDERSTANDING BETWEEN THE WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT (WIWMD) AND NORTH SALT LAKE CITY

Ken Leatham reported that some time ago, the City received an application for a facility for Wasatch Integrated Waste Management to recycle and for the purpose of some solid waste disposal. In the opinion of staff, some of the activities being proposed in the conditional use are allowed, and some are not. As staff began to understand the site and work with Mr. Rich of Wasatch Integrated, it seemed to the DRC (Development Review Committee), that this is not the best location for this type of facility, especially considering the City's long-term plans.

WIWMD is proposing a Memorandum of Understanding to acknowledge that (1) the City has received an application filed on June 30, 2011, (2) the City would hold the application for six months without processing it, allowing for an extension of six months, and (3) providing time for the District and the City to work together in looking for a more suitable locating for the facility.

David Church stated that he spoke with WIWMD's attorney, and it is important for them to have this understanding in place. Council Member Porter asked what benefit this gives the City. Mr. Leetham stated that it would give them the benefit to use earlier versions of City ordinances.

Nathan Rich, Executive Director of WIWMD, reminded those present that the City is a member of the district, and he would like to avoid having a conflict with member cities. He stated that the district has completed their engineering, and is ready to move forward with this transfer station project with an investment of about \$2 million. By entering into this Memorandum of Understanding, this allows time to work together with the City and look at alternative locations for their facility. He stated that they have no interest in shoving unwanted services down the throat of NSL.

Council Member Jacobson moved to approve the proposed Memorandum of Understanding between the Wasatch Integrated Waste Management District and North Salt Lake City. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Harman and Jacobson. Council Member Porter voted in opposition to the motion.

7. CONSIDERATION OF A PROPOSED AMENDMENT TO THE CONDITIONAL USE PERMIT AGREEMENT FOR FOXBORO NORTH RELATING TO BUILDING SETBACKS

Ken Leetham stated that Woodside Homes would like to reduce the current front yard garage setbacks of twenty (20') feet to fifteen (15') feet for side-loaded garages. A twenty-foot driveway is still required; however, in the case of a garage that is side-loaded and will still accommodate the larger driveway, they wish to have a reduced setback for that garage portion of the structure. The effect of this proposed amendment is that structures will still have a combination of setbacks, but the garage portion (when side-loaded) will be allowed to be less than twenty (20') feet. Staff is supportive of this proposed amendment since it will result in a variety of housing types within the project that are difficult to build today.

Patrick Scott, Woodside Homes, stated that this allows them to provide a more attractive design, and allows a more varied housescape.

Council Member Harman stated that he is more comfortable with R1-6 than R1-4, and suggested the builder could come back if there is a plan and proposal with an option for R1-4. He added that the look is nice and would add variety to the neighborhood.

Council Member Harman moved to approve the proposed amendment to the conditional use permit agreement for Foxboro North with the condition that it only apply to R1-6 lots. Council Member Jensen seconded the motion. The motion was approved by Council members Jensen, Horrocks, Porter, Harman and Jacobson.

8. ORDINANCE NO. 2011-15: AN ORDINANCE ADOPTING TEMPORARY ZONING REGULATIONS PROVIDING FOR A MORATORIUM ON NEW CONSTRUCTION, DEVELOPMENT AND SUBDIVISION APPROVALS WITHIN A SPECIFIC AREA OF THE CITY

Ken Leetham said the City needs time to finish the General Plan Update, and staff proposes that a temporary moratorium on new construction be put in place so the City can have sufficient time to adopt a vision for these areas as well as put these critical changes into City ordinances, as needed. The areas to which this pertains is the new street cross sections for Redwood Road, US89, Center Street and 1100 North. The moratorium would have a duration of sixty-nine (69) days, beginning September 7 and ending November 16, which should be sufficient time for the completion and adoption of the General Plan and some of the subsequent implementation tools needed to make necessary changes. Mr. Leetham stated that the moratorium could exclude residential subdivisions, but not commercial.

Council Member Horrocks asked hypothetically about a commercial development wanting to fast-track something before winter sets in. Mr. Leetham stated that what the City is trying to avoid is someone filing an application that has to be processed using pre-General Plan standards. From here forward, the City wants all development to meet new General Plan standards and amendments to the development code.

Council Member Jensen moved to adopt Ordinance No. 2011-15 adopting temporary zoning regulations providing for a moratorium on new construction, development and subdivision approvals, with the exception of residential covered by a development agreement with the City, within a specific area of the City. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

9. BUSINESS LICENSE FEES UPDATE & RECOMMENDATION

Brian Passey reported that the City has engaged Lewis-Young, Inc. to perform a professional fee study to determine and then recommend new base and disproportionate fees for the City. Mr. Passey then distributed recommendations for the Council to review and approve. It was finished in June 2011.

Mayor Arave asked about implementing the Good Landlord Program for mobile home parks as well as apartments, as the study shows the mobile home parks drawing more on public safety. Mr. Passey asked Mr. Leetham if the Good Landlord Program could apply to mobile homes. Mr. Leetham said the Program does not address single family homes, or duplexes or triplexes, so unless revised, it would not apply to mobile homes.

Barry Edwards stated that the fees are based on actual charges incurred by the City. Certain areas do cost the City more. David Church said the Council has the authority to impose the disproportionate fee, but there has to be a study to back it up.

Council Member Porter said he is not comfortable imposing a 40% increase across the board, but suggested staff go back and look at what other cities are paying and make a more equitable recommendation. Mr. Passey stated that the discussion in July was that first preferable recommendation.

The City basically needs a \$240,000 increase to cover the adopted budget. Mayor Arave added that the Fire District is one of the City's largest singular expenses.

The Council went through the business category list, and Mr. Passey noted changes and will bring a revised recommendation back to the Council for approval.

10. PUBLIC HEARING: ORDINANCE N. 2011-16: AN ORDINANCE ADOPTING REVISIONS TO THE CITY'S LAND USE DEVELOPMENT AND MANAGEMENT ACT (LUDMA)

Mayor Arave opened the public hearing at 9:35 p.m. There were no comments, and he closed the public hearing at 9:35 p.m.

11. REVIEW AND ACTION ON THE CITY'S MODERATE INCOME HOUSING PLAN BIENNIAL REPORT

Ken Leatham stated that in 2007, the City adopted a moderate income housing plan as part of the City's General Plan. This is required by State Statute (10-9a-403), and a biennial review of this plan is also required in Section 10-9a-408, Utah Code. This particular portion of the General Plan should have a thorough update in 2012.

Council Member Harman moved to authorize City staff to submit the biennial review of moderate income housing element of the General Plan as required by State Statute. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

12. APPROVE MINUTES

The City Council minutes of August 2, 2011 were reviewed and amended. **Council Member Horrocks moved to approve the work session and regular session minutes of August 2, 2011 as amended. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson**

13. ACTION ITEMS

The action items list was reviewed.

14. CITY MANAGER REPORT

Barry Edwards stated that the City has a deadline of November 1, 2011 for the Springhill landslide area grant, and he hopes to complete it by the end of September. Mr. Edwards is working with an engineer to finish it, but he said it requires a significant effort from all the staff, and will consume much of their time.

Mr. Edwards referred to the house purchased by the City near Hatch Park. Staff's recommendation is that the house be demolished. The Council is welcome to go through it and make recommendations, but the action for this home will be on a future agenda.

Mr. Edwards reported that Big West Oil is willing to participate with funds for compressed natural gas, and the State has increased the amount they will contribute as well for the conversion of the large City trucks to natural gas.

The seed in the Foxboro regional park has been planted, and should be displaying a green hue soon.

Sky Properties has been given the final payoff amount of the lots on Phase 15 and will close within days.

Compass Development has a plat they want to record, and the City has an agreement on roadways that staff is working on. The City Attorney and staff have problems with what Compass has proposed, and the plat will not be recorded until that is resolved.

15. CITY ATTORNEY

David Church stated that several of the lawsuits involving the City are progressing, but had nothing specific to report in this regard.

16. MAYOR'S REPORT

Mayor Arave reported that a resident, Lorna Koci, has contacted him and would like to have the City actively participate in the food bank.

There is a PM 2.5 committee (relating to air pollution and particulate matter), and the Mayor was invited to participate. He suggested possibly getting a citizen's committee involved.

17. COUNCIL'S REPORTS

Council Member Jacobson reported that the new Youth City Council is a good one, and he is looking forward to working with them. He added that the Youth City Council and advisors will plan a Meet the Candidates Night, which is scheduled for October 13 at 7:00 pm at City Hall.

Council Member Harman stated that Kristen Anderson has sent emails complaining about the non-adjustable basketball hoops in the City's parks. Barry Edwards said staff will look into the situation and obtain costs.

Council Member Harman also had a comment from someone about naming the regional park. This will be put on the next City Council meeting agenda.

The next Uniting Neighbors meeting will include a field trip to the Springhill slide area. The City will not be tearing anymore buildings down until we receive word on the grant for which the City has applied.

Council Member Porter complimented Rod Wood and T.J. Riley on resolving some issues at the parks.

Council Member Horrocks stated that residents have expressed appreciation for cutting weeds along the Legacy Trail.

Council Member Jensen reminded the Council about Sunday's concert. In case there are elderly, etc., there will be volunteers to drive people up and down the hill. They will be playing the *Hymn of the Fallen*, and the band would like to have someone read a tribute during that number. Council Member Horrocks suggested retired General Robert C. Oaks, who lives in the City.

Council Member Jensen mentioned the Halloween 5K, October 8 in the Trailhead Park and Eaglepointe Drive areas and suggested letting Kern River know that people will be in the area.

Council Member Jensen reminded everyone that September 29 is the next NSL Live planning meeting. Bring ideas, jokes, and/or criticism at 6:30 pm.

Paul Ottoson will tell park designers to come up with something costing \$150,000 for the City Hall Park.

18. CLOSED EXECUTIVE SESSION

Council Member Harman moved to go into closed session at 11:05 p.m. to discuss the character, professional competence or physical or mental health of an individual. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

At 11:19 p.m. Council Member Jacobson moved to go out of closed session and back into regular session. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

Retirement gifts and policy were discussed.

19. ADJOURN

Mayor Arave adjourned the meeting at 11:39 p.m.

Mayor

Secretary