

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-WORK SESSION  
FEBRUARY 7, 2017

**FINAL**

Mayor Arave called the meeting to order at 6:09 p.m.

PRESENT: Mayor Len Arave  
Council Member Brian Horrocks  
Council Member Stan Porter  
Council Member Matt Jensen  
Council Member Ryan Mumford  
Council Member James Hood

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; Janice Larsen, Finance Director; Chief Craig Black, Police Chief; David Church, City Attorney; Sherrie Llewelyn, Community Development Director; Linda Horrocks, Deputy Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Koby Lewis, Keaton Woodruff, Tanner Woodruff, Cameron Marx, Emma Bronson, residents; Randy Elliot, Jim Smith, Bret Millburn, Davis County Commissioners.

1. DISCUSSION WITH DAVIS COUNTY COMMISSIONERS

Mayor Arave started the discussion by speaking about a potential library to be built in the City and suggested that Community Development Area (CDA) funds could possibly be used. The advantages for placing the library in the City would be the ease of access with the bus route that runs through the City, proximity to low income housing and schools, and the trail connectivity. One spot proposed for the library would be east of the current Orchard Lanes as the Town Center get redeveloped.

Jim Smith, Davis County Commissioner, said he serves on the Davis County Library Board of Directors, and has been working with Chris Sanford, the library director, about potential locations for a new library. Currently they have the funds to remodel the Clearfield and Bountiful libraries and expand the Syracuse branch.

Commissioner Bret Millburn added that with all the advancements in technology they have been working on different ways to increase library services. Mayor Arave commented that the City also has the density for a library, with the highest density in South Davis County, and it would be

a welcome asset for the City. Commissioner Smith replied that a library in the City would be a nice addition to help to create more of a downtown feel.

Council Member Mumford asked what the timeframe would be for a decision on the next library location. Commissioner Smith replied that it would be three to four years and that the Clearfield remodel and Syracuse expansion would occur simultaneously. There would also be an outside project manager for these projects to help finish the projects quicker.

Council Member Jensen asked if the Bountiful library would be remodeled regardless if a new library was built in the City. He also proposed that consideration be given to the sections of the library that are heavily used and that there be smaller libraries overall. Commissioner Smith replied that the consideration was whether one big library was better than two smaller libraries. He agreed with Council Member Jensen in that a big portion of the library would be the computer area so the new design would consist of more of a technology center.

Mayor Arave commented on the recent accident with the Front Runner train and the FedEx truck on Center Street and said that the City needs an overpass for 1100 North. The only fire truck with a ladder is located at the Foxboro Station and it could cause delays if the truck has to wait at the train tracks. He said the project estimate would be around 18 million dollars. Commissioner Smith replied that City Managers, Barry Edwards and now Ken Leetham, have been involved with the transportation committee and that this project is on the priority list.

Commissioner Millburn said that there is a large discrepancy between Utah County spending and the rest of the Wasatch Front regarding transportation funding and that it was important for the counties to work together to promote projects.

Mayor Arave then commented on the annexation issues with the unincorporated portion of the City. The County is supposed to police the area which is ineffective. Commissioner Millburn replied that residents in the unincorporated area need to understand why it would be beneficial to become part of the City.

David Church commented that if the area is 50 acres or less and the county and city agree, there can be an annexation without issue subject to the owner's protest of 50%.

Sherrie Llewelyn calculated that the unincorporated area was approximately 220 homes on 100 acres.

The Council Members discussed other ideas such as equalizing the tax burden of city residents and residents of the unincorporated areas. Those residents also use city parks and there could be

potential charges there as well as the inefficiencies in the police and emergency services for that area.

Commissioner Smith commented that there are some countywide issues including law enforcement and they are planning to do a public safety survey to determine quantitative information on where the inefficiencies are and how to fix those issues. He said they provide services for West Point, South Weber, and Fruit Heights. They also provide search and rescue and dispatch services.

Chief Black commented that the County also provides services for the unincorporated areas in Woods Cross and West Bountiful. He said that a review of dispatch would be a good place to start.

Commissioner Millburn then commented that they are seeking funding for Bus Rapid Transit (BRT) and that this item has been brought before the legislature again. He said the Redwood Road project has two components and they will look at using CDA and Redevelopment Area (RDA) funds to try and purchase the land including the Kimball property.

Ken Leetham reported on the Ball property and said they are willing to sell for appraised land value and the City has made a written offer. The Kimball property is now more reasonably priced and the City has spent five years trying to acquire that property. The Kelly property is priced three times higher than appraised value and may qualify for condemnation, as it is in an urban renewal area, if the neighboring landowners agree. He said the City would not have the upfront funding of six million to pay for the project. Commissioner Millburn said that there could be efforts made to consolidate the properties as this would be an ideal location for a nice research park near the airport.

The Council and Davis County Commissioners then discussed the new volleyball complex and the out of state events and money that it could potentially bring in. They also discussed the new SandBar indoor/outdoor volleyball facility in the City.

Mayor Arave and Council Member Porter thanked the Davis County Commissioners for their services to the County and their help with the Jordan River Commission.

## 2. ADJOURN

Mayor Arave adjourned the meeting at 7:03 p.m. to being the regular session.

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-REGULAR SESSION  
FEBRUARY 7, 2017

**FINAL**

Mayor Arave called the meeting to order at 7:14 p.m. Council Member James Hood offered the invocation Joshua Tibbitts and Harrison Bradley, BSA Troops 4340, 4525, 467, lead those present in the Pledge of Allegiance.

PRESENT: Mayor Len Arave  
Council Member Brian Horrocks  
Council Member Stan Porter  
Council Member Matt Jensen  
Council Member Ryan Mumford  
Council Member James Hood

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen, Public Works Director; Janice Larsen, Finance Director; Chief Craig Black, Police Chief; Assistant Police Chief Troy Johnson, Police Department; David Church, City Attorney; Sherrie Llewelyn, Community Development Director; Linda Horrocks, Deputy Recorder; Marty Peterson, Emergency Preparedness Manager; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Randy Elliot, Jim Smith, Bret Millburn, Davis County Commissioners; Don Schrader, Lois Schrader, Mark Schrader, Wilford Schrader, Matison Mahoskey, Leslie Bowman, Kevin Bowman, Amber Maez, Antonio Ramirez, Kane Scradler, Trevor Haus, Christopher Marquez, Sue Francom, Jed Francom, Ethan Cochran, Jackson Workman, Jordan Betts, Cole Brooks, Joshua Tibbitts, Carson Castillon, Merylyn Whitehead, Don Whitehead, Ron W, Harrison Bradley, Sara Ebert, Abby Ebert, Emma Ebert, Samara Nichols, Emma Keddington, Dane Stone, Sarah Drinkall, Rachel Drinkall, Krish Thota, residents, BSA Troops 4340, 4525, 467, City police officers, and South Davis Fire Agency firefighters; Taylor Spendlove, Brighton Development Utah; Jeff Beck, NSL Investment, LC., Lisa Betts, Troop 4525.

1. CITIZEN COMMENT

Mayor Arave asked if there were any questions for the Davis County Commissioners in attendance. He then asked if there were questions for the City Council.

A trio of scouts asked how they could help stop pollution. Mayor Arave replied that there are different types of pollution and the main concern is air pollution. He recommended not idling cars, combining trips, not to litter, and to take care about what is put into sewer and storm drains.

Council Member Horrocks commented that in many ways things are better than they used to be as far as clean air. He suggested that if the scouts were really concerned about pollution they could consider walking to school with their friends.

Isacc Homeak asked if the Council knew about the construction in Bountiful at the Rec Center intersection. Mayor Arave replied that the State and UDOT are doing the work and there were some drainage issues with the street but that the project should be done soon.

Harrison Bradley asked what the City could do about the cars that park on the road and make it difficult for snowplows to get by. Mayor Arave replied that it was a big problem and the City wants everyone to obey the laws. He said it is difficult to tow all the cars in violation especially as that is more force than the City would like to use. He said the City will continue to talk to people about moving their cars and issue tickets or tow the cars if they don't move them.

Joshua Tibbetts asked about the City Council's point of view on the landslide. Mayor Arave replied that the landslide was a terrible thing and fortunately no one was hurt. The City led a team to try and take care of the problem and part of the issue was resolved; however the buttress was not fixed. He explained that the City could not get permission to fix all the problems as the property owners would not allow access to the land. The City would like to fix the landslide but a lot of money has already been spent. There is currently litigation which will hopefully determine who is at fault and who needs to fix the landslide.

## 2. SWEARING IN OF CODY BOWMAN, DONOVAN MAMO AND KALLIE SCHRADER AS OFFICERS OF THE CITY OF NORTH SALT LAKE POLICE DEPARTMENT

Chief Black introduced three new officers- Cody Bowman, Donovan Mamo, and Kallie Schrader and said that these three new hires will help the department to better serve the community. He introduced Cody Bowman and said he came from Layton Police Department and also worked for South Davis Fire as well. Officer Cody Bowman introduced his family that were present. Chief Black then introduced Donovan Mamo and said that he just graduated from the police academy and prior to that he was in the Navy. He will start his career with the City and is currently in the field training process. Officer Donovan Mamo then introduced his family.

Chief Black said that he asked the instructor of the police academy who the best cadets were and both Donovan and Kallie were mentioned. He then introduced Kallie Schrader and said she also just graduated from the academy and is starting her career with the City. Officer Kallie Schrader introduced her family as well.

Mayor Arave performed the swearing in of Officers Bowman, Mamo, and Schrader.

### 3. RECOGNITION OF NSL POLICE OFFICERS

Mayor Arave commented that he met with three business owners last week and all of them expressed appreciation for the police department and their professionalism. He then spoke about the city employees who do a job that isn't always recognized but make a contribution to their community such as those who drive the snow plows and police officers. Mayor Arave then recognized those that served on Christmas and other holidays away from their families.

Chief Black said he appreciates the public safety employees such as police, fire and public works that made sacrifices and worked on Thanksgiving and Christmas. He said that the City is a peaceful community but there are threats to that peace. He said it means a lot that the officers are willing to sacrifice so the rest of the community has peace and right prevails all year due to these officers.

Chief Black then recognized Cody Bowman, Chad Carlson, TJ Decarlo, Josh Ellery, Curtis Ellery, Mitch Gwilliam, Trevor Haus, Matison Mahoskey, Steve Markewitz, Christopher Marquez, Kay Bugle, Tyler Beard, and Jesse Whitear.

Mayor Arave thanked all of the officers and firefighters in attendance for their service.

Assistant Chief Troy Johnson reported that they wanted to recognize an officer for going above and beyond. He said that the good work the officers do is not recognized enough. He said Officer Jesse Whitear took it upon himself to do extra patrol in an area with multiple vehicle burglaries. On December 15<sup>th</sup> he noticed a suspicious vehicle that contained purses and jewelry. K-9 Cairo found narcotics in the car. From that investigation Officer Whitear was able to recover credit cards, medication, purses and jewelry and was able to curb the thefts in that area.

Chief Black said that K-9 Cairo was retiring and asked Officer Whitear to comment on the value of the police dog. Officer Whitear report that during his time in law enforcement that the K-9 assignment has been his most proud and most humbling experience. He said the K-9 helps to prevent crime, increase morale, and create better contact with the community. He said this has been the highlight of his career and also some of his best memories.

Chief Black said that Cairo is an exceptional dog with an exceptional handler and thanked Officer Whitear for the time spent in training for the K-9 program. He said the department is actively looking to continue the program.

Chief Black then introduced Marilyn Whitehead who is one of the crossing guards in the City. He said they get compliments every week about Mrs. Whitehead and how cheerful she is and the care she shows to the children. Mrs. Whitehead then showed a painting that a local citizen painted of her at work.

Marilyn Whitehead said that the painter was Mark Messick and he had asked to paint her. She said it was a privilege to be a crossing guard and she appreciates Adelaide Elementary School for the good work they do. She also said she waves at people because it makes people aware and thanks them for watching out for the children.

Chief Black then presented Marilyn Whitehead with an Outstanding Service Award.

Rod Whitehead, Marilyn Whitehead's husband, commented that Marilyn has received recognition for her attitude and he is proud of her. He expressed appreciation for the City Council as well.

#### 4. CONSIDERATION OF CONCEPT PLAN FOR 905 NORTH MAIN PUD LOCATED AT 905 NORTH MAIN STREET, JEFF BECK, APPLICANT

Sherrie Llewelyn reported that this is a concept plan for a Planned Unit Development (PUD) located at 905 North Main. The new property owner would like to divide the four existing buildings with shared access, storm drainage and landscaping to sell as separate units. The Planning Commission recommends approval with three conditions including shared storm drain retention and easement, landscaping to meet the 10% requirement, and remediation of any existing zoning violations, i.e. that any junk and removal on site be cleared.

Mayor Arave asked if there would be a rezoning request for this property. Sherrie Llewelyn replied that this item already had a fourteen day public comment period and one comment was received asking if it was a residential development.

Sherrie Llewelyn explained that there will be an owner's association to take care of the parking lot, snow removal, and landscaping.

**Council Member Mumford moved that the City Council approve the Concept Plan for 905 North Main PUD with the following conditions:**

- 1) **Shared storm drainage retention and detention and associated easement will be required on the plat; and**
- 2) **Landscaping shall be added to meet the minimum 10% requirement;**
- 3) **Any existing zoning violations on the property shall be remedied.**

**Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

5. CONSIDERATION TO ACCEPT THE ANNEXATION PETITION FOR FURTHER CONSIDERATION FOR THE SYCAMORE GROVE PROJECT, 3969 SOUTH 850 WEST – BRIGHTON HOMES, APPLICANT

Sherrie Llewelyn reported that this is a development by Brighton Homes which was approved by the County and is 2.49 acres in size. The development will consist of nine buildings with two units in each building. The units will have two car garages and driveways. This development is within the City Annexation Policy area so the developer would like to include this property within the City limits and has filed a petition for annexation. The streets will be private streets and the homes are marketed towards those 55+ and older with a master bedroom on the main floor. In the annexation process the first step is to receive a petition and the City Council then accepts or denies that proposal. Upon approval a 30 day protest period is started with a public hearing at the end of the thirty days for possible annexation.

**Council Member Porter moved that the City Council accept for further consideration the annexation from Brighton Development Utah for Sycamore Grove PUD located at approximately 3969 South 850 West. Council Member Mumford seconded the motion.**

Council Member Jensen asked why the City was so eager to acquire this piece of land for annexation into the City as the access roads do not lead into the City. Council Member Porter replied that if the City is able to acquire this property that per the earlier discussion in the work session, it would be easier to acquire other parts of the unincorporated areas into the City.

Ken Leetham commented that generally residential development doesn't always pay its own way, but in this case the streets would be private, the homes would not be added to the public utilities, and it will be easier for the City to provide emergency responder services. He said that staff will prepare an annexation study to show potential costs for street repairs, snow plowing, etc. in annexing these homes.

Council Member Mumford said that from a public service view there are issues with public and emergency services and the way that the addresses are currently setup.

Mayor Arave commented that the City is already providing police services for free to that area and that as individual taxpayers there is some concern as this is probably not the most efficient way. Ken Leetham replied that the reason for this discussion is because the City is very concerned with the Highway 89 corridor and having an impact on the portion of the corridor that runs through the City.

**The motion was approved by Council Members Horrocks, Porter, Jensen and Mumford. Council Member Hood voted in opposition to the motion.**

6. CONSIDERATION OF FINAL PLAT APPROVAL FOR CHESHAM VILLAGE,  
PHASE 1 LOCATED GENERALLY AT 260 EAST 350 NORTH, BRIGHTON  
HOMES, APPLICANT

Sherrie Llewelyn reported that the applicant has presented the final plat for approval with minor engineering redlines. The Planning Commission recommends approval of Final Plat for Phase 1 of Chesham Village. The minor engineering redlines have been submitted and approved by the City Engineer.

Council Member Jensen commented that there appears to be two commercial parcels on the site. Sherrie Llewelyn clarified that the two parcels are the lots located behind Affordable Auto. They are currently open space but will become commercial.

**Council Member Horrocks moved to approve the proposed final plat for Chesham Village, Phase 1 located at approximately 260 East 350 North. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

7. CONSIDERATION OF 2017-02A, AMENDMENT NO. 1 TO INTERLOCAL  
COOPERATION AGREEMENT FOR ANIMAL SERVICES WITH DAVIS COUNTY

Ken Leetham reported that this is an annual contract with David County for animal control services. The cost of the contract for this year has increased from \$32,782.86 to \$41,864.99 due to increased call volume in the City and other County costs. Staff recommends approval of this agreement as it is still a good value and service.

Council Member Mumford asked where the 509 calls originated from and the purpose of the calls. He asked if there was a way to lessen the number and if most of these calls were related to deer. Ken Leetham replied that there have been a variety of calls with some initiated by City staff and others by residents.

Council Member Horrocks asked if the State handles animal control issues on the interstate such as I-15. Chief Black replied that the Department of Wildlife Resources (DWR) handles wildlife calls on the freeway. He said the calls in the City relate to domestic animals such as farm animals and pets and are not related to deer and that Davis County Animal Control handles these calls.

Council Member Porter asked where these calls were originating from and if there were areas with higher calls. Chief Black responded that they do not receive a report from animal control on their calls. The police department generally does not respond to or receive notification of these calls unless it is an animal attack/bite. He also said he was unaware of any animal hording cases in the City.

**Council Member Jensen moved to approve Amendment No. 1 to Interlocal Cooperation Agreement for Animal Services between the City and Davis County. Council Member Mumford seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

8. CONSIDERATION OF 2017-03A, AN AGREEMENT WITH DAVIS COUNTY FOR 2017 MUNICIPAL ELECTION SERVICES

Linda Horrocks reported that the City has contracted with Davis County for election services for several years. The costs have gone up as the City is required to send a ballot to every registered voter, and the city's registered voters increased by almost 2,000 during the last presidential election. She added that if the City chooses to contract with Davis County it is also required to provide return postage. The cost will be approximately \$14,500.00.

Mayor Arave asked if the City is required to do mail in ballots. Linda Horrocks replied that some cities still do traditional voting but the County will not assist those cities.

**Council Member Mumford moved to approve Agreement 2017-03A, an agreement with Davis County for 2017 municipal election services. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

9. CONSIDERATION OF RESOLUTION 2017-03R, A RESOLUTION IN SUPPORT OF A BRIDGE OVER THE RAILROAD LINES ON 1100 NORTH, NORTH SALT LAKE

Mayor Arave reported that the City is working on this item but is not ready for the resolution at this time.

## 10. CONSIDERATION OF A TRUCK BED PURCHASE FOR PUBLIC WORKS DEPARTMENT

David Frandsen reported that the old truck bed was going to be placed onto the new truck that has already been purchased, but the cost is potentially as much as purchasing a new bed due to the upgrades that need to be made. Staff recommends the purchase of an Iowa Mold Tooling Co. (IMT) truck bed from Legacy Equipment at the cost of \$49,380.00. This custom built bed will have specific tools needed for water construction.

Council Member Horrocks asked what the life expectancy for this type of vehicle would be. David Frandsen replied approximately ten years.

Council Member Jensen asked if the only bid received was from Legacy Equipment. David Frandsen replied that they are the only company that offers the IMT truck bed which is constructed of heavier steel. He said some of the existing equipment will be used on the new truck as well.

Council Member Mumford asked if this was in the budget. Janice Larsen replied that it was in the budget for approximately \$50,000.00 so it is most likely coming in under budget.

Council Member Jensen asked if the City had purchased from Legacy Equipment before. He said he had some concerns as only one bid was received and they also provided the cost of refurbishment. David Frandsen replied that while the City has not purchased from Legacy before they have a better quality product and they are the only company in Utah that offers the IMT bed which is why only one bid was received.

Council Member Mumford recommended that a bid for a new Stahl truck bed and the refurbishment cost of the current Stahl body be obtained. David Frandsen replied that staff could obtain the costs but as the City currently has the new truck and the truck bed takes a month to build it would be better to approve the IMT bed as soon as possible.

Council Member Horrocks commented that the City Council has asked the relevant due diligence questions and the City has good staff to make recommendations and decisions.

Council Member Jensen asked that next time City staff obtain all the necessary information beforehand so the best decision could be made.

**Council Member Horrocks moved to approve the purchase of a new IMT (Iowa Mold Tooling Co.) body for W18 from Legacy Equipment for \$49,380.00. Council Member**

**Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

11. AWARD BID FOR THE 350 NORTH STREET RECONSTRUCTION AND WATER LINE PROJECT

Paul Ottoson reported that this water line and street construction project is to replace an old street and water line. He said the goal is to replace all of the old cast iron lines throughout the City. This project is at the top of the list due to the number of water leaks and this project will combine two projects with funding from two sources. Eleven bids were received for this project and City staff recommends Kapp Companies as they were the low bidder and have done good work in the past. Staff recommends awarding the bid to Kapp Companies for the price of \$537,339.15.

Council Member Hood asked about the timeframe for this project. Paul Ottoson replied that the projected timeframe is 120 days but it will most likely be completed sooner. He said that for the most part the road would remain open but there may be times when they would have to shut the road down completely.

Council Member Jensen asked if the City was waiting on bids for the roads in Foxboro. Paul Ottoson replied that Foxhollow Drive would be added to the 2017 budget for repair in 2018.

**Council Member Mumford moved to award the bid for 350 North Water Line and Street Reconstruction to Kapp Companies for the price of \$537, 339.15. Council Member Jensen seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

12. AWARD BID FOR CONSTRUCTION OF THE PORTER'S LANDING BOAT TAKEOUT

Paul Ottoson reported on the Porter's Landing boat takeout near Legacy Preparatory Academy and said this project will have an asphalt parking lot, picnic table area, street lighting, and solar lighting. The quote for asphalt from Post Asphalt was so low that staff had the owner come out to confirm the bid. The City has not used them before but after calling their references it appears they are a good company.

**Council Member Porter moved to award the contract to Post Asphalt for \$117, 826.00. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

### 13. ACTION ITEMS

The action items list was reviewed. Completed items were removed from the list.

### 14. APPROVE CITY COUNCIL MINUTES

The City Council minutes of January 17, 2017 were reviewed and approved. **Council Member Porter moved to approve the City Council minutes of January 17, 2017. Council Member Mumford seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

### 15. COUNCIL REPORTS

Council Member Hood reported that the Youth City Council (YCC) participated in the Super Bowl of Caring Food Drive and collected approximately 1,000 pounds of food at Lee's Market and Smith's Marketplace. He said the YCC came in first in South Davis County for volunteer hours and commended them for their work.

Council Member Hood then said that he had received an email from Bradley White regarding UTA service on Redwood Road which said the service is not adequate there and asked what could be done. Mayor Arave commented that UTA previously wanted to cancel service there so staff should look into ridership numbers for that area and then work with a UTA representative.

Council Member Mumford said that with the increase in density in the area and the promotion by the City for public transit in that area that there needs to be bus/mass transit options in that area.

Council Member Hood thanked Chief Black and City staff for working on parking issues with Legacy Preparatory Academy after the principal asked what could be done in regards to improper parking which was causing visibility issues.

Council Member Mumford thanked staff for the reconstruction of Foxhollow Drive and commented that the new volleyball complex is a nice addition to that area.

Council Member Jensen asked about the potential development on the Kimball property and asked if this would be competition for the new volleyball facility. Council Member Porter commented that the new facility is geared more towards women's volleyball. He said he attended the ribbon cutting and was impressed with the facility.

Council Member Mumford commented that the new volleyball complex is a gem in the City and will bring a lot of outsiders into the City. He said that they are pushing for a nearby hotel as they believe all their tournaments and games could fill the hotel nine months of the year.

Council Member Horrocks reported on the legislative session and said that while Utah is the best run state he was amazed at some of the proposed ideas. He commented that there may be possible amendments to the Good Landlord Program and also in the ability for elected boards to bond.

Ken Leetham commented that a proposed bill for the elected board has been removed and the governing bodies authorizing property tax would not be possible unless all governing bodies wanted to raise property taxes. The League of Cities and Towns has negotiated that requirement out of those bills. He said one portion of the proposed bill would include requiring that the representative of the board report any potential increases, such as fire agency requests, to the City Council.

Council Member Horrocks also reported that one of the breakthroughs in mosquito abatement will be the use of drones to reach smaller areas.

Council Member Jensen reported that there will be a Second Sunday Concert at 6 p.m. on February 13<sup>th</sup> featuring Kara Chapman.

Council Member Mumford thanked Ken Leetham for the email updates and communication especially in regards to the criminal action in the League of Cities and Towns and how it affects the City. Ken Leetham replied that the administrative committee for the League requested the audit.

## 16. MAYOR'S REPORT

Mayor Arave reported on Wasatch Integrated Waste and said they burn garbage and sell the steam to Hill Air Force Base per a ten year contract. The base is now considering a project which will reduce the need for steam and without this contract the burn plant may close. Everything that currently goes to the burn plant would be taken to Utah County instead.

Mayor Arave then reported that staff met with Kilgore regarding mining and was told that while the City is not excited about mining it would be more welcome if the project could be completed in 12 years versus 50 years. Kilgore discussed constructing a concrete batch plant and staff asked

about a potential 300' barrier which would help with safety, noise, and also affects how long they would mine.

Mayor Arave reported on the Sewer District food waste energy project and said they have some issues with financing.

Mayor Arave reported on the fallen officer benefits/insurance amendment at the legislature and said that this was unanimously approved by a committee. Ken Leetham commented that he and Chief Black attended the senate hearing and a fiscal note was attached to the bill with six cities and five counties to be affected. The compromise is that the cities, counties, and district could join a trust fund and would need to cover 100% during the first two years so a fund balance could be built up to cover approximately 15 families. Two cities have decided to self-fund going forward. The cost for the City will be \$160,000.00 per year with two years to be paid going forward and \$17,000.00 per year to be paid for the family of the fallen officer.

#### 17. CITY MANAGER'S REPORT

Ken Leetham reported that Paul Evans had contacted the City and said that his home has some cracking and settling that he believes is due to the landslide. Jody Burnett, the attorney representing the City for the landslide, will follow up with the Evans' attorney. The City is now waiting on a report from GeoStrata to be obtained from the measuring device located on the northwest corner of Mr. Evan's property as the settling in the home does not seem to fit the direction and location of the slide. David Church commented that Mr. Burnett was surprised about this information because Mr. Evan's stated in his deposition that there was no damage to his home, and also that Mr. Evans contacted the City directly about the potential movement.

Ken Leetham reported that the annual budget retreat would be held April 15<sup>th</sup>, 2017 after the City's Easter Egg Hunt. He then said that with the police department's hiring plan, two new officers have been approved. An officer was just interviewed and staff would like to make an offer now prior to the 2018 budget being adopted. The Council agreed that it made sense to hire now before other cities started their hiring process.

Ken Leetham showed pictures of the area behind the Colosimo's home and said the owner had started a trench to get water off of his property. He said Marty Peterson, David Frandsen and the Public Works department continued the trench and installed sandbags and waddles. City crews will go back up to the site tomorrow to drain the property and put in a more effective trench. Staff met with Hyrum Alba from GeoStrata at the Tennis Club property as material was sloughing off and he will be attending the next Council meeting to answer questions and give a

report. Mr. Leetham said there are things that need to be done to channel the surface water and Hiram is working on some options.

Mayor Arave asked if Hiram seemed surprised by the movement. Ken Leetham replied that he did not seem surprised but said that the homeowners were alarmed. He said in spite of the litigation City staff has talked to the concerned residents, Brad Ferrera (who owns the Tennis Club), and Paul Evans to inform them of what the City is doing.

#### 18. CITY ATTORNEY'S REPORT

David Church updated the City Council on the procedural status of the lawsuit and said that the amended complaint to add GeoStrata to the lawsuit was denied. The Tennis Club then filed a new lawsuit naming all those not named in the current lawsuit including GeoStrata, Bingham Engineering, GSH, Scott Kjar, etc. The fact discovery has ended and the process of obtaining disclosures from expert witnesses is now occurring. This will be followed by motions and setting the trial date.

#### 19. ADJOURN

Mayor Arave adjourned the meeting at 9:57 p.m.



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Mayor



\_\_\_\_\_  
Secretary