



# CITY OF NORTH SALT LAKE

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## CITY COUNCIL MEETING NOTICE & AGENDA March 15, 2022

Posted March 14, 2022

Notice is given that the City Council of the City of North Salt Lake will hold a regular meeting on **MARCH 15, 2022** at City Hall, 10 East Center Street, North Salt Lake, Utah. A work session will be held at 6:30 pm in the Council Chambers followed by the regular session at 7:00 pm. Some members may participate electronically.

The following items of business will be discussed; the order of business may be changed as time permits.

### WORK SESSION – 6:30 p.m.

1. Approval of City Council Minutes of March 1, 2022
2. Action Items
3. Council Reports
4. City Attorney Report
5. Mayor's Report
6. City Manager Report
7. Adjourn

### REGULAR SESSION – 7:00 p.m.

1. Introduction by Mayor Brian Horrocks
2. Invocation and Pledge of Allegiance ~ Council Member Van Langeveld
3. Citizen Comment
4. Public Recognition of the Woods Cross High School Boys Basketball Team
5. Consideration of the City Manager's Hiring Recommendation of a City Finance Director
6. Consideration of Appointments to the Health and Wellness Committee
7. Public Hearing and Consideration of **Resolution 2022-10R**: A resolution adopting an amendment to adjust the 2021-2022 Fiscal Year Budgets
8. Consideration of **Resolution 2022-11R** Authorizing the City to Solicit Restoration Recreation Infrastructure (RRI) Matching Grant Funds from the Office of Outdoor Recreation (UOOR) to Construct a Concrete Boat Ramp at Porter's Landing Boat Takeout
9. Consideration of Bid Award for the Eagleridge Drive Street Overlay (Edgewood Drive to Vista View Lane) Project in the Amount of \$468,457.50

10. Consideration of a Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad Company for the 1100 North Grade Separation Project
11. Adjourn

**CLOSED SESSION**

1. Possible closed session for the purpose of discussing pending or reasonably imminent litigation; to discuss the character professional competence, or physical or mental health of an individual; to discuss collective bargaining; or to discuss the purchase, exchange, sale, or lease of real property.  
*Utah Code 52-4-205*

**The public is invited to attend all City Council meetings. If you need special accommodations to participate in the City Council meeting, please call the City office at 801-335-8709. Please provide at least 24 hours notice for adequate arrangements to be made.**

Notice of Posting:

I, the duly appointed City Recorder for the City of North Salt Lake, hereby certify that the foregoing agenda was posted on the Utah Public Notice website, at city hall, and sent to the required newspapers this 14<sup>th</sup> day of March, 2022.

Dated this 14<sup>th</sup> day of March, 2022.





1 CITY OF NORTH SALT LAKE  
2 CITY COUNCIL MEETING-WORK SESSION  
3 MARCH 1, 2022

4  
5 **DRAFT**

6  
7 Mayor Horrocks welcomed those present at 6:02 p.m.

8  
9 PRESENT: Mayor Brian Horrocks  
10 Council Member Lisa Watts Baskin  
11 Council Member Natalie Gordon  
12 Council Member Ted Knowlton  
13 Council Member Stan Porter  
14 Council Member Alisa Van Langeveld

15  
16 STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen,  
17 Public Works Director; Jon Rueckert, Assistant Public Works Director; Janice Larsen, Finance  
18 Director; Craig Black, Police Chief; Todd Godfrey, City Attorney; Tyler Abegglen, Golf Course  
19 General Manager; Sherrie Pace, Community Development Director; Wendy Page, City  
20 Recorder; Ali Avery, Long Range Planner.

21  
22 OTHERS PRESENT: Len Arave, Dee Lalliss, Karen Mills, Angie DeLeon, residents; Mike  
23 Wonenberg, G. Brown Design.

24  
25 1. PRESENTATION BY G. BROWN DESIGN OF THE HATCH PARK CONCEPTS

26  
27 Ali Avery provided a timeline of the Hatch Park expansion. In 2013, the General Plan update  
28 included plans to expand Hatch Park, which was added to the 2016 Town Center Master Plan.  
29 From 2016-2022 the City purchased nine homes/properties on Main Street and 150 North and  
30 entered into lease agreements with the tenants. In 2016-2017, two homes on 150 North were  
31 demolished. The Hatch Park Committee met several times from January through March 2021 to  
32 brainstorm ideas about the redesign of the park. From April to August 2021 the City hired and  
33 worked with G. Brown Design on the redesign of Hatch Park. Staff was contacted by the South  
34 Davis Recreation District (SDRD) to locate a satellite recreation center facility within Hatch  
35 Park. From September to December 2021 the Hatch Park subcommittee, comprised of City staff,  
36 met several times to refine the consultant plans. In October 2021, the plans were presented to the  
37 Parks and Arts Committee for feedback. The original Hatch Park Committee then reviewed the  
38 plans in January 2022.

39  
40 Ms. Avery spoke on special considerations including limitation such as the Land and Water  
41 Conservation Fund (LWCF) property constraints, a location for the South Davis Recreation  
42 District satellite facility, and the purchase of the two remaining residential properties. She  
43 showed a map of the property and explained that the area in red was purchased using LWCF

44 funding. This funding mechanism was administered by the National Park Service, which put  
45 many constraints on how the property could be used. She said the proposed community center  
46 and electric vehicle charging centers could not be located in that area.

47  
48 Council Member Baskin asked how many square feet were included in the restricted area. She  
49 also asked where electric vehicle (EV) charging could be located. Ali Avery described the  
50 restricted area which included the original Hatch Park area with the baseball fields, playground,  
51 and volleyball courts but not the newly purchased residential properties. She said there was a  
52 plan to place electric vehicle parking elsewhere in the park.

53  
54 Ali Avery spoke on the Land and Water Conservation Fund constraints and said that approval  
55 was required if the City wanted to place a recreation center on that property. There were two  
56 conceptual plans including one with a rec center located within the LWCF property and one plan  
57 with a rec center outside of that property. South Davis Recreation District would prefer the  
58 proposed rec center outside of the LWCF property.

59  
60 Mike Wonenberg, G. Brown Design, spoke on the aspects that factored into the design including  
61 the LWCF property and preserving the existing walking path/storm drain basin. The overall  
62 design included walking paths, plaza/event space, urban street atmosphere, public gardens,  
63 electric charging stations, interactive features such as interactive or kinetic art, pickle ball courts,  
64 basketball courts, recreation center, and softball field. He showed examples of general materials  
65 in a modern industrial style that included wood and metal. Mr. Wonenberg shared a rendering of  
66 Concept 1, which included a water feature, event space, park structures, and active recreation. He  
67 said there would be a strong connection with City Hall. He said there was an existing pipe for  
68 storm water and perennial spring water that could be utilized as a water feature throughout the  
69 site.

70  
71 Mike Wonenberg focused on the plaza area, which could include gas fireplaces, a stage, focal  
72 point/sculptural element, and trees.

73  
74 Council Member Knowlton asked if the water feature would cause separation issues in the plaza  
75 area. Mike Wonenberg replied it was one potential disadvantage but gave the example of City  
76 Creek Center and how the water feature was utilized there.

77  
78 Council Member Baskin mentioned the spring and water retention basin and wondered if it  
79 would consistently be full of water. Mike Wonenberg responded an engineer could design it for  
80 continuous flow and additional space to handle storm water and prevent flooding.

81  
82 Council Member Porter commented the basin always had good flow from the springs on the hill.  
83 Paul Ottoson said staff measured the basin at about 90 gallons per minute, which was good flow.  
84

85 Mike Wonenberg shared an example of vertical playground equipment that would take up less  
86 room. He showed other ideas including zip lines, table tennis, corn hole, ping-pong, pavilions,  
87 etc. The proposed recreation center would be 39,000 square feet with an indoor lap pool. There  
88 was also proposed a separate community center, commercial space, and outdoor stage.

89  
90 Council Member Knowlton asked about the main differences between the two concept plans.  
91 Mike Wonenberg replied there were similar programmed elements on both such as the ballfields  
92 and parking, but the smaller activity spaces would be easy to interchange such as a horseshoe pit,  
93 pavilions, etc. He explained there had been time spent in working with the design flow and how  
94 each of the concepts was laid out.

95  
96 Ali Avery commented the biggest differentiator between the two plans was the location of both  
97 the community center and the recreation center. She clarified the community center could not be  
98 located within the LWCF property, but the City might be able to get approval for the recreation  
99 center to be located there. She mentioned pickle ball courts, playgrounds, and ball fields would  
100 need to be included within the LWCF area so it had an outdoor recreation element in order to  
101 obtain approval from the National Parks Service.

102  
103 Council Member Knowlton questioned how much residents would use the ball and soccer fields.  
104 Mike Wonenberg replied he understood the fields were being utilized now, but it would be an  
105 easy element to remove or repurpose in the future.

106  
107 Mayor Horrocks commented on the flood plain and how that was an ideal location for the sports  
108 fields.

109  
110 Mike Wonenberg said Concept 2 had a radial pattern as well as more parking with 335 stalls  
111 versus 210 included on Concept 1.

112  
113 Council Member Porter asked how many parking stalls were currently at Hatch Park.

114  
115 Mayor Horrocks responded either concept plan had significantly more parking than what was  
116 currently available at the park.

117  
118 Mike Wonenberg continued to present Concept 2 and said the entry to the park would have  
119 raised reflecting ponds and archways to define the area. There would be a pathway to an  
120 art/tower and water feature. Design features could include banners, paving patterns, and water  
121 features such as water runnels and a reflecting pond. Other amenities included shade sails, fire  
122 pit, community center, commercial space, step down water feature, pickle ball, zip line,  
123 playground, full-size foosball, half-court basketball, pavilions, restrooms, horseshoe pit, and  
124 recreation center.

125

126 Council Member Porter asked about the current elevation and preserving existing trees. Mike  
127 Wonenberg replied they would try to preserve existing trees but would have to work around the  
128 fields and proposed community and recreation centers.

129  
130 Mike Wonenberg reported on the cost for Concept 1 which was \$16,592,648 excluding the  
131 recreation center, community center, and concession building or the cost to purchase the  
132 remaining two properties on 150 North. He estimated it would be \$20 million total with the  
133 community center or \$45 million with the inclusion of the recreation center.

134  
135 Ken Leetham clarified the City would not be paying for the recreation center.

136  
137 Mike Wonenberg said there was a 10% contingency in the design for any undefined elements.  
138 He also said Concept 2 would cost approximately \$2 million dollars more than Concept 1 due to  
139 earthwork.

140  
141 Mayor Horrocks commented there was a preference from staff for Concept 2. He asked which  
142 plan the Committee preferred. Ali Avery replied there was not a full consensus, but it seemed  
143 like the Committee preferred Concept 1.

144  
145 Mayor Horrocks preferred Concept 1 including the water feature plus the fact that it had less  
146 parking. Council Member Porter agreed and said he was a little shocked at the cost.

147  
148 Mark Wonenberg commented costs had gone up 38% in the last year. Mayor Horrocks said the  
149 City should design what they want and then cut items as necessary.

150  
151 Ken Leetham thanked G. Brown Design and the volunteers who had worked on the plans. He  
152 said staff would present funding options to the City Council in the future.

153  
154 Council Member Van Langeveld commented she preferred Concept 1. She said she was part of  
155 the Committee and there had been a discussion about the option to decrease some of the parking  
156 in Concept 2.

157  
158 Council Member Baskin also preferred Concept 1.

159  
160 Ken Leetham said staff would let the Recreation District know that the City preferred Concept 1  
161 in relation to discussions about the potential recreation center.

162  
163 Ali Avery stated the architect for the Recreation District preferred Concept 1 as it had the option  
164 to expand into the existing duplexes in the future.

165  
166 Sherrie Pace noted there were currently 147 parking spaces at Hatch Park.

167

168 Council Member Porter spoke on acquiring those remaining properties. Ken Leetham replied the  
169 property owners wanted full market value. He said the City had purchased some of the other  
170 properties with the option for the homeowners to stay.

171

172 2. ADJOURN

173

174 Mayor Horrocks adjourned the meeting at 7:11 p.m. to begin the regular session.

175

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-REGULAR SESSION  
MARCH 1, 2022

**DRAFT**

Mayor Horrocks called the meeting to order at 7:11 p.m. Angie DeLeon offered the invocation and Council Member Alisa Van Langeveld led those present in the Pledge of Allegiance.

PRESENT: Mayor Brian Horrocks  
Council Member Lisa Watts Baskin  
Council Member Natalie Gordon  
Council Member Ted Knowlton  
Council Member Stan Porter  
Council Member Alisa Van Langeveld

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen, Public Works Director; Jon Rueckert, Assistant Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; Todd Godfrey, City Attorney; Tyler Abegglen, Golf Course General Manager; Sherrie Pace, Community Development Director; Wendy Page, City Recorder; Ali Avery, Long Range Planner.

OTHERS PRESENT: Len Arave, Dee Lalliss, Karen Mills, Angie DeLeon, residents.

1. CITIZEN COMMENT

There were no citizen comments.

2. CONSIDERATION OF AWARD OF BID FOR THE NORTH SALT LAKE FY2021-22  
CRACK SEAL PROJECT IN THE AMOUNT OF \$236,134.42

Jon Rueckert reported on the Street Preservation Plan that included the types of preservation, approach, and a year-by-year plan. The plan for crack seal in 2022 included budgeting and contracting all preservation funds in FY2022 for crack seal only. This meant having a contractor apply a crack seal to all roadways identified in the preservation category. City crews would then touch up crack seal on roadways, before scheduled surface treatment, after 2022. He showed an overview map of all the roads scheduled for preservation, which was 64% of the roads. Mr. Rueckert explained since it was impossible to review every inch of roadway, staff measured out known areas at 100 locations and classified all sizes of cracks in those areas. Then staff collected survey data and processed measurements into 1/4 inch cracking equivalents that were calculated and applied to pavement areas to be treated. He showed reconstruction and surface treatment costs by year.

218 Jon Rueckert said CKC Operations LLC was the lowest responsible bidder and recommended  
219 the bid was awarded for the FY 2021-2022 crack seal project at \$236,134. The project could start  
220 as soon as weather/temperature permitted with the project to have significant completion in 60  
221 days after commencement. All work must be completed before June 15, 2022.

222

223 **Council Member Baskin moved the City Council approve the bid award of the FY2021-**  
224 **2022 Crack Seal Project to CKC Operations LLC for \$236,134.42. Council Member**  
225 **Gordon seconded the motion. The motion was approved by Council Members Baskin,**  
226 **Gordon, Knowlton, Porter, and Van Langeveld.**

227

228 3. CONSIDERATION OF AMENDMENTS TO THE CITY’S ATHLETIC FIELD USE  
229 POLICY, FACILITIES USE AGREEMENT, AND PARKS RULES AND  
230 REGULATIONS

231

232 David Frandsen reported on the Athletic Field Use Policy. He said there were no fundamental  
233 changes to the policy since the last time it was reviewed with the Council on February 15, 2022.  
234 The changes included grammatical errors, updated contact info, updated mayor information, and  
235 minor updates to the Facilities Use Agreement. Mr. Frandsen reviewed the City of North Salt  
236 Lake Parks Rules and Regulations. Changes included exclusion of volleyball court from Hatch  
237 Park 1 reservation, addition of no pets allowed on the splash pad, addition of City website  
238 information to make and pay for reservations, addition of timeframe (May through October) of  
239 when reservations could be made, addition of bullet points to emphasize key points and create  
240 better flow, updated verbiage and contact information, and updated “no pets” at the park to “dogs  
241 must be on a leash.” Updates were also made to the Comprehensive Fee Schedule which  
242 included 10.2 Park Bowery Reservation fee had a correction of price for non-residents on Legacy  
243 Park #3. This was comparable to nearby cities. Proposed changes to the 10.3 Playing Field  
244 Reservations fee schedule included updated two hour weekday block from \$6 to \$10 for  
245 residents, updated two hour weekday block from \$10 to \$12 for non-residents, updated rates  
246 match the current weekend rates, and the addition of a \$200 refundable cleaning deposit for ball  
247 fields as stated in the Athletic Field Use Policy. This was comparable to nearby cities.

248

249 David Frandsen spoke on the addition of bounce house placement maps and rules including no  
250 water slides, requirement for generator, and no stakes. He talked about new signage at the parks  
251 that would include QR codes allowing residents to upload photos/parks concerns or to submit  
252 pictures of clean bowery after reservation directly to Public Works. He mentioned there were  
253 some additional revisions staff had noticed since the last meeting which would also be updated  
254 such as the City’s name and the no pets rule would be changed to allow for dogs on a leash.

255

256 Council Member Porter asked if the latest revisions were included in the meeting packet. David  
257 Frandsen replied they were not.

258

259 Council Member Gordon questioned if the current iteration of the resolution would allow for the  
260 deposits to be made when renting a pavilion. Council Member Porter said the issue he had seen  
261 was that most people were planning ahead when renting a pavilion and could be charged the fee  
262 several months before their event. He felt the \$200 reservation fee was too high compared to  
263 other cities even if the amount encouraged residents to clean the facility.

264  
265 Council Member Gordon commented Draper City based their reservation fees on the size of the  
266 facility to be rented.

267  
268 Council Member Porter said it cost the City to process and refund the deposits. He felt the \$200  
269 fee would discourage residents from reserving the facilities and was out of line.

270  
271 Wendy Page clarified the agenda item was to consider the amendments to the Athletic Field Use  
272 Policy, the Facilities Use Agreement, and the City’s Parks Rules and Regulations. She said the  
273 fees which would be adopted by Resolution would be considered during the next agenda item.

274  
275 Council Member Baskin asked if pets were allowed or not or if it was only dogs on a leash that  
276 were allowed. David Frandsen replied the “no pets” language should remain as there had been  
277 incidents with petting zoos, etc. in the past. He said it was proposed to say that dogs would be  
278 allowed if they were on a leash except at the Legacy Park splash pad.

279  
280 Council Member Baskin recommended a grammatical correction to the City’s Parks Rules and  
281 Regulations to have a period after etcetera. She also spoke on Section 2, Part 4 – Notices and the  
282 loss of field use for the upcoming season for those who failed to attend orientation. She  
283 suggested this be removed. There was a discussion about the impact to teams if they did not  
284 attend orientation. Council Member Baskin requested the language be revised in that section  
285 from “the upcoming season” to “the current season” for better clarity.

286  
287 **Council Member Gordon moved to approve the changes to the City’s Athletic Field Use**  
288 **Policy, Facilities Use Agreement, and Parks Rules and Regulations. Council Member**  
289 **Knowlton seconded the motion. The motion was approved by Council Members Baskin,**  
290 **Gordon, Knowlton, Porter, and Van Langeveld.**

291  
292 4. CONSIDERATION OF RESOLUTION NO. 2022-07R: A RESOLUTION AMENDING  
293 THE CITY’S COMPREHENSIVE FEE SCHEDULE FOR BUILDING LICENCES  
294 AND PERMITS, GENERAL RECORDS REQUESTS, AND PARK BOWERY AND  
295 FIELD RESERVATIONS

296  
297 Sherrie Pace reviewed the proposed changes for the City’s comprehensive fee schedule. She  
298 spoke on Section 1.1 Business License and the addition of a short-term rental category, removal  
299 of asphalt plant and frame shop categories, and the addition of solicitor license fees. Ms. Pace  
300 reviewed changes to Section 4.1 Building Permits which included replacing the 1997 UBC

301 Valuation Table, the addition of the current ICC Valuation Table, and establishing plan check  
302 fees for duplicated plan reviews. Changes to Section 9.1 General Records Request included the  
303 removal of the option to purchase copies of oversized documents that needed to be copied by a  
304 third party and instead providing an electronic file on request.

305  
306 David Frandsen reviewed the proposed changes to correct the error at Legacy Park #3 in Section  
307 10.2 Park Bowery Reservation in the comprehensive fee schedule. Changes to Section 10.3  
308 Playing Field Reservations included increasing the two hour weekday block from \$6 to \$10 for  
309 residents and \$10 to \$12 for non-residents. The new rates would match current weekend rates.  
310 Other changes included the addition of a \$200 refundable cleaning deposit for playing fields. He  
311 spoke on how staff felt the \$200 cleaning deposit fee on park boweries discouraged messes and  
312 the deposit had only not been refunded twice since 2017.

313  
314 Mayor Horrocks said that while he was a strong proponent of the higher cleaning deposit fee,  
315 Council Member Porter's point was worth considering and the fee may be too high for smaller  
316 facility rentals.

317  
318 Council Member Baskin commented most cities charged a deposit of \$100 or less. She felt the  
319 \$200 was a deterrent to renting the parks and suggested amending the fee to \$50 for small and  
320 \$100 for larger facilities. Council Member Porter was in favor with this suggestion.

321  
322 Council Member Gordon suggested reviewing this again in a year to see if the fee was effective.

323  
324 Council Member Van Langeveld stated she had served on the Parks and Arts Board and heard  
325 many of the issues. She expressed her opinion the Parks Department should have retained the  
326 cleaning deposit more frequently for big messes/non-cleaning. She recommended adding  
327 language clarifying that the \$200 was a refundable deposit but the City might bill for additional  
328 costs if necessary.

329  
330 Council Member Porter said many times the messes might not be made by those who had  
331 reserved the facility. Council Member Van Langeveld said the QR code with the ability to share  
332 photos was a great addition to the policy to help ensure the facility was cleaned up.

333  
334 Ken Leetham asked when facilities were rented if Parks Department employees reviewed the  
335 facilities beforehand. David Frandsen replied affirmatively. He said the two instances when the  
336 deposit was retained was due to video evidence of the mess.

337  
338 Mayor Horrocks commented it was his understanding there was a not an effective method to  
339 bill/collect more from those who did damage the facility.

340

341 Council Member Van Langeveld asked about the pricing for the business licenses. Sherrie Pace  
342 replied there was a base fee and a disproportionate cost for uses such as those that required more  
343 police/fire calls.

344  
345 Council Member Van Langeveld questioned what a sexual oriented business would be. Sherrie  
346 Pace responded it would be something similar to an adult bookstore, etc.

347  
348 Council Member Porter commented on the ordinance related to sexual oriented businesses. He  
349 said the City was one of the first to establish this type of ordinance to ensure there were policies  
350 in place to regulate those types of businesses. He mentioned some business owners had talked to  
351 him about the disproportionate fees and other required fees being too high. The City Council had  
352 a discussion on disproportionate fees and bonds required for certain businesses such as gas  
353 stations and liquor laws.

354  
355 Sherrie Pace commented establishments had to receive local consent licenses and then apply for  
356 a license from the State. Council Member Porter wondered if the City had taken the cost that  
357 businesses had to pay for both of those licenses into account. Ms. Pace acknowledged the  
358 original study was completed before her employment with the City but it could be reviewed  
359 again to make sure costs were appropriate.

360  
361 **Council Member Baskin moved to amend the bowery reservation refundable amount to**  
362 **\$100 for a large bowery and \$50 for a small bowery with the understanding that this would**  
363 **be done as a study to see if it was effective and the results of it. Council Member Porter**  
364 **seconded the motion.**

365  
366 **Council Member Porter moved to approve Resolution 2022-07R with Exhibit A and the**  
367 **minor changes that were presented with the exception to amend the bowery reservation**  
368 **refundable amount to \$100 for a large bowery and \$50 for a small bowery with the size of**  
369 **the pavilions to be determined by staff. Council Member Baskin seconded the motion.**

370  
371 Council Member Van Langeveld asked about a \$50 deposit for the small pavilions and the \$200  
372 deposit for the large pavilions. Council Member Gordon agreed.

373  
374 **Council Member Gordon moved to approve Resolution 2022-07R with an amendment to**  
375 **Exhibit A for small pavilions to have a \$50 refundable cleaning deposit and large pavilions**  
376 **to have a \$200 refundable cleaning deposit with the size of the pavilions to be determined**  
377 **by staff. Council Member Van Langeveld seconded the motion. The motion was approved**  
378 **by Council Members Gordon, Knowlton, Porter, and Van Langeveld. Council Member**  
379 **Baskin voted in opposition to the motion.**

380  
381

382 5. CONSIDERATION OF APPOINTMENTS TO THE PARKS, TRAILS, ARTS, AND  
383 RECREATION ADVISORY BOARD

384  
385 Mayor Horrocks proposed Ted Knowlton be appointed as the City Council representative on the  
386 Parks and Arts Board. He also proposed reappointing Tammy Clayton and Ron Gordon.

387  
388 **Council Member Porter moved the City Council approve Mayor Horrocks' appointment of**  
389 **Ted Knowlton and reappointment of Tammy Clayton and Council Member Gordon's**  
390 **reappointment of Ron Gordon on the Parks Trails Arts and Recreation Advisory Board.**  
391 **Council Member Van Langeveld seconded the motion. The motion was approved by**  
392 **Council Members Baskin, Gordon, Knowlton, Porter, and Van Langeveld.**

393  
394 6. CONSIDERATION OF APPOINTMENTS TO THE GOLF COURSE OVERSIGHT  
395 COMMITTEE

396  
397 Mayor Horrocks recommended appointing Lisa Baskin as the City Council representative on the  
398 Golf Course Oversight Committee. He also proposed reappointing Roger Graves, John Logan,  
399 and Karen Mills.

400  
401 **Council Member Van Langeveld moved that the City Council approve Mayor Horrocks'**  
402 **appointment of Lisa Watts Baskin and reappointment of Roger Graves, John Logan, and**  
403 **Karen Mills to the Eaglewood Golf Course Oversight Committee. Council Member Porter**  
404 **seconded the motion. The motion was approved by Council Members Baskin, Gordon,**  
405 **Knowlton, Porter, and Van Langeveld.**

406  
407 7. CITY ATTORNEY'S REPORT

408  
409 Todd Godfrey had nothing to report.

410  
411 8. APPROVAL OF CITY COUNCIL MINUTES OF FEBRUARY 15, 2022

412  
413 The City Council minutes of February 15, 2022 were reviewed and approved.

414  
415 **Council Member Van Langeveld moved the City Council approve the meeting minutes of**  
416 **February 15, 2022 with the mentioned corrections. Council Member Porter seconded the**  
417 **motion. The motion was approved by Council Members Baskin, Gordon, Knowlton,**  
418 **Porter, and Van Langeveld.**

419  
420 9. ACTION ITEMS

421  
422 The action items list was reviewed. Completed items were removed from the list.

423

424 Council Member Porter requested a closed session to discuss the security camera systems in the  
425 City parks.

426

427 10. COUNCIL REPORTS

428

429 Council Member Knowlton reported that he met with a UDOT committee related to equity for  
430 those with limited means. He asked for suggestions on ways to involve and reach out to  
431 vulnerable populations in the City. He clarified these individuals might be those who had  
432 transportation challenges.

433

434 Council Member Baskin reported she had been following the legislative session and there were  
435 several bills with overreach. She said cities may need to band together as the League of Cities  
436 and Towns had been ineffective on some items including eminent domain for parks,  
437 requirements for ordinances that would allow people to speak in public meetings, reporting on  
438 retail incentives, and affordable housing. Mayor Horrocks agreed and said this may be something  
439 to mention at the convention.

440

441 Ken Leetham commented on the line that the League of Cities and Towns walked. He said the  
442 League and other groups could pose more legislation. Mr. Leetham said he would raise the issue  
443 with the League of Cities and Town staff as well as other entities.

444

445 Council Member Baskin voiced her opinion that more former mayors and city council members  
446 and fewer developers needed to serve in the house and senate. She suggested the cities could  
447 band together to appeal any onerous bills that did pass.

448

449 Council Member Porter reported on improvements to the Jordan River trail in Saratoga Springs,  
450 Riverton and Lehi. He also said the Jordan River Commission had received more funding from  
451 the State to make further improvements. Tracy Aviary and Hogle Zoo had a presence at the  
452 Jordan River as well.

453

454 Council Member Gordon reported the Youth City Council was preparing for the leadership trip  
455 on March 17-19 as well as for the City Easter egg hunt.

456

457 Council Member Van Langeveld reported on the Health and Wellness Committee. She indicated  
458 the suicide prevention event proposed by Senator Weiler and Representative Ballard was on  
459 hold.

460

461 11. MAYOR'S REPORT

462

463 Mayor Horrocks noticed West Valley City was charging a water availability fee. He wondered  
464 what it was and if it was something that the City should implement as it updated its water fee

465 schedule. Ken Leetham said he had heard of this fee but would have to review their city  
466 ordinances to better understand how it was used.

467  
468 Todd Godfrey commented the availability fee typically referred to the base fee for water use.

469  
470 Council Member Baskin asked if the City ever used water dedications in lieu of impact fees. Ken  
471 Leetham replied the City could but had not done this.

472  
473 Mayor Horrocks mentioned Mayor Arave had COVID recently but had since recovered.

474

475 12. CITY MANAGER'S REPORT

476

477 Ken Leetham reported City Council photos would be taken on March 15, 2022 at 6:00 p.m. and  
478 asked the Mayor and Council to let him know if that date was a problem for anyone.

479

480 Ken Leetham said a webinar was held on February 24<sup>th</sup> for the Eaglewood Loop project and  
481 another would be held on March 10<sup>th</sup> for the Eaglewood Drive Reconstruction project.

482

483 Ken Leetham reminded the Council the budget retreat would be held on March 26, 2022.

484

485 Mayor Horrocks recommended that any items of concern or note should be sent to staff prior to  
486 the retreat.

487

488 13. ADJOURN

489

490 Mayor Horrocks adjourned the meeting at 8:46 p.m.

491

492 *The foregoing was approved by the City Council of the City of North Salt Lake on Tuesday*  
493 *March 15, 2022 by unanimous vote of all members present.*

494

495

496

497 \_\_\_\_\_  
*Brian J. Horrocks, Mayor*

\_\_\_\_\_ *Wendy Page, City Recorder*

### Action Items for March 15, 2022

Item	Staff	Description
<u>New</u>		
1	David, Ken	(3-1-22) Review the park reservation cleaning deposit next year to see if it was effective in relation to damage/cleaning-Staff to provide a study by the end of 2022.
2	Sherrie	(3-1-22) Staff to review disproportionate and other fees related to businesses like gas stations (cost of local consent licenses and State liquor sales license).
3	Ken, Wendy	(3-1-22) Council Member Porter requested a closed session to discuss the security camera systems in the City parks. <i>This item will be scheduled for an upcoming City Council meeting.</i>
<u>Current</u>		
1	Ken Sherrie	(1-18-22) Invite UTA to City Council work session to discuss BRT, bus routes and micro transit, cancellation of routes in Foxboro. <i>Invitation to Hal Johnson has been made-no date yet, but likely will be a work session in an upcoming meeting. (Updated 3/8/22)</i>
2	Ken	(1-18-22) Prepare and present plans for the remainder of the TIF collection periods for Redwood Road and Highway 89 CDA project areas. <i>Staff will prepare a report for this item together with detailed financial estimates for the two project areas. (Updated 1/20/22)</i>
3	Ken	(1-18-22) Work session discussion on the I-15 study and input/participation from the Council. <i>Future work session will be scheduled for this project update. (Updated 1/26/22)</i>
4	Ken	(1-4-22) Options for emergency preparedness training for staff including windstorms, landslides, etc.
5	Tyler, Ken	(9-7-21) Council Member Porter asked about golf course damage that occurs at Gary Way near the golf course and adopting official policy related to this. <i>Was reviewed by the City Council on the 11/6/21 CC meeting. Staff is continuing to work on a solution.</i>
6	Sherrie, Paul	(7-20-21) Staff to evaluate current codes related to permissible improvements in public park strips. Staff to also perform a legal review of whether or not a land owner can replace the grass in the park strips adjacent to their property. <i>Under the current code park strips must be landscaped within 12 months of occupancy and may include trees, a combination of lawn, other perennial ground cover, flowering annuals and perennials, specimen shrubs, and inorganic material. Staff recommends that 50% of the park strip be vegetative and that rocks mulch be of 1"-minus size, but this is not currently within the code.</i>
7	Paul	(5-18-21) Staff to research solutions for maintaining commuter trail along the frontage road to SLC.
8	Sherrie	(2-16-21) Assignment to amend the Park and Recreation Element of the City's General Plan so that it includes Hatch Park, Tunnel Springs Expansion and Capital Projects and repairs. <i>An RFP is being prepared to complete the amendment.</i>
9	Ken	(2-16-21) Staff to prepare policy (or review current policy) related to tree removal particularly when related to sidewalk damage. <i>Staff is working on a follow-up report to the City Council.</i>
10	Ken, Linda	(2-16-21) CM Porter asked for recognition/formalization of the City's History Committee on a future agenda. <i>Staff reviewing history committees of other cities and will draft resolution. Staff has hired a History Intern (Tanner Christensen) for 4 months to organize historical pics, assist in the update of the 50<sup>th</sup> Anniversary Jubilee Document, and story map. (Updated 3/8/22)</i>



# CITY OF NORTH SALT LAKE

---

10 East Center Street  
North Salt Lake, Utah 84054  
(801) 335-8700  
(801) 335-8719 Fax

Brian Horrocks  
Mayor

Ken Leetham  
City Manager

## MEMORANDUM

**TO:** Honorable Mayor and City Council

**FROM:** Ken Leetham, City Manager

**DATE:** March 15, 2022

**SUBJECT:** Health and Wellness Committee Appointments

---

### **RECOMMENDATION**

Mayor Horrocks recommends the appointment of Alisa Van Langeveld as the City Council liaison on the Health and Wellness Committee with a term ending 3/15/24.

Councilmember Van Langeveld recommends the appointment of Valerie Watson for Seat 3 on the Health and Wellness Committee with a term ending 1/1/2025.

### **BACKGROUND**

The Health and Wellness Committee was established by Resolution 2021-38R on September 21, 2021. The Resolution specified the committee should have the active support and official participation of one member of the City Council selected by the Mayor. The five citizens who serve on the committee are appointed by each of the five Councilmembers of the City Council with the advice and consent of the City Council. Four members were appointed to the committee in October of 2021; however, seat 3 was left vacant until the newly elected official, Alisa Van Langeveld, could select a citizen to recommend. The term for seat 3 would be from 3/15/2022 to 1/1/2025.

### **PROPOSED MOTION**

I move the City Council approve Mayor Horrocks' appointment of Alisa Van Langeveld and Council Member Van Langeveld's appointment of Valerie Watson to the Health and Wellness Committee.

**RESOLUTION NO. 2022-10R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH SALT LAKE  
ADOPTING AN AMENDMENT TO ADJUST THE FISCAL YEAR 2021~2022 ROAD  
CAPITAL FUND, WATER FUND, AND SOLID WASTE FUND BUDGETS**

**WHEREAS**, the City of North Salt Lake has considered the adoption of an amendment to increase the 2021~2022 budgets for Road Capital Fund, Water Fund, and Solid Waste Fund, and finds that it is in the best interest of the citizens and the City as a whole to adopt the aforesaid budgets; and

**WHEREAS**, a public hearing was properly noticed and held on Tuesday March 15, 2022 for public comment concerning the adoption of said budgets; and

**WHEREAS**, such action is authorized by statute.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF NORTH SALT LAKE AS FOLLOWS:**

A change in the Road Capital Fund budget is hereby adopted for the 2021~2022 fiscal year in the following amounts:

Increase use of fund balance in the amount of (\$607,500)  
Increase expenditures in the amount of \$607,500

A change in the Water Fund budget is hereby adopted for the 2021~2022 fiscal year in the following amounts:

Increase use of fund balance in the amount of (\$410,000)  
Increase expenditures in the amount of \$410,000

A change in the Solid Waste Fund budget is hereby adopted for the 2021~2022 fiscal year in the following amounts:

Net Increase use of fund balance in the amount of (\$13,000)  
Net increase expenditures in the amount of \$13,000

Immediately after its adoption, this resolution shall be signed by the appropriate officers of the City of North Salt Lake, shall be recorded in the official records of the City of North Salt Lake, and shall take immediate effect.

Passed and approved by the City Council of North Salt Lake this 15th day of March, 2022.

CITY OF NORTH SALT LAKE

By:

\_\_\_\_\_  
BRIAN J. HORROCKS

Mayor

ATTEST:

\_\_\_\_\_  
WENDY PAGE

City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin \_\_\_\_\_

Council Member Gordon \_\_\_\_\_

Council Member Knowlton \_\_\_\_\_

Council Member Porter \_\_\_\_\_

Council Member Van Langeveld \_\_\_\_\_

FISCAL YEAR 2021-2022 BUDGET ADJUSTMENT - MARCH 2022

FUND	ACCOUNT TITLE	CURRENT BUDGET	BUDGET ADJUSTMENT	TOTAL BUDGET	NOTES
ROADS CAPITAL FUND					
	REDWOOD RD SIDEWALK- WEST CONN	\$ 283,927	20,000	303,927	INCREASE COST OF PROJECT
	AUDIO PEDESTRIAN SIGNALS	-	10,000	10,000	NEW PROJECT - AUDIO FOR PEDESTRIAN SIGNAL
	400 WEST STR RECONSTRUCTION - DESIGN	-	7,500	7,500	COST TO DESIGN PROJECT
	LACEY WAY (MARIA, GARY,NANCY)	438,000	70,000	508,000	INCREASE COST OF PROJECT
	EAGLERIDGE DRIVE OVERLAY	-	500,000	500,000	CHANGE PROJECT SCHEDULE FROM FY 2023 TO FY 2022
	FUND BALANCE - USE OF	(4,609,023)	(607,500)	(5,216,523)	INCREASE USE OF FUND BALANCE
WATER FUND					
	LACEY WAY WL REPLACEMENT	880,000	410,000	1,290,000	INCREASE BUDGET FOR PROJECT COST
	FUND BALANCE - USE OF	(3,969,055)	(410,000)	(4,379,055)	INCREASE IN USE OF FUND BALANCE
SOLID WASTE FUND					
	MACHINERY & EQUIPMENT CAPITAL	40,000	9,000	49,000	PURCHASE CANS - INVENTORY
	MACHINERY & EQUIPMENT CAPITAL	25,000	4,000	29,000	PURCHASE CANS - INVENTORY
	FUND BALANCE - CONTRIBUTION TO	1,100	(1,100)	-	INCREASE USE OF FUND BALANCE
	FUND BALANCE - USE OF	-	(11,900)	(11,900)	INCREASE USE OF FUND BALANCE



# CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

---

10 East Center Street, North Salt Lake, Utah 84054  
(801) 335-8700  
(801) 335-8719 Fax

## MEMORANDUM

**TO:** Honorable Mayor and City Council

**FROM:** Ali Avery, Long Range Planner

**DATE:** March 15, 2022

**SUBJECT:** Resolution No. 2022-11R: A resolution authorizing the City Manager, or designee, to submit an application to the Utah Office of Outdoor Recreation soliciting funds through the Recreation Restoration Infrastructure Grant, and authorizing matching funds, for the construction of a concrete boat ramp at Porter's Landing Boat Takeout.

### RECOMMENDATION

Staff recommends approval of the resolution approving an application for the Recreation Restoration Infrastructure Grant for the construction of a concrete boat ramp at Porter's Landing Boat Takeout, and authorizing city matching funds.

### BACKGROUND

Staff is proposing to make application for a Recreation Restoration Infrastructure (RRI) grant through the Utah Office of Outdoor Recreation, for the conversion of the boat ramp at Porter's Landing Boat Takeout from crusher fines and a flexible grid mat to concrete, and re-aligning the boat ramp.

When Porter's Landing Boat Takeout was constructed in 2016, it was the first formal takeout installed along the Jordan River. The original boat ramp was made of crusher fines over the top of gravel. When exiting their boats, boaters would then sink into the material and it was difficult and messy to use the boat ramp. A few years ago, flexible grid mats were placed on top of the crusher fines, which did provide some additional traction to boaters. However, while improving the performance of the ramp for boaters, it dramatically increased the maintenance burden on the City. Because there is not a hard surface beneath the grid mats, the mats have to be lifted, thoroughly cleaned, and re-installed at least every month, year-round, taking several hours to complete each time.

Since its construction, some lessons have been learned about the design of these facilities on the river as other put-ins and take-outs have been constructed. A water trail master plan was drafted that included best practices for construction of ramps along the river, and a conceptual drawing for the boat ramp at Porter's Landing was used in that draft plan (Attachment 1). The plan calls for the re-alignment of the boat ramp to reduce the amount of debris and build-up that occurs on the ramp and also for the installation of a concrete boat ramp. That ramp may also have a flexible grid mat included on it to provide more traction for boaters, and that would be determined when an engineered design was completed.

The concrete ramp in addition to a re-alignment should solve the maintenance problem that the City is having, and provide a better user experience for boaters using the takeout. The maintenance needs for a concrete ramp (even with the flexible grid mat) would be reduced significantly and would mostly consist of power washing as needed.

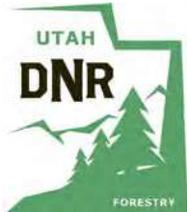
The total cost of the project (construction, design, and permitting) is estimated at \$141,750. The construction is estimated to cost \$115,500. City Staff is recommending to apply for RRI funding for \$57,750 (50% of construction cost), Jordan River Commission Small Grant funding for \$2,500, and provide City matching funds in the amount of \$55,250. The City would also be responsible for the costs of design and permitting estimated at \$26,250. This would make the City's total obligation \$81,500.

### **POSSIBLE MOTION**

I move that the City Council approve Resolution 2022-11R authorizing the City Manager, or designee, to submit an application to the Utah Office of Outdoor Recreation soliciting funds through the Recreation Restoration Infrastructure Grant, and authorizing matching funds, for the construction of a concrete boat ramp at Porter's Landing Boat Takeout.

#### Attachments:

- 1) Concept Plan
- 2) Resolution No. 2022-11R



**JORDAN RIVER WATER TRAIL MASTER PLAN**  
**PROPOSED BOAT LAUNCHES**  
**SITE 35: PORTER'S LANDING, NORTH SALT LAKE**

DATE: October 31, 2019



## RESOLUTION 2022-11R

### **A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO SUBMIT AN APPLICATION TO THE UTAH OFFICE OF OUTDOOR RECREATION SOLICITING FUNDS THROUGH THE RECREATION RESTORATION INFRASTRUCTURE GRANT, AND AUTHORIZING MATCHING FUNDS, FOR THE CONSTRUCTION OF A CONCRETE BOAT RAMP AT PORTER'S LANDING BOAT TAKEOUT**

WHEREAS, the Utah Office of Outdoor Recreation has a grant program designed to fund the rehabilitation or restoration of recreation amenities on public lands; and,

WHEREAS, the City has actively participated in annual application processes through the Utah Office of Outdoor Recreation; and,

WHEREAS, the City has identified the need for a concrete boat ramp at Porter's Landing to reduce the maintenance requirements of the current facility; and,

WHEREAS, the Governing Body of the City of North Salt Lake finds that it is in the public interest to improve opportunities for recreation.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the City of North Salt Lake that:

1. The City Manager or his designee, is hereby instructed and authorized to submit an application to the Utah Office of Outdoor Recreation, in cooperation with Davis County, for Recreation Restoration Infrastructure grant funds for the following project:

The conversion of the existing boat ramp at Porter's Landing to be constructed of concrete. The total cost of the construction portion of the project is \$115,500. The request is for \$57,750 in Recreation Restoration Infrastructure grant funds, \$2,500 in Jordan River Commission Small Grant funds, and \$55,250 in matching funds from the City.

2. City Staff is hereby instructed and authorized to set aside \$55,250 from the City's General Fund for matching funds.
3. The resolution hereby adopted shall be effective immediately.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF  
NORTH SALT LAKE, STATE OF UTAH, THIS 15<sup>TH</sup> DAY OF MARCH, 2022.

CITY OF NORTH SALT LAKE

By:

\_\_\_\_\_  
BRIAN J. HORROCKS

Mayor

ATTEST:

\_\_\_\_\_  
WENDY PAGE

City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin \_\_\_\_\_

Council Member Gordon \_\_\_\_\_

Council Member Knowlton \_\_\_\_\_

Council Member Porter \_\_\_\_\_

Council Member Van Langeveld \_\_\_\_\_



## NORTH SALT LAKE ENGINEERING

---

10 East Center Street  
North Salt Lake, Utah  
84054  
(801) 335-8723  
Paulo@nslcity.org

**BRIAN J. HORROCKS**  
Mayor

**PAUL OTTOSON, PE**  
City Engineer

### **MEMORANDUM**

To: Honorable Mayor & City Council

From: Paul Ottoson

Date: March 15, 2022

Subject: Eagleridge Drive Street Overlay (Edgewood Drive to Vista View Lane)

### **RECOMMENDATION**

Staff recommends awarding the Eagleridge Drive Street Overlay (Edgewood Drive to Vista View Lane) project to Staker & Parson Companies for the price of \$468,457.50.

### **BACKGROUND**

This project is scheduled in the City's Capital Facilities Plan in fiscal year 2023. City staff decided to bid this project now in order to obtain the best pricing possible. The project will begin in the next fiscal year after the July Liberty Fest celebrations. As a reminder, this project is one of three roadway reconstruction projects that the City is undertaking in the foothills. Those projects are: 1) lower half of Eaglewood Drive starting now; 2) the Lacey Way water line replacement and road reconstruction beginning July 5; and, 3) this final section of Eagleridge Drive also beginning July 5.

The contractor will be required to keep two lanes of traffic open during this project. Residents will have access to their driveways at all times except for short periods of time when the construction is directly in front of the driveway.

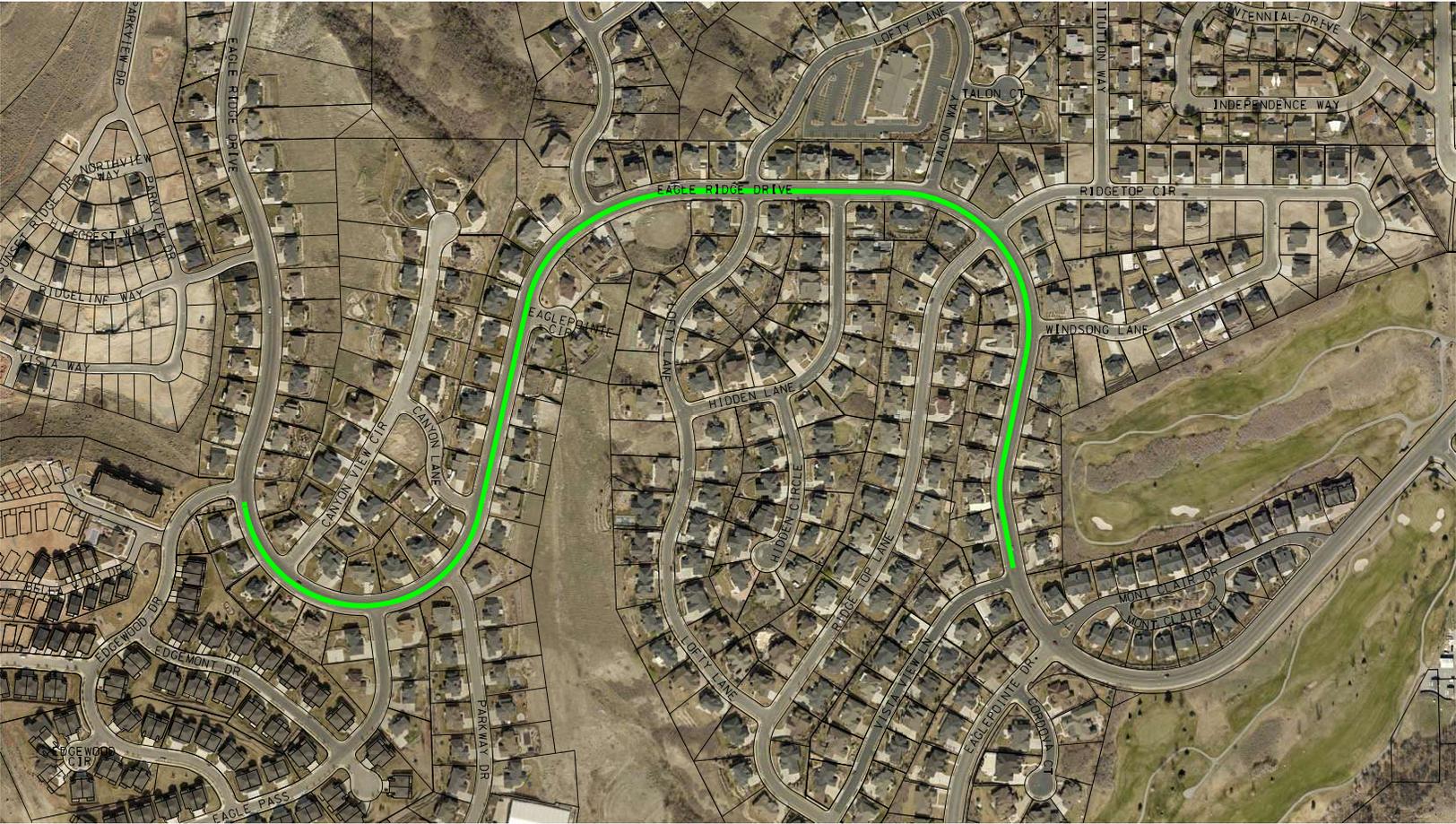
The City received five bids and they are shown below:

<u>Contractor</u>	<u>Price</u>
Staker & Parson Companies	\$468,457.50
Black Forest Paving	\$477,060.00
Kilgore Contracting	\$495,115.00
Advanced Paving	\$515,890.00
Post Asphalt	\$521,150.00

Funding for this project is out of the Road Capital Projects Fund and though it will be constructed in FY23, a \$500,000 budget adjustment in that Fund is proposed in the FY22 budget adjustment on this Council meeting. That amount will carry over into the next fiscal year. The budget estimate for this project was \$628,517.

**POSSIBLE MOTION**

I recommend City Council award the Eagleridge Drive Street Overlay (Edgewood Drive to Vista View Lane) project to Staker & Parson Companies for the price of \$468,457.50.





# CITY OF NORTH SALT LAKE

---

10 East Center Street  
North Salt Lake, Utah 84054  
(801) 335-8700  
(801) 335-8719 Fax

Brian Horrocks  
Mayor

Ken Leetham  
City Manager

## MEMORANDUM

**TO:** Honorable Mayor and City Council

**FROM:** Ken Leetham, City Manager

**DATE:** March 15 2022

**SUBJECT:** Consideration of a Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad Company for the 1100 North Grade Separation Project.

---

### **RECOMMENDATION**

I recommend approval of the Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad Company for the 1100 North Grade Separation Project.

### **BACKGROUND**

The attached agreement is for services that Union Pacific Railroad will provide to the City related to our engineering design project on the 1100 North Grade Separation Project (bridge). We have little to no discretion over this part of the costs of the project and Union Pacific Railroad's review and approval is of course required for this project to move forward. The contract also obligates the City to 100% of the actual costs of this review in the event that the costs exceed \$200,000. I will inform the Council if in the future the project is expected to exceed the estimated cost.

The current adopted budget for this and its related engineering design projects is \$5,000,000. The costs of this proposed agreement are included in that amount. The specific source of funds for this agreement will be Roadway Impact Fees.

### **PROPOSED MOTION**

I move that the City Council approve the reimbursement agreement for preliminary engineering services with Union Pacific Railroad Company for the 1100 North Grade Separation Project in the amount of \$200,000.

**REIMBURSEMENT AGREEMENT  
PRELIMINARY ENGINEERING SERVICES**

**Effective Date:**

**Agency: CITY OF NORTH SALT LAKE, UTAH**

**Estimate: \$200,000.00**

THIS REIMBURSEMENT AGREEMENT (**Agreement**) is made and entered into as of the **Effective Date**, by and between UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (**Railroad**), and AGENCY (**Agency**).

RECITALS

A. Agency desires to initiate the project more particularly described on Exhibit A attached hereto (**the Project**).

B. The Project will affect Railroad's track and right of way at or near the Project area more particularly described on Exhibit A.

C. Railroad agrees to collaborate with Agency on the conceptualization and development of the Project in accordance with the terms and conditions of this Agreement.

AGREEMENT

1. NOW THEREFORE, the parties hereto agree as follows:

2. Railroad, and/or its representatives, at Agency's sole cost and expense, agrees to perform (or shall cause a third-party consultant to perform on Railroad's behalf) the preliminary engineering services work described on Exhibit B attached hereto (**PE Work**). Agency acknowledges and agrees that: (a) Railroad's review of any Project designs, plans and/or specifications, as part of the PE Work, is limited exclusively to potential impacts on existing and future Railroad facilities and operations; (b) Railroad makes no representations or warranties as to the validity, accuracy, legal compliance or completeness of the PE Work; and (c) Agency's reliance on the PE Work is at Agency's own risk.

3. Notwithstanding the Estimate (**Estimate**), Agency agrees to reimburse Railroad and/or Railroad's third-party consultant, as applicable, for one hundred percent (100%) of all actual costs and expenses incurred for the PE Work. During the performance of the PE Work, Railroad will provide (and/or will cause its third-party consultant to provide) progressive billing to Agency based on actual costs in connection with the PE Work. Within sixty (60) days after completion of the PE Work, Railroad will submit (and/or will cause its third-party consultant to submit) a final billing to Agency for any balance owed for the PE Work. Agency shall pay Railroad (and/or its third-party consultant, as applicable) within thirty (30) days after Agency's receipt of any progressive and final bills submitted for the PE Work. Bills will be submitted to the Agency using the contact information provided on **Exhibit C**. Agency's obligation hereunder to reimburse Railroad (and/or its third-party consultant, as applicable) for the PE Work shall apply regardless if Agency declines to proceed with the Project or Railroad elects not to approve the Project.

4. Agency acknowledges and agrees that Railroad may withhold its approval for the Project for any reason in its sole discretion, including without limitation, impacts to Railroad's safety, facilities or operations. If Railroad approves the Project, Railroad will continue to work with Agency to develop final plans and specifications and prepare material and force cost estimates for any Project related work performed by Railroad.

5. If the Project is approved by Railroad, Railroad shall prepare and forward to Agency a Construction and Maintenance Agreement (**C&M Agreement**) which shall provide the terms and conditions for the construction and ongoing maintenance of the Project. Unless otherwise expressly set forth in the C&M Agreement, the construction and maintenance of the Project shall be at no cost to Railroad. No construction work on the Project affecting Railroad's property or operations shall commence until the C&M Agreement is finalized and executed by Agency and Railroad.

6. Neither party shall assign this Agreement without the prior written consent of the other party, which consent shall not be unreasonably withheld, conditioned or delayed.

7. No amendment or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties.

8. This Agreement sets forth the entire agreement between the parties regarding the Project and PE Work. To the extent that any terms or provisions of this Agreement regarding the PE Work are inconsistent with the terms or provisions set forth in any existing agreement related to the Project, such terms and provisions shall be deemed superseded by this Agreement to the extent of such inconsistency.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the Effective Date.

**CITY OF NORTH SALT LAKE, UTAH**

**UNION PACIFIC RAILROAD COMPANY,**  
a Delaware Corporation

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

**Kenneth Tom**  
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

**Manager I, Engineering – Public Projects**  
\_\_\_\_\_  
Title

# Exhibit A

## Project Description and Location

### Project Description

City of North Salt Lake City, UT proposes to close the existing at-grade crossing at 1100 North (DOT 805662B) and construct a grade separated overpass in its place (DOT 980109U), which may necessitate raising the roadway elevation of 1100 North at the at-grade crossing west of the proposed overpass (DOT 254977F).

### Location

<b>Subdivision</b>	<b>DOT</b>	<b>Crossing Type</b>	<b>Milepost</b>	<b>Street Name</b>
Salt Lake	805662B	Public	789.29	1100 North
Salt Lake	908109U	Public	789.29	1100 North
Woods Cross Ind. Ld.	254977F	Public	752.194	1100 North

## **Exhibit B**

### **Scope of Project Services**

Scope of work includes, but is not limited to the following

- Field diagnostic(s) and inspections
- Plan, specification and construction review
- Project design
- Preparation of Project estimate for force account or other work performed by the Railroad
- Meetings and travel

**Exhibit C**  
**Billing Contact Information**

<b>Name</b>	Ken Leetham
<b>Title</b>	City Manager
<b>Address</b>	10 East Center Street, North Salt Lake, UT, 84054
<b>Work Phone</b>	(801) 335-8725
<b>Cell Phone</b>	
<b>Email</b>	kenl@nslcity.org
<b>Agency Project No.</b>	