

NORTH SALT LAKE CITY  
CITY COUNCIL MEETING-WORK SESSION  
JANUARY 5, 2016

**FINAL**

Mayor Arave called the meeting to order at 6:03 p.m.

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

STAFF PRESENT: Barry Edwards, City Manager; Ken Leetham, Assistant City Manager and Community and Economic Development Director; Paul Ottoson, Public Works Director and City Engineer; Jon Rueckert, Assistant Public Works Director; Janice Larsen, Finance Director; Chief Craig Black, Police Chief; David Church, City Attorney; Brent Moyes, Golf Course Director; Linda Horrocks, Deputy Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Ryan Child, Wood Richards and Associates.

1. DEPARTMENT REPORT-FINANCE, AUDITORS REPORT

Ryan Child, Wood Richards and Associates, reported that the 2015 fiscal audit went well and the City's finances are in order. He then noted some of the highlights for the year including the General Fund balance at 21% of general revenues, and the amount restricted for road construction in the General Fund is at \$372,000.00, up from the previous year. The Park Development Fund had some significant changes, including a positive increase from a 2014 deficit. The Capital Projects Fund had \$351,000.00 of expenditures including the improvements to City Hall, the Wi-Fi building, and slide mitigation. The Road Development Fund had \$4.5 million in expenditures with \$3.76 million going toward the 1100 North project. Revenues in the General Fund were over \$9.3 million, which was up from 2014 but below what was anticipated. Total expenditures in the General Fund were below budget and above the prior year. In the Enterprise Fund the current assets increased from 2014 except for the Golf Fund which is subsidized by government funds. The Water Fund, including the Pressurized Irrigation Fund and the Storm Water Fund, are required to have net revenues over the aggregate debt service of 125% and the percentage at the end of 2015 was 354% which was beneficial for the City's bond rating. Cash flow in all funds is increasing and looks great. Mr. Child then said there is a new

accounting standard for pensions which requires the City to report their share of the unfunded net pension liability instead of just the contribution. There are also two findings in regards to State compliance including: expenditures in excess of the budget in the RDA fund, and that City meeting agendas and approved meeting minutes need to be posted on the State's website within twenty four hours and three days respectively.

Janice Larsen commented that the actual numbers are very close to what has been budgeted. The Police fund is slightly off as a new officer has not yet been hired.

Council Member Horrocks commented that revenue looks good but asked if revenue can continue to meet the needs of the City. Barry Edwards replied that taxes may need to be raised as the City's growth-related revenues are declining and that this deficit will need to be addressed. The Fire District and other public safety issues will also require an increase in funding.

Council Member Jensen asked if there was a large increase in revenue from the recent road tax that passed in the last election. Mayor Arave commented that there are restrictions including the requirement that cities will continue to spend what they were previously spending on road maintenance plus an additional amount for continuous upkeep.

## 2. DEPARTMENT REPORT-COMMUNITY DEVELOPMENT, KEN LEETHAM

Ken Leetham reported on community development for 2015 and said that some restructuring was done due to staffing changes. An experienced planner was hired and an existing planner is now being used in a different capacity including grant writing and long-term planning.

Building permitting from January to December 2015 included 113 single family units in Foxboro and 46 single family units in other areas of the City. New home development in Foxboro is anticipated to be completed by July 1 as there are only limited lots still available.

There were 159 single family homes with just over 300 in total building permits, including non-residential permits. City staff and Sunrise Engineering performed 3,349 inspections, and the total valuation of new construction in 2015 was nearly \$51.6 million.

Currently there are 1060 active business licenses in the City with 1/3 home occupation and 2/3 as other business licenses. To date the City has been able to assist five property owners with \$35,000 in funds from the Community Development Block Grant (CDBG).

Major projects include the boat takeout park which will be completed with \$65,000 from the State for the purchase of the property, a \$35,000 grant for construction of the park, and the City

has submitted additional grant applications for the remainder of the cost of the park. Other projects include the Foxboro Wetlands Park, which the City is hoping to receive financial assistance from Big West Oil, the Town Center project which City staff is currently reviewing final plans that will be presented to the Planning Commission and City Council for approval, and a comprehensive evaluation of City parks, open space and trails.

### 3. APPROVE MINUTES-NOVEMBER 17, 2015, DECEMBER 1, 2015

The City Council minutes of November 17, 2015 were reviewed.

**Council Member Horrocks moved to approve the November 17<sup>th</sup>, 2015 City Council work session and regular session minutes as written. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

The City Council minutes of December 1, 2015 were reviewed.

**Council Member Porter moved to approve the December 1, 2015 minutes as written. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

### 4. ACTION ITEMS

Council Member Hood mentioned that the 2016 City Council meeting schedule needs to be added to the website.

### 5. COUNCIL REPORTS

Council Member Hood reported that the Youth City Council (YCC) needs a new advisory couple, preferably from the Foxboro area. The YCC will start filling Easter eggs for the City's Easter egg hunt, and the YCC leadership conference will be held in Logan in March.

Council Member Mumford thanked the police department for setting up a safe exchange zone in the City. This is a location just outside the police department at City Hall where residents can exchange goods or transfer children between parents in a safe environment. He also reported that the Planning Commission is anxious to get the sign ordinance rewritten and approved.

Council Member Jensen reported that there will be no Second Sunday Concert in January or February. Nominations are needed from the City Council for the NSL Live spots.

Council Member Porter reported that he would like to attend the meeting regarding the Bonneville Shoreline Trail as a representative for the City. The Uniting Neighbors meeting will be held January 13<sup>th</sup> where they plan to discuss communications.

6. MAYOR'S REPORT

Mayor Arave reported that the South Davis Fire area is completed.

7. CITY ATTORNEY'S REPORT

David Church had nothing to report.

8. CITY MANAGER'S REPORT

Barry Edwards reminded the City Council about Elected Official's Day at the Legislature. He also commented that City staff just met with the County and the lobbyists for Davis and Salt Lake County and there will be a proposal for \$1.2 million for the Bus Rapid Transit (BRT) line.

9. ADJOURN

Mayor Arave adjourned the meeting at 6:54 p.m. to begin the regular session.

NORTH SALT LAKE CITY  
CITY COUNCIL MEETING-REGULAR SESSION  
JANUARY 5, 2016

**FINAL**

Mayor Arave called the meeting to order at 7:03 p.m. Council Member Ryan Mumford offered the invocation and Angel Salazall, BSA, led those present in the Pledge of Allegiance.

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

STAFF PRESENT: Barry Edwards, City Manager; Ken Leetham, Assistant City Manager and Community and Economic Development Director; Paul Ottoson, Public Works Director and City Engineer; Jon Rueckert, Assistant Public Works Director; Janice Larsen, Finance Director; Chief Craig Black, Police Chief; David Church, City Attorney; Brent Moyes, Golf Course Director; Linda Horrocks, Deputy Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Brenda Hood, Vonda Bruhn, Bob Bruhn, Phillip Collins, Jennifer Hood, Shawn Poor, Randy Cassidy, Conrad Jacobson, Carolyn Jacobson, Scott Sloan, Sarah Sloan, Mary Kay Porter, Brent Sloan, Shauna Sloan, residents; Bill Gaskill, CSC Redwood Holdings; Taylor Spendlove, Brighton Development Utah LLC; Rhonda Perkes, Office of Congressman Stewart; Christopher Robinson, Foxboro Marketplace; David Miller, Justice Court Judge.

1. SWEARING IN OF NEW COUNCILMEMBERS: JAMES HOOD, BRIAN HORROCKS AND STAN PORTER FOR THE TERM JAN. 1, 2016-DEC. 31, 2019

Mayor Arave performed the swearing in of the new Council Members James Hood, Brian Horrocks and Stan Porter.

2. PRESENTATION TO CONRAD JACOBSON-OUTGOING COUNCILMEMBER

Mayor Arave commented that Conrad Jacobson has served on the City Council for the last six years and expressed his appreciation for Conrad's service to the City. Mayor Arave then presented Conrad with a plaque.

Conrad Jacobson commented that he has served the City for 15 years with terms on the Planning Commission and City Council. He commended those who continue to serve and said that these individuals are not serving for selfish reasons but for love of city, country and the residents and will make the best decisions possible for the City.

Barry Edwards then presented Conrad with a clock on behalf of City staff.

### 3. CITIZEN COMMENT

Rhonda Perkes, Office of Congressman Stewart, commended the City on how the landslide was handled and expressed thanks to Conrad Jacobson for his service on the City Council.

Scott Sloan, 374 Cynthia Way, expressed concern about the proposed convenience store to be located on the corner of Eaglegate and Highway 89 and that there are better retail uses for that area. He said that the City needs to keep the master plan in mind and help keep home values up.

Brent Sloan, 1185 Elkhollow Road, commented that he has lived in the City for four years and has considered locating his business headquarters to the City; however, a gas station is not in alignment with what should be at the entrance to the City. He said the opportunity to create a family-friendly, walkable area needs to be considered and a gas station is not the right option for that area.

### 4. CONSIDERATION OF APPOINTMENT BY THE CITY COUNCIL OF REPRESENTATIVE TO THE SOUTH DAVIS RECREATION DISTRICT BOARD (RESOLUTION 2016-02R)

Mayor Arave asked if any of the Council Members would be interested in this position. Mayor Arave will review his current positions to see if any changes could be made and will potentially stay on as representative to the South Davis Recreation District Board unless another Council Member is interested.

**Council Member Porter moved to appoint Leonard K. Arave as the representative for the South Davis Recreation District Administrative Control Board. Council Member Mumford seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

### 5. CONSIDERATION OF A SITE PLAN FOR LEE'S MARKET LOCATED AT APPROXIMATELY 600 NORTH REDWOOD ROAD. BILL GASKILL-CSC REDWOOD HOLDINGS L.C., APPLICANT

Ken Leetham reported that this is a site plan for Lee's Market to be located in Foxboro at 600 North Redwood Road in the General Commercial zone. This site plan approval is for the construction of a 48,000 square foot grocery store on 4.5 acres of land.

The Development Review Committee (DRC) and the Planning Commission recommend approval with the proposed findings and conditions.

**Council Member Jensen moved that the City Council approve the site plan for Lee's Marketplace at 600 North Redwood Road with the following findings and subject to the attached conditions:**

**Findings:**

- 1. The proposed use is a permitted use in the General Commercial Zone;**
- 2. Sufficient parking is being provided for proposed use; and**
- 3. The proposed use meets all requirements of the development code.**

**Conditions:**

- 1. Submittal of redline corrections: structure dimensions, parking table, tree spacing, and parking lot crosswalk;**
- 2. Modify elevations to meet design standards, as noted in staff report;**
- 3. Submittal of final landscape plan with irrigation system, lighting plan, and drainage plan prior to building permit issuance.**

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

Council Members Jensen and Mumford commented that the City residents, particularly in Foxboro, were very anxious for this development to be completed.

- 4. CONSIDERATION OF A SITE PLAN APPLICATION FOR PARKVIEW TOWNHOMES LOCATED AT 3100 SOUTH HIGHWAY 89-BRIGHTON DEVELOPMENT UTAH, LLC, APPLICANT**

Ken Leetham reported that this site plan is for 24 townhomes to be located on 1.16 acres that was previously the La Puente Restaurant which had been vacant for some time. These townhomes will be rental units until they can be sold as individual townhomes and will be located in the Commercial Highway (CH) zone. These units will be two and three bedrooms with a balcony and patios with two-car garages.

Council Member Mumford commented that there was significant elevation changes between the neighboring pawnshop and this development and asked if there would be a fence between the two. Taylor Spendlove, Brighton Homes, replied that there would be an iron fence up to the project which would match the iron on the balconies, etc. He said these would be marketed as apartments and then sold as condominiums/townhouses in the future.

The City Council then discussed concerns with the number of visitor parking spots and that garages were included in the parking requirement count which would limit the amount of available parking. Parking would be available on Highway 89 but once the BRT system is in place this would eliminate that parking option in the future.

Council Member Porter asked if the City could require residents to put stipulations in that would require residents to park in their garages rather than using them for storage. David Church replied that the City could not require that as it is not regulated in the City code. The site plan currently meets the minimum amount of parking required in the code. He also said the City Council could not deny this site plan unless they could identify something in the code that the application does not meet. He said the City Council seems to be questioning the minimum parking stall requirement in City Code, as it seems insufficient.

**Council Member Porter moved that the City Council approve the site plan application for Parkview Townhomes at 3100 South Highway 89, with the following findings:**

**Findings:**

- 1. The proposed use of multi-family dwellings greater than four (4) units is a permitted use in the CH Zone;**
- 2. Sufficient parking, based on our current code, is being provided for proposed use;  
and**
- 3. The proposed use meets all other requirements of the development code.**

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

Council Member Jensen commented that the CH zone is designed for growth and that while it seems like only apartment buildings are being built, the hope is to spur more economic growth. Ken Leetham replied that there are other locations along Highway 89 which are non-residential.



4. CONSIDERATION OF A PLAT AMENDMENT TO EAGLEWOOD VILLAGE  
SUBDIVISION, LOT 1, LOCATED AT 34 WEST EAGLEGATE DRIVE-WRIGHT  
DEVELOPMENT GROUP, APPLICANT

Mayor Arave commented that he would like to disclose that he has business dealings with someone who may have an economic interest in this development and that he would refrain from commenting on this item.

Ken Leetham reported that this application was submitted some time ago. This is an amendment to Lot 1 to create a separate parcel which has been proposed to be used for a convenience store. The DRC found that this application meets the code requirements. During the public comment period of this meeting several residents expressed concern with turning the parcel into a convenience store as it may detract from the general plan for the area. If there is a finding that this application does not meet the City code then the Council can deny the application.

Council Member Jensen asked if this item could be continued until the next City Council meeting. David Church responded that the purpose of the lot split is so this parcel could be sold separately. He recommended deferring the lot split until there is an application and site plan for the development.

Council Members Horrocks and Porter commented that there was no gas station proposed on the preliminary design plan or in the Planned District when this was first presented to the City Council years ago.

**Council Member Porter moved to table this issue until the Planning Commission approves the site plan. Council Member Jensen seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

5. CONSIDERATION OF A SITE PLAN APPLICATION FOR RIVERBEND BUSINESS  
PARK LOCATED AT 245 WEST RIVERBEND WAY-TOM STUART  
CONSTRUCTION, APPLICANT

Ken Leetham reported that this proposal combines two lots which are zoned Manufacturing Distribution (MD) and is a proposal for four buildings with 210 parking stalls. The DRC recommends approval of the site plan with the following findings: the proposed use manufacturing/warehousing is a permitted use in the MD Zone, future tenants that are conditional uses will still be required to obtain a conditional use permit, tenants shall not be permitted which exceed the required parking for overall requirements, and the proposed site plan meets all requirements of the development code.

Council Member Porter asked if there would be an easement along the Jordan River Trail. Ken Leetham replied that this property may not be adjacent but that he would review whether an easement is necessary.

**Council Member Jensen moved that the City Council approve the site plan for River Bend Business Park at 245 South River Bend Way with the following conditions:**

**Conditions:**

- 1. Provide lighting sheet, detail of fixtures and photometric analysis**
- 2. Provide detail of loading docks screening**
- 3. Prior to issuance of a building permit, either an amended condominium plat combining the lots, or a lot line adjustment joining the two lots into one must be recorded.**
- 4. Verify that there is adequate easement space along the Jordan River Trail**

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

**9. MODIFICATION TO CITY WINTER PARKING ORDINANCE-DAVID CHURCH**

David Church reported on some suggested changes to the winter parking ordinance including changing the title from "All Night Parking Prohibited" to "Parking During Snowplowing Prohibited," adding "no registered owner of a vehicle shall allow his or her vehicle to be parked," the clarification that parking is not allowed between 11:00 pm and 6:00 am or during any period of snowfall when the snowplows are operating, and the addition of "whenever any vehicle is parked in violation of this paragraph, the person in whose name the vehicle is registered shall be strictly liable for the violation and the penalty for that violation."

**Council Member Mumford moved to approve Ordinance 2016-01 clarifying that the registered owner of a vehicle can be held responsible for allowing it to remain parked on a City street during times when the snowplows may be operating. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

**10. DISCUSSION AND ACTION ON PROPERTY ENCROACHMENT ALONG WILD ROSE TRAIL (COUNTRY COURT)**

Ken Leetham reported that last year City staff identified properties along the Wild Rose Trail whose back yards encroached onto City property. There are no structures built in the encroached

area, but improvements have been made. This land has been valued around \$3.35 per square foot. Staff looked at the minimum encroachments which were any areas within 40 feet of the trail.

Barry Edwards recommended that a two-rail fence be placed along the property line. The City will let the property owners know that they need to remove the improvements by a certain date or it will be removed by the City at the property-owner's expense. The City should protect its open space and trail.

Barry Edwards asked if these improvements could be declared a nuisance. David Church replied that it wouldn't fit the definition of nuisance but that general property law would consider it trespassing and the City could recover damages for the cost of removal.

Mayor Arave commented that City staff needs to meet with each of the homeowners before a final decision is made.

**Council Member Horrocks moved to table this item. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

11. AUTHORIZATION TO ACQUIRE PROPERTY AND EASEMENTS FOR THE PURPOSE OF EXTENDING CUTLER DRIVE AT APPROXIMATELY 800 NORTH

Ken Leetham reported that the City has negotiated the acquisition of 11,600 square feet for a right-of-way and a 3,866 square-foot easement for public utilities on either side of the road from Leo and Sandra Thurston. Woodside Development has agreed to cover 100% of the cost to acquire the property and will construct this portion of Cutler Drive.

David Church commented that to keep the cost of acquisition down, the Thurstons will sell the land at the appraised cost if the City makes concessions for business operations.

**Council Member Jensen moved to approve 2016-05R a resolution of the governing body of the City of North Salt Lake authorizing the City Manager to sign an agreement to acquire property for the completion of Cutler Drive on Certain terms and conditions. Those terms being:**

- 1) Price not to exceed \$95,200.
- 2) That all curb and gutter on Cutler Drive adjacent to Thurston will be roll-back (not high-back) curb.

- 3) **That curb, gutter and sidewalk on Cutler Drive adjacent to Thurston will be reinforced to accommodate the estimated loads of trucks crossing this area.**
- 4) **That the City install “No Parking” signs along this road and enforce no parking in Cutler Drive adjacent to Thurston.**

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

## 12. CONSIDERATION OF PUBLIC WORKS PLOW TRUCK PURCHASE

Jon Rueckert reported that staff recommends purchasing a plow truck for \$171,000. In 1999 with the addition of the Eaglewood subdivisions to the City, the plow truck fleet was increased from seven to eight trucks. In the last 15 years the City has since added 25 miles of streets and increased in density.

Council Member Mumford asked if the other trucks will be used less if this new plow is purchased. Mr. Rueckert replied that all the trucks will be used, but the smaller trucks will be reserved for subdivisions in the flatter areas.

Barry Edwards commented that the City had converted some of the plow trucks to natural gas (CNG), but the company that did the conversion is no longer in business and it is hard to service those vehicles. These CNG vehicles could be used on the flatter areas which would put less strain on them.

**Council Member Jensen moved to authorize the purchase of a pre-built plow truck for the price of \$171,000. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

## 13. CONSIDERATION OF RESOLUTION 2016-04R ENTERING INTO A CONTRACT BETWEEN WEBER BASIN WATER CONSERVANCY DISTRICT FOR THE PURCHASE AND USE OF TREATED WATER

Jon Rueckert reported that the City currently contracts for 1905 acre feet of culinary water annually from Weber Basin. This amount is the combination of eight different contracts with block of water sold at different prices per acre foot. The current price for the last 110 acre feet is \$368.76 per acre foot. Staff recommends contracting for this water, as the next block of water will cost \$530 per acre foot. This water will be used immediately as a buffer for the summer water demand.

Mayor Arave asked if this water was needed as the well that was drilled six years ago was never brought online. Barry Edwards replied that there was a deficit and this water is necessary.

**Council Member Porter moved to adopt Resolution 2016-04R a resolution of the legislative body of the City of North Salt Lake entering into a contract with Weber Basin Water Conservancy District for the purchase and use of treated water. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

#### 14. DISCUSSION OF INTERLOCAL AGREEMENT BETWEEN DAVIS COUNTY AND THE CITY OF NORTH SALT LAKE FOR THE PROVISION OF CERTAIN MUNICIPAL SERVICES IN UNINCORPORATED ISLANDS CONTIGUOUS WITH THE CITY

Barry Edwards reported on the possibility of providing services to the unincorporated areas surrounding North Salt Lake. These services would include police and public works on a fee based schedule. The City is currently the first responder on most police services and is not receiving reimbursement at this time. This agreement would give the City some remuneration and the possibility for annexation later on. Possible agreements would be \$4,000 per year for police and public works services. Staff believes this is an opportunity to build credibility with those residents now and for future annexation.

Mayor Arave asked if the price had already been provided to the County. Barry replied that it had been presented to the County and that it had been hard to determine the actual cost for police services but that the cost for public works services would be fairly close.

Mayor Arave asked what police services are currently being provided. Chief Black replied that everything including detective work was covered in these areas but that it was hard to determine the cost as he was unsure how many calls had originated from that area. He also added that payroll costs had not been added into the estimate. There is crime in that area and the City is unable to adequately enforce in the unincorporated areas. The police would like to be able to have better control which would be good for the City long term.

The Council was in favor of the City providing these services as long as the cost was appropriate. Barry Edwards will talk to the County to determine if an agreement can be reached.

#### 15. DISCUSSION REGARDING COMBINING MUNICIPAL COURT OPERATIONS WITH WEST BOUNTIFUL

Barry Edwards reported that West Bountiful has approached the City in regards to combining justice courts. The most equitable way would be to split their fine revenue in half with the City which would allow the City to manage the court at a minimal cost. City staff recommends combining services for an initial term of five years.

Council Member Porter asked if the City could get rid of their justice court. David Church replied that the City cannot close the court without permission from the State.

Mayor Arave asked Judge Miller (who arrived at the meeting prior to this discussion) if the additional caseload could still be handled in one day. Judge David Miller replied that the caseload for West Bountiful is only 15% for a full-time judge and that the City's caseload is 40-50% so Tuesday's court day should be sufficient.

#### 16. ADJOURN INTO REDEVELOPMENT AGENCY MEETING

**At 9:47 p.m. Council Member Mumford moved to adjourn into the Redevelopment Agency meeting. Council Member Jensen seconded the motion. The motion was approved by Council Members Jacobson, Horrocks, Porter, Jensen and Mumford.**

#### 17. ADJOURN

Mayor Arave adjourned the meeting at 9:47 p.m.

  
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Mayor

  
\_\_\_\_\_  
Secretary