

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
SEPTEMBER 6, 2016

FINAL

Mayor Arave called the meeting to order at 6:05 p.m.

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

EXCUSED: Council Member Ryan Mumford

STAFF PRESENT: Barry Edwards, City Manager; Ken Leetham, Assistant City Manager; Paul Ottoson, City Engineer; David Frandsen, Public Works Director; 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: none.

1. DISCUSSION-FALLEN OFFICERS BENEFITS

Barry Edwards reported that in the 2015 legislative session a funding pool was created for the families of fallen officers, which set up an obligation for cities to provide health insurance for the families of fallen police officers. This obligation would be enforced until the surviving spouse reached the age of 65 or remarried. Originally all cities would participate with the larger agencies helping the smaller agencies cover these costs. The cost per city is approximately \$100 per officer, so for 21 NSL officers the cost would be about \$2,100.00 per year to join this pool. In 2016 the legislature amended the bill and eliminated the re-marriage clause and now requires that health insurance be provided for the spouse until their death. Also in 2016 the bill was amended to have a retroactive obligation that the agencies who had an officer die between July 2005 and July 2015 would be required to pay these health benefits to the surviving spouse and children with no reimbursement or participation in the State's fallen officer fund. There are seven other cities besides North Salt Lake that had officers fall during that time period who cannot join the fallen officer's pool or obtain other coverage for those officers' families. The City is solely responsible for health benefits for Officer Skinner's spouse for 34 years and the children for 18

more years (until age 26) at an approximate cost of \$394,000.00 (present dollars, not accounting for inflation, etc.).

The City Council members discussed concerns such as the 2005 retroactive date and the inability to share the cost, and possible options such as self-insurance or a separate insurance policy and opting out of the pool.

Chief Black stated that the pool was originally created to allow the bigger agencies to assist the smaller agencies with the cost in the event of a fallen officer.

Barry Edwards said he has invited Representative Becky Edwards and Senator Todd Weiler to a special council meeting September 13th at 5:30 p.m. to discuss options.

2. DEPARTMENT REPORT-ENGINEERING

Paul Ottoson reported on the projects that have been completed within the last year including the 500 North reconstruction project which was finished a month ago. Part of that project included the street overlay of the cul-de-sac on Franklin Parkway which was funded by FedEx during their recent expansion. Other completed projects included the overlay projects in the Springwood area, the Union Avenue water change-over project, and the landslide final walk-through and re-seeding.

New projects going out for bid include the Hatch Park parking lot and expansion, Center Street near the Jordan River, the Foxboro, Foxhollow resurfacing project, Phase 1 of the secondary water line at the Hole 8 pump building (which will tie into the 5480 water tank) and Phase 1 of the Eagleridge storm drain project and easement. The federally funded project for the Center Street widening from Redwood Road to Foxboro Drive will go out for bid in October. Mr. Ottoson also reported on the possible need for a traffic light at Center Street and 400 West and said that the traffic count had come back and a warrant study was now needed to see if this light is necessary.

3. ACTION ITEMS

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

Barry Edwards said that City staff is still trying to work with Woods Cross for a possible contribution towards putting in shade at the splash pad.

4. APPROVE CITY COUNCIL MINUTES

The City Council minutes of August 8 and August 16, 2016 were reviewed and amended. **Council Member Porter moved to approve the work session and regular session City Council meeting minutes of August 16, 2016 and the Truth in Taxation hearing minutes of August 8, 2016 as amended. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, and Hood. Council Member Mumford was excused.**

5. COUNCIL REPORTS

Council Member Jensen commented that the Deer Hollow Park ribbon cutting was delightful and he enjoyed how enthusiastic the children were about the new zip line. He also reported that he spoke with Chevron regarding the relationship with the refinery and the City.

Council Member Jensen reported that this year's family golf tournament was well attended with 17 families participating. He also said that for his son's Eagle Scout project, he was working on re-marking the portion of the Wild Rose Trail with the residential encroachments. However, his scout leaders are requiring him to expand the project for it to meet the qualifications of an Eagle Scout project. Possible suggestions included public outreach on encroachment issues, re-vegetation of the existing trail, and adding signage to the Gregerson and Wild Rose Trails.

Council Member Jensen then reported that the next Second Sunday Concert would be presented by the 23rd Army Band September 11th at the golf course.

Council Member Porter reported that experts were unsure what had caused the algae bloom on Utah Lake and Jordan River and that speculation ranged from high temperatures to proteins added to the water from the water treatment plant. He also reported that the South Davis Emergency Preparedness Fair would be held September 24th at Wood Cross High School.

6. CITY ATTORNEY'S REPORT

David Church had nothing to report.

7. CITY MANAGER'S REPORT

Barry Edwards reported that a decision had finally been made regarding the PCE plume. The design process will start in January and construction will begin in 2018.

Mr. Edwards then reported on the cottonwood trees near the golf course and said that after further review, City staff feels that the trees are necessary for that area as they protect the homeowners from errant golf balls and add value to the area.

Brent Moyes reported that the cottonwood trees border the fairway near hole #11 on the north side of the golf course. Residents in the area have made complaints that the trees obstruct their view and spread seed/cotton. He said that the trees deflect damage to the homes by the course and that staff recommends keeping the trees as they protect the homeowners from harm and the Eaglewood patrons from potential liability. Staff has proposed other options including having the homeowners pay for tree removal and the planting of new trees such as pine or spruce. These residents would also be responsible and assume liability from damage caused by errant golf balls. He presented a PowerPoint presentation to those present which showed the estimated cost of the tree removal which includes \$2,500.00 for labor, \$150.00 for supplies, \$170 for fuel and dumping of the trees, \$1,500.00 to \$2,000.00 for stump grinding for a total of approximately \$4,820.00 for that small section of the cottonwood trees.

Mr. Moyes said that replanting with new trees would eventually cause the same issues with the obstructed view. New trees would cost around \$150.00 to \$200.00 per tree and \$200.00 to \$300.00 for the labor to plant the trees.

8. ADJOURN

Mayor Arave adjourned the meeting at 7:02 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
SEPTEMBER 6, 2016

FINAL

Mayor Arave called the meeting to order at 7:09 p.m. Council Member Stan Porter offered the invocation and led 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 James Hood

EXCUSED: Council Member Ryan Mumford

STAFF PRESENT: Barry Edwards, City Manager; Ken Leetham, Assistant City Manager; Paul Ottoson, City Engineer; David Frandsen, Public Works Director; 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: Norris Tukuafu, BSA Troop 1036; Dave Curtis, Pedro Salvador, National Commercial Properties; RJ Colosimo, resident; Brandon Johnson, Farnsworth Johnson, and many North Salt Lake police officers and their families.

1. CITIZEN COMMENT

There were no citizen comments.

2. SWEARING IN OF NEW POLICE OFFICERS: MADISON MAHOSKEY, STEVEN MARBLE

Mayor Arave stated that the City is very proud of its police department and the fine officers who serve the community.

Chief Black said that the police department had lost three officers due to a variety of reasons and that these officers being sworn in tonight would be filling vacant positions. He introduced Steven

Marble and Madison Mahoskey. Steven Marble has 13 years of law enforcement experience and the City is lucky to have him. Madison Mahoskey was referred by the Salt Lake City Police Department and has just completed the police academy.

Mayor Arave performed the swearing in of Officers Marble and Mahoskey.

Chief Black then presented Corporals Drca and Carlson and informed the Council that these two officers were being promoted to supervisors. He praised the officers and stated he was grateful for these trustworthy officers to help lead the department and protect the City.

3. PUBLIC HEARING AND CONSIDERATION OF RESOLUTION 2016-30R
AMENDING THE FISCAL YEAR 2016-17 REDEVELOPMENT FUND, CAPITAL
IMPROVEMENT FUND, PARKS CAPITAL IMPROVEMENT, ROAD CAPITAL
PROJECT FUND, AND GOLF ENTERPRISE FUND BUDGETS

Janice Larsen reported that these adjustments presented for the Fiscal Year 2016-17 budget are related to capital projects. The first item is to facilitate work near Lee's Market for \$58,000 which will reduce contributions to the fund balance. The second is for repairs to the City Hall roof for \$20,000. The third item is for \$15,000 for the Hatch Park expansion and will come from impact fee revenue. The fourth item is the Foxboro and Foxhollow road reconstruction for \$220,000 which will be transferred to the Road Project Fund from the Capital Projects Fund. The last adjustment will be to replace a SandPro machine at the golf course for \$20,000.

Mayor Arave asked if there was a warranty on the roof repairs for City Hall. Barry Edwards replied that there is no warranty and that while the problem was caused by the installation, it has been four or five years since it was installed and believes there would be no warranty.

Mayor Arave opened the public hearing at 7:24 p.m. for comment on Resolution 2016-30R. There were no comments and he closed the public hearing at 7:24 p.m.

Council Member Porter moved to approve Resolution 2016-30R amending the Fiscal Year 2016-17 Redevelopment Fund, Capital Improvement Fund, Parks Capital Improvement Fund, Road Capital Project Fund, and Golf Enterprise Fund Budgets. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen and Hood. Council Member Mumford was excused.

4. CONSIDERATION OF RESOLUTION 2016-31R APPROVING AMENDMENT NO. 1 TO INTERLOCAL COOPERATIVE AGREEMENT WITH DAVIS COUNTY PLANNING DEPARTMENT RELATING TO THE CONDUCT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Barry Edwards reported that the City has had previous success with this program. He said that the City is required to work with Davis County in order to participate in the Community Development Block Grant Program.

Council Member Jensen moved to approve Resolution 2016-31R approving the Interlocal Cooperative Agreement with Davis County Planning Department relating to the Conduct of Community Development Block Grant (CDBG) Program. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen and Hood. Council Member Mumford was excused.

5. CONSIDERATION OF AN AMENDMENT TO THE TOWNE PLAZA DEVELOPMENT AGREEMENT

Ken Leetham reported that this is a minor amendment to the Towne Plaza Development agreement. The developer has requested waiving the requirements for basements in five of the residential units in Phase 1 due to the significant slope and the difficulty in digging basements there. The tax increment reduction would be \$3,000 for the life of the agency for all five units as the homes would be worth less due to the decrease in square footage. The developer will pay for the cost difference.

Mayor Arave asked what the new square footage of the proposed units would be. Dave Curtis, National Commercial Properties, replied that the units would be 1,850 square feet now and that the basements were 700 square feet. He provided an update on the project and said that there are six framed units with two more pre-sold. The street facing units have not yet been sold and there has been a small delay with getting subcontractors to finish the work on time due to all the summertime construction.

Council Member Jensen moved to amend Exhibit C of the Towne Plaza development agreement to not require basements in the units built on Lots 108-112 as shown in the proposed amended exhibit, subject to the condition that the developer pay the estimated loss. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen and Hood. Council Member Mumford was excused.

6. AWARD THREE-YEAR CONTRACT BID FOR STREET STRIPING SERVICES IN THE CITY

Paul Ottoson reported that for the last ten years the City has gone out to bid for the street striping services. Staff typically receives three bids but this year, Mountain West Striping approached the City and said they would hold all the unit prices for the next three years if the City entered into an agreement. City staff recommends approving the agreement for a three year service. Mr. Ottoson said that the proposed price is per unit and could change if more streets are added in the future.

Council Member Horrocks moved to approve the three-year bid from Mountain West Striping for annual street striping services. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen and Hood. Council Member Mumford was excused.

7. AWARD OF STREET RECONSTRUCTION PROJECT FOR FOXHOLLOW AND FOXBORO DRIVES

Paul Ottoson reported that there is damage to sections of Foxboro and Foxhollow Drives. The bid opening was held today and four well-priced bids were received. Staker & Parsons was the low bid at \$142,921.00. Staff recommends awarding the bid to Staker & Parsons as they have the manpower and equipment to complete the job quickly.

Council Member Jensen asked when the project could be completed as Foxboro Drive is the main road to two schools in Foxboro. Paul Ottoson replied that the contract specifies that the work should be done in thirty days and that a traffic control plan will need to be submitted by Staker & Parsons.

Council Member Jensen asked if Cutler Drive would be completed by then as it could be used as an alternate route. Paul Ottoson replied that the work on Cutler Drive would be done by Woodside Homes and that the project would not start until October 1st.

Council Member Jensen moved to award the Foxboro and Foxhollow Drives resurfacing project to Staker & Parsons Companies for the price of \$142,921.00. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen and Hood. Council Member Mumford was excused.

8. CONSIDERATION OF ORDINANCE 2016-16 AMENDING TITLE 6, CHAPTER 2 OF THE CITY CODE CLARIFYING THAT THE REGISTERED OWNER OF A VEHICLE CAN BE HELD RESPONSIBLE FOR ALL PARKING VIOLATIONS AND REMOVING THE ANGLE PARKING SECTION AND ESTABLISHING AN EFFECTIVE DATE

Chief Black reported that the City Council adopted a proposed change that held the registered owner of a motor vehicle liable for violating the City's winter parking ordinance. The police department was then able to issue parking tickets to the owners of illegally parked vehicles. The police department has since found that there are parking violations which do not fall under the winter parking ordinance and it is now being proposed that the change for winter parking violations be extended to cover all parking violations. The proposed changes to the ordinance include clarifying that the registered owner of a vehicle can be held liable for all parking violations, the removal of angled parking, addition of certain signage and other minor wording deletions or additions.

Council Member Porter moved to adopt Ordinance 2016-16 amending Title 6, Chapter 2 of the City Code clarifying that the registered owner of a vehicle can be held responsible for all parking violations and removing the angle parking section and establishing an effective date of September 6, 2016. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen and Hood. Council Member Mumford was excused.

9. CONSIDER ADOPTION OF RESOLUTION 2016-29R AUTHORIZING THE ISSUANCE OF LEASE REVENUE BONDS BY THE LOCAL BUILDING AUTHORITY OF THE CITY

Barry Edwards reported that this resolution obligates the property that the Local Building Authority will use as collateral for the bonds. The proposed property is the properties the City hopes to acquire around Hatch Park.

Council Member Jensen asked if the properties are purchased if the City is funding or obtaining a bond. Barry Edwards replied that the City would bond and borrow the money with the properties to be used as collateral. The properties would then be rented out and those funds would be used to pay off the bond.

Council Member Jensen moved to approve resolution 2016-29R approving the issuance of the Local Building Authority of the City of North Salt Lake, Utah, Lease Revenue Bonds, Series 2016. Council Member Porter seconded the motion. The motion was approved by

Council Members Horrocks, Porter, Jensen and Hood. Council Member Mumford was excused.

10. CONSIDERATION OF FUNDING FOR EROSION CONTROL FOR R.J. COLOSIMO PROPERTY

Paul Ottoson reported that last spring there was significant snow melt and the property above R.J. Colosimo's home sloughed off onto his rear yard. City staff consulted with Hiram Alba at GeoStrata and asked what could be done to hold the land. Mr. Alba recommended putting in plantings and geo-grip fabric which would be pinned down approximately 2-3 feet deep and would cost approximately \$25,000.00. The other option is to reseed the area with a bonded fiber matrix mulch for \$900.00.

Mayor Arave asked if the area had been graded. Paul Ottoson replied that there was a bigger bulge and a small portion was removed but GeoStrata recommended only taking a small amount so as not to trigger more land movement.

Council Member Jensen asked if the total remediation plan gets completed with the addition of the buttress, if any work done on this section now would be removed in the future. Paul Ottoson replied that it is difficult to know what the courts will decide and if the remediation plan with the buttress will be required at that time. He said the addition of a buttress would take out a portion of this area.

David Church replied that this would not be wasted money to install the geotextile fabric and additional plantings. The litigation outcome would determine who pays whom for damages and who is responsible for the landslide. He said the resolution of litigation may include the completion of the remediation plan.

R.J. Colosimo, 745 Parkway Drive, commented that he believes the original remediation included a stone wall on his property. Paul Ottoson replied that after further discussion with GeoStrata that the area will just include re-vegetation at this time and not a stone wall.

R.J. Colosimo also commented that the City's land is falling onto his property continuously and said that the pinned fabric solution will hopefully prevent this from occurring in the future. He said it would not be acceptable to have to live with this problem until the litigation is completed.

Council Member Jensen asked if the other proposed treatment of reseeding with a bonded fiber matrix mulch was the same treatment the City did before. Paul Ottoson replied that last fall the

City put down a regular seed with a tackifier which is a type of adhesive. The bonded fiber mulch would absorb water and should work better.

Council Member Jensen asked if Mr. Colosimo has had to remove the dirt that has fallen onto his property. Mr. Colosimo replied that the contractor molded that dirt into the hillside. He said that he would rather have the City spend less money on the solution but the geotextile fabric should be more effective.

Paul Ottoson commented that there is no guarantee that the geotextile fabric will hold the land but the chances of success are greater than just reseeding.

The City Council members commented that the property could be reseeded multiple times for the cost of installing the geotextile fabric. Mayor Arave replied that if the land comes down there is no way to tell how much it would cost to clean up the property at that time.

Council Member Porter moved that the City Council approve \$25,000.00 to install improvements for the stabilization of the Colosimo lot. Council Member Hood seconded the motion.

Council Member Horrocks commented that the motion should be modified to say that the improvements not exceed \$25,000.00.

Council Member Porter moved to amend his motion to approve not more than \$25,000.00 for the stabilization of the Colosimo lot. Council Member Hood seconded the amended motion. The motion was approved by Council Members Horrocks, Porter, Jensen and Hood. Council Member Mumford was excused.

11. MAYOR'S REPORT

Mayor Arave had nothing to report.

12. ADJOURN INTO CLOSED SESSION TO DISCUSS PENDING LITIGATION

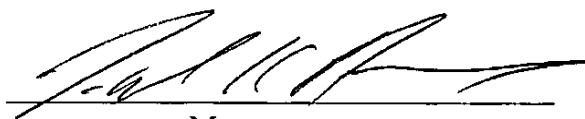
At 8:02 p.m. Council Member Porter moved to go into closed session to discuss pending litigation and the purchase of real property. Council Member Jensen seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen and Hood. Council Member Mumford was excused.

13. RECONVENE INTO REGULAR SESSION

At 8:33 p.m. Council Member Jensen moved to go out of closed session and into regular session. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen and Hood. Council Member Mumford was excused.

14. ADJOURN

Mayor Arave adjourned the meeting at 8:34 p.m. to begin the Local Building Authority Meeting.



Mayor



Secretary