

NORTH SALT LAKE CITY
CITY COUNCIL MEETING-WORK SESSION
FEBRUARY 16, 2016

FINAL

Mayor Arave called the meeting to order at 6:02 p.m.

PRESENT: Mayor Len Arave
Council Member Brian Horrocks
Council Member Matt Jensen
Council Member Stan Porter (electronically)
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 Jeff Bassett, Fire Chief; David Church, City Attorney; Brent Moyes, Golf Course Director; Linda Horrocks, Deputy Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Marty Peterson, Emergency Preparedness Manager.

1. DEPARTMENT REPORT-SOUTH DAVIS METRO FIRE

Chief Bassett reported on the year in review and said that 2015 saw the purchase of two new fire engines and an increase of six full-time employees per shift, which is the first increase since 1997. A fire district was also established which will allow bonding for capital improvements and the ability to obtain funding.

Call volume continues to increase and is up 5% since 2014. 80% of the calls are medical related including mental illness (suicide attempts), cardiac and injuries sustained in traffic accidents. There has been a 48% increase in working fires including fire and CO (carbon monoxide) alarms.

Council Member Mumford asked when there is a self-harm or overdose call if these are subsidized or who pays in these instances. Chief Bassett replied that typically either the individual will pay through insurance or in some instances they are unable to collect payment.

Barry Edwards commented that unless the fire department transfers an individual they cannot charge for the services provided on scene. Chief Bassett confirmed and said State law does not allow the department to bill if the individual is released without transport.

Council Member Mumford also asked if the department tracks repeat calls to individuals that request services multiple times a month. Chief Bassett replied that in those cases they try to contact family members or contact protective services. He said the trend is for larger departments to have clinics onsite or a nurse practitioner that will go on calls with the ambulance to assess the individual.

Chief Bassett commented that since the hiring of new employees in July there have been fewer events where there were not enough paramedics available to go on a call. Now the fire trucks and four ambulances are staffed. Even with the additional employees call volume has gone up and only allows staff to cover calls that were not being handled before. Staffing will need to be readdressed in the future as two ambulances are still not fully staffed and call volume continues to increase.

The 2015 call data incident location breakdown for Fire and Emergency Medical Services (EMS) includes: 1% in Farmington, 16% in North Salt Lake, 58% in Bountiful, 8% in Woods Cross, 4% in West Bountiful, 12% in Centerville and 1% in the County. North Salt Lake has had a 2% increase in call volume from last year.

The statistics for North Salt Lake from 2014 versus 2015 include a 13% call volume increase with nine working fires in 2014 and 23 fires in 2015. The staff has also added CO monitors to all their gear.

Mayor Arave asked if a majority of the fires seem to be due to socioeconomic factors and if they occur more in lower income areas. Chief Bassett replied that many are in assisted living centers, non-supervised areas and apartments. Typically fires occur because people get distracted while cooking, etc.

Chief Bassett then reported on the average response time department wide and that the goal is a four minute response. In 2014 and 2015 the response time had been steady but in 2014 it was still over six minutes for an EMS call and just under 6:28 for a fire call. In 2015 the EMS response time was 6:05 and the fire response was 6:20.

Chief Bassett then presented a video showing why newer homes burn quicker than those built 30 years ago and said it is due to the synthetic materials used to make furniture and other home furnishings. Individuals now have approximately 2-3 minutes to escape a fire versus 13 minutes

thirty years ago. He said the key is to have working smoke and carbon monoxide alarms and that when new furniture burns it causes the release of cyanide gas and other chemicals.

Future items to review include retention of staff including performing a salary survey, fire station upgrades, equipment needs, ambulance regulations, ladder trucks, air packs, call volume and staffing.

Chief Bassett commented that a majority of staff lost had gone to Salt Lake and Provo fire departments and that it is difficult to lose those that are already trained and experienced. He said that while the department has invested in training them they were only able to offer them part-time employment.

2. DEPARTMENT REPORT-PUBLIC WORKS/ENGINEERING

Paul Ottoson reported that City staff has been busy designing projects over the last few months and have several street projects out for bid. As contractors have not been working during the winter and are hungry for jobs, they are offering very good pricing which has allowed some projects to come in under budget.

The work on the landslide stopped just before Christmas due to the weather and will be postponed until March or April. Grading at the top of the crest is not completed and the utilities and road work still need to be done. The asphalt on Pace Lane may take some time to complete.

Mayor Arave asked if staff had been to the site to ensure that water runoff would not cause a problem. Paul Ottoson replied that staff had surveyed the site earlier that day and did not notice any issues on the landslide. The curb and gutters which had been placed will help with the runoff. The City has signed a contract with GeoStrata for long-term monitoring of the landslide with piezometers. They will perform four readings a year and report on any movement. This service will cost approximately \$7,000.00 per year.

Other Engineering projects include updating City standards, including standards for rights-of-way, and the addition of a double inlet box on Marialana Way to fix the flooding issues. Mr. Ottoson also reported on the Town Center development by Orchard Lanes and said that as part of the agreement with the developer, the City is responsible for putting in the water line and reconstruction of 130 East.

Mr. Ottoson reported that there have been weekly design meetings regarding the Center Street widening project and that staff has met with property owners to discuss right-of-way issues. As

there have been issues with the utilities, this project will be postponed until next year, and staff will put out for bids in the fall.

Mr. Ottoson also reported that the flood protection measures on Hole 13 at the golf course had been completed, but as staff has noticed other holes where water runoff may affect adjacent property owners. City crews will continue to work on the additional six to seven holes for better flood protection.

Mayor Arave asked if City staff could inspect the road above the Eaglewood fire station as it is in poor shape.

Council Member Jensen asked that City staff add Foxboro Drive, near the wetlands area, to the list of roads to repair.

3. APPROVE CITY COUNCIL MINUTES

The City Council minutes of February 2, 2016 were reviewed and amended. **Council Member Horrocks moved to approve the minutes of February 2, 2016 as amended. Council Member Mumford seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

4. ACTION ITEMS

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

Council Member Hood reported that the "Pay it Forward" Scholarship was over and that no one took advantage of the funds.

Mayor Arave commented that the NSL Live appointments need to be addressed at the next City Council meeting.

5. CITY ATTORNEY'S REPORT

David Church had nothing to report.

6. COUNCIL REPORTS

Council Member Hood reported that the Youth City Council (YCC) had been working on filling Easter eggs for the City's egg hunt.

Council Member Mumford commented that there had been a lengthy discussion at the Planning Commission meeting and that he would voice their concerns during the regular session.

Council Member Jensen reported that a resident had asked about snow removal on the sidewalks in the parks and felt that the City was not staying on top of shoveling the snow. He also said that the cub scouts in Foxboro asked if trees could be planted in Foxboro parks for Arbor Day.

Council Member Porter reported that March 9th will be the Communication Fair and that flyers will be put out to advertise.

7. ADJOURN

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

NORTH SALT LAKE CITY
CITY COUNCIL MEETING-REGULAR SESSION
FEBRUARY 16, 2016

FINAL

Mayor Arave called the meeting to order at 7:10 p.m. Council Member Matt Jensen offered the invocation and Christian Townsend, BSA Troop 1600, led those present in the Pledge of Allegiance.

PRESENT: Mayor Len Arave
Council Member Brian Horrocks
Council Member Matt Jensen
Council Member Stan Porter (electronically)
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; David Church, City Attorney; Brent Moyes, Golf Course Director; Linda Horrocks, Deputy Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Kristian Wang, Katie Wang, Jim Allen, Scott Williams, Tom Stuart, Laurie Evertsen, David Chipman, Charles Morris, Wes Welsh, Robert Powell, Larry Groves Mary Facer, Scott Coulam, Andrew Coulam, Mark Davidson, Judy Rogers, Scott Argyle, Greg Flinn, Janice Flinn, Bob Evans, Maureen Evans, residents; Benjamin Stevens, BSA 3340; Keaton Leihman, Mason Narff, Jamen Paddock, Jason H, Christian Townsend, Bryce Bingham, Nathan Paddock, Gary Andersen, Bountiful residents; Bill Gaskill, CSC Redwood Holdings L.C.; Brian Hunsaker, Reese Hunsaker, Domanic Vucketta, Eli Graff, Spencer Johnson, Seth Hawkins, BSA 1538.

1. CITIZEN COMMENT

There were no public comments.

2. PUBLIC HEARING RELATED TO THE CITY'S PROPOSED URBAN DEER CONTROL PLAN

Barry Edwards reported that last year the City Council passed an Urban Deer Control Plan which was reviewed and approved by the State. State regulations have since changed so the City resubmitted the plan and the State has now recommended two conditions before implementation, including a public hearing and a resident survey to gauge the depth of the problem in the community. The Urban Deer Control Plan is a culling program which will authorize groups to cull the deer in a specific season with the plan to eliminate 200 deer per season through a combination of trapping and hunting. City staff is in the process of compiling how many deer are in the City and estimate the number to be around 500.

Mayor Arave opened the public hearing at 7:17 p.m.

Charles Morris, 121 South Orchard Drive, commented that the deer have decimated all the plants on his property. He said he has worked for the Division of Wildlife for 20 years and that while he likes deer, he does not like them in his yard. He asked if there would be an archery hunt to remove them. Mayor Arave replied that the City had not determined the method for removal yet.

Maureen Evans, 934 East Springwood Drive, commented that she has also had issues and has lost a lot of money in landscape material due to the deer and that the Division of Wildlife Resources would not come trap them even though she had given them permission. She said the residents want the City take care of the problem and appreciates that the City penalizes residents for feeding them.

Laurie Evertsen, 572 East 175 North, asked when the survey would be sent out and when the season would start. Barry Edwards replied that he was unsure when the season would start and that he would follow-up with the Division of Wildlife Resources to find out. The survey will go out to residents this week and the application will then be resubmitted.

Mayor Arave closed the public hearing at 7:25 p.m.

3. GENERAL DEVELOPMENT PLAN-FOXBORO MARKETPLACE LOCATED AT APPROXIMATELY 600 NORTH REDWOOD ROAD, BILL GASKILL-CSC REDWOOD HOLDINGS L.C., APPLICANT

Ken Leetham reported that the 22 acres which constitute the General Development Plan for Foxboro Marketplace contains acreage on both the north and south sides of Foxboro Drive on the west side of Redwood Road. The property is zoned General Commercial (CG) with the Foxboro neighborhood to the west and the industrial park to the east. Changes to the original plan include three commercial pads versus two.

The north residential property consists of 102 apartment units in two buildings with garages and driveways in the rear and is similar to the Eaglewood Lofts project. City staff and the Development Review Committee (DRC) have spent time working with the developer on the site plan and circulation. The units face the courtyard and pool and the landscape plan features open space and walking pathways. There will be access to the property from Cutler Drive and from the neighboring commercial development.

Council Member Hood asked where the truck access for Lee's Market would be. Ken Leetham replied that there are two access points on Cutler Drive and a circulation plan has been developed.

Mayor Arave asked what type of fencing would surround the project and if there would be a sound barrier. Ken Leetham replied that staff has recommended wrought iron with landscaping along Redwood Road and split rail on the interior areas of the project. The project will require some buffering either with landscaping or a solid fence.

Ken Leetham then reported that these buildings will have modern architecture and that it has been proposed that the south buildings have different architecture. City staff has been working on a parking ratio for multifamily projects that is slightly different from City code. This project would have a proposed ratio of 1.5 spaces for a one bedroom unit, two spaces for a two-three bedroom unit and .25 spaces per unit for guest parking.

The developer has not done as detailed of a plan for the south multifamily development including the architectural work on the buildings or layout. If the City Council approves the General Development Plan they would be approving the specific architecture for the north multifamily development only.

The Planning Commission has determined that the south development will need to have similar layout, quality of design and architecture, amenities, open space and circulation as the northern development. The process for approval includes general development plan approval for the Planning Commission and the City Council, application for a Planned (P) District, public hearing, and then the rezoning of the property and adoption of the development agreement by the City Council.

Mayor Arave asked when the apartments are considered entitled. David Church replied that per his understanding of the process, this would be after the City Council approves the concept plan and the negotiation of the development agreement and when the property has been zoned as a P District. After the underlining zoning from General Commercial to P District, they are entitled.

Chris Robinson, CSC Redwood Holdings L.C., commented that they have owned this property since 1997 and that these two parcels represent the last parcels with Foxboro and the Legacy Nature Preserve. He said the Center Street owners want a complete solution as the Foxboro project was approved in 2003 and that they have sought commercial uses for this property but were only able to obtain approximately ten acres worth. The building of the north multifamily project will commence this year while the south parcel is a few years out and this is why there has been less time spent on the development of that area.

Mayor Arave opened the public hearing at 7:54 p.m.

Jim Allen, 902 Ramsey Court, commented about the south parcel development and said that the homes that face this property are some of the most expensive homes in Foxboro. He said a three story building will block his view of the mountains and that he does not support this. As there are already three story buildings in the north area the proposed development for a three story complex there is not an issue. Mr. Allen also commented that the gravel pit was supposed to be a commercial development and that it is now apartments as well. He said there are too many apartments with a transient population and that he would prefer two story townhomes in the area instead.

Kristian Wang, 491 Lynhurst Drive, commented that he is the chairman of the Community Council for Foxboro Elementary and said that the schools are already overpopulated. Foxboro Elementary has a capacity for 675 students and currently has 800, Odyssey Elementary is at capacity and Foxboro North is near capacity. He said if 200 housing units are added there could be 50-100 new children at the elementary school. Mr. Wang also asked if school safety had been considered as Spectrum Elementary is located across the street for the proposed grocery store. He also suggested that the multifamily housing be condensed to two stories as well.

Scott Coulam, 935 Hillingdon Court, commented that he is against additional high density housing and that this is not what was on the original development plan. He said the schools are overcrowded and that there are three schools within a mile of the proposed development and that there will be safety issues due to the increased traffic. Mr. Coulam said he is also concerned that there will be parking issues as the garages count towards the parking ratio. He is also concerned that there are too many apartments in the Foxboro area and that due to the lack of commercial interest, the City is settling for high density housing. He said he was under the impression that Lee's Market would come to the City without the need to add additional rooftops.

Fernando Camillo, 903 South Hampton Drive, commented that he has two concerns including more traffic near the schools in the morning and more traffic in general. The second concern is

that homeowners take care of their properties and that renters won't be as concerned. He would rather drive further to a grocery store than to have an increase in multifamily housing.

Mark Davidson, 1032 Manchester Drive, said he purchased his home in 2004 and that he was sold on the master plan that he viewed at that time. He urged the Council to stick with the original master plan.

Robert Powell, 992 Amberly Drive, asked how this would impact the community and said that the current water pressure is already low. He asked if a traffic study had been done, and if an additional stop light on 900 North, and additional police and elementary schools would be required.

Bill Gaskill, CSC Redwood Holdings L.C., commented that he is the developer of the commercial property and has been working with the landowners for 18 months on the proposed plan. He has built six grocery stores and said that thinking long term for the good of the grocery store that there needs to be more rooftops.

Council Member Jensen commented that Lee's Market talked to the City and has already agreed to come so the argument for more rooftops is hollow. Bill Gaskill replied that market studies identify that population and income defines the size of a store. He said Lee's wants to build a bigger store to be competitive, the landowners want to finish this development as the property has been vacant for a long time and that this is the best plan for development.

Mayor Arave asked if a traffic study would be done. Bill Gaskill replied that traffic had been reviewed and originally it had been determined that no access be provided off Cutler Drive but it will remain open for residents to access the shopping center. Truck access will also be on Cutler with a wall to block the view of trucks unloading.

Mayor Arave also asked how many school age children are anticipated in these housing developments. Chris Robinson replied that they are not projecting a lot of children here as the units will be targeted towards millennials and said there would not be 150 children in the 200 units as somebody mentioned earlier.

Chris Robinson also said that currently Cutler has been blocked off and when it becomes a through street this will free up some of the current bottleneck and traffic issues with the street extension.

Mayor Arave asked if the buildings could be two stories tall on the southern parcel. Chris Robinson replied that the existing homes are far enough away that a three story building will not make much of a difference.

Council Member Mumford commented that City staff came back with a better solution than what was originally presented by the developer. The apartments on the north side make sense as they are near other apartment complexes, but apartments on the south side will make it difficult for other new development there. The south development needs to be townhomes or another housing development such as single family homes. He then said he voted in opposition to this development in the Planning Commission meeting and unless the plan is changed he will vote in opposition again tonight.

Council Member Jensen commented that the grocery store will come without additional apartments in the area and said the City is not approving just these apartments. He said developers always have two plays to give the City - something they want if they also take something they don't want. They also put in time constraints so that the City has to accept the development without adequate time to review. Council Member Horrocks stated that he is in agreement with Council Member Jensen.

Council Member Hood said that the City does not need any more apartments or students in Foxboro, but that they do need a grocery store and retail in that area. He also said that the delivery trucks will not be able to access the driveway safely and that the shared access to the apartments would be difficult.

Council Member Porter commented that there may be other options for the land that may be less acceptable but are permitted, such as a four story building. He added that while the north property apartments are acceptable, the south property apartments should not be approved.

Mayor Arave clarified that the Planning Commission is a citizen's committee that makes recommendations to the City Council and can approve or deny applications. He asked if the Planning Commission had expressed any concerns. Ken Leetham replied that all items were discussed and that the Commission had similar concerns as well as City staff which is why six conditions for approval have been proposed. He also said that Cutler Drive will be improved and that the proposed plan for the north parcel is a good land use plan.

Mayor Arave asked if the Thurston Parcel could be used. Barry Edwards replied that while the City has talked about expanding onto that parcel, it is currently leased and the tenant has no immediate plans to change the use of the property.

Scott Coulam commented that he was unsure if this process has been done in the public eye as he first became aware of the proposed apartment development last week. He said that the City could wait another 20 years as a grocery store is needed but not at the cost of additional apartments.

Mayor Arave explained that the Planning Commission and other meetings are public meetings and that the process for approval includes a developer presenting a plan to City staff, the DRC reviews the project and presents the plan to the Planning Commission, then a public hearing is held.

Council Member Jensen said that he shares the public's frustration as he was unaware that additional apartments were proposed. He said that there are potential alternatives that are more palatable than apartments. Council Member Mumford said he agrees with Council Member Jensen and that since there are apartments adjacent to the proposed north development that a compatible use would need to be placed there which would allow for more apartments, but that he does not want apartments in the south parcel.

Ken Leetham asked if there was a portion of the plan that the Council felt they could or could not approve. Mayor Arave clarified that while the City Council is opposed to the south apartments there are some Council members who would consider the north apartments. He said the options are to approve as is, deny, or consider a modified plan. He asked if there was a desire to table this plan.

Chris Robinson commented that they are not a "fly by night" developer and that their company headquarters is located in the City. They intend to own the apartments and the shopping center. He said they have committed to Lee's that they will be open by Thanksgiving and do not want to table the plan.

Council Member Mumford said that the City had already approved Lee's Market as part of the CDA (Community Development Area). Chris Robinson replied that they do not want to figure out the rest of the development at a later date and would like to have a final resolution on the land use. He said he does not want to give or receive an ultimatum or force the City to swallow something unpalatable but that these apartments will be nice and managed well.

Chris Robinson asked if the next step of tabling the item would allow them to come back with other options. Barry Edwards replied that the opportunity to take more time to absorb the plan is viable and that the developer can bring the plan back in two weeks. The normal approval process includes negotiation of the development agreement, a public hearing, rezoning to a P District, presentation to the Planning Commission and approval, then approval by the City Council.

Mayor Arave commented that the City can approve the north development now and the south parcel and P District can be approved jointly at a later date.

Council Member Porter moved that the City Council approve the General Development Plan for Foxboro Marketplace located at approximately 600 North Redwood Road with the following findings and subject to the following conditions:

Findings:

- 1. The General Development Plan conforms to the City's comprehensive General Plan;**
- 2. The plan meets all requirements of the development code.**

Conditions:

That the development agreement be commenced and include the following:

- 1. Commercial & Residential for sign height, size, multi-tenant, design aesthetic;**
- 2. Fencing permitted as presented on the site plan with wrought iron and decorative split rail;**
- 3. Commercial architectural design elements and standards which are similar in quality and design to the approved Lee's Market;**
- 4. Pedestrian access to the trail along Redwood Road be provided via the residential area;**
- 5. Landscape plans for the area similar in design and quality; the south area will be allowed some residential but not at the current density;**
- 6. Parking approved at a ratio of 1.5 spaces/1 bedroom unit, 2 spaces/2-3 bedroom unit, and 0.25 spaces per unit guest parking.**

Council Member Mumford commented that if he understands the motion correctly the developer cannot come back and just develop the north parcel. Council Member Porter said that they can just develop the north piece and that the developer cannot develop the south piece at the current proposed density.

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

Mayor Arave clarified that there will be a public hearing held before the property is rezoned to the P District. There is not vesting that has currently been approved but this application will go forward through the development process.

4. GENERAL DEVELOPMENT PLAN-WILLIAMSBURG LUXURY APARTMENTS
LOCATED AT APPROXIMATELY 256 SOUTH HIGHWAY 89, JOHN TEBBS,
BONNEVILLE BUILDERS, APPLICANT

Ken Leetham reported that this plan for multi-family is a similar process to the last application. There have been changes to the Commercial Highway (CH) zoning district recently which encourages multi-family in certain areas of the City. City staff feels that this proposed development is an excellent land use provided the architecture is done well. It conforms well as a gateway feature to the City and will work well with the proximity to the Towne Center. The proposal is for 214 units on six acres with 10,000 square feet of retail on the main level. The project features a five story building with underground parking, elevators, a clubhouse and pool.

Parking requirements will have a proposed ratio of 1.5 spaces for a one bedroom unit, two spaces for a two-three bedroom unit and .25 spaces per unit for guest parking and will also share parking with the retail development. The developer is working to gain pedestrian access to Highway 89 from UDOT and possibly extending the roadway off the property onto a UDOT parcel. The concerns for safety are related to access and circulation including access to Highway 89 and access to the Bus Rapid Transit (BRT) station and Eaglewood Village.

Other concerns include the fencing along the freeway and on the east side of the property and whether this should be solid fencing. The Planning Commission has expressed a preference against vinyl fencing for this property.

Mr. Leetham then said that there will be a trail on the northwest corner of the property extending to Hatch Park and that other amenities need to be specified in the development agreement as the current general development plan is lacking some amenities for a development of this size.

Council Member Mumford commented that the other issue that the Planning Commission discussed was geotechnical testing and access to the UDOT parcel which would allow for the removal of the crash gate and the addition of a community plaza, etc.

Council Member Horrocks commented that he is acquainted with John Tebbs and has worked with Bonneville Builders before.

Mayor Arave opened the meeting for public comment at 9:49 p.m. There were no public comments and he closed the public comment hearing at 9:49 p.m.

Council Member Horrocks moved that the City Council approve the general development plan for Williamsburg Luxury Apartments located at approximately 256 South Highway 89 with the following findings and subject to the following conditions:

Findings:

- 1. The General Development Plan conforms to the City's comprehensive general plan;**
- 2. The plan meets all requirements of the development code.**

Conditions:

The following items to be memorialized in the Development Agreement:

- 1. Commercial and residential sign information regarding height, size, multi-tenant, design aesthetics;**
- 2. Fencing shall be solid fencing materials on the west side of the property adjacent to I-15 and on the east side of the property fencing shall be subject to negotiations regarding materials and height;**
- 3. Pedestrian access to the master planned trail at the northwest corner of the property should be sought;**
- 4. Parking approved at a ratio of 1.5 spaces/1 bedroom unit, 2 spaces/2-3 bedroom unit, and 0.25 spaces per unit guest parking;**
- 5. Amenities shall be further negotiated and enumerated within the development agreement;**
- 6. Geotechnical studies and geological hazards will be investigated with regard to the topography and likely fault line where the buildings are located;**
- 7. Examination of transportation options will be considered, including Bus Rapid Transit;**
- 8. Applicants shall attempt to expand access through the south side of the development (UDOT property) to create an intersection with Eagle Gate Drive and the potential for a street light and crosswalk in that area thereby eliminating the need for the crash gate;**
- 9. With regard to the fencing issue on the east, that the DRC and the developers come back with a proposal for fencing or a landscape barrier for the Planning Commission to review.**

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

5. CONSIDERATION OF AN ACCESS AGREEMENT FOR PROPERTY AT 23 SOUTH VALLEY VIEW DRIVE TO BE ACCESSED FROM CITY PROPERTY KNOWN AS STEEL TANK ROAD

Paul Ottoson reported that Greg Flinn, 23 Valley View Drive, has lived at this location for many years and has difficulty accessing the rear of his property for yard maintenance unless he uses the City's access road. Mr. Flinn has approached the City about using this access point and will install a gate that he would keep locked except to do maintenance to his yard. The City's attorney has written up an agreement which would allow access.

Council Member Mumford asked if residents can encroach onto City property along the access road. Paul Ottoson replied that encroachment would be difficult as there is a fence there now.

Barry Edwards commented that City staff recommends granting access to residents per the City's access road.

Council Member Horrocks moved that the City Council approves an access agreement for the use of real property located at 440 East Center Street. Council Member Hood seconded the motion. The motion was approved by Council Members Porter, Jensen, Horrocks, Mumford and Hood.

6. DISCUSSION OF SPECIAL USE PERMITS AND POSSIBLE FEES RELATED TO THE USE OF THE LEGACY PARKWAY TRAIL, JON RUECKERT

Jon Rueckert reported that the City has recently received multiple applications requesting to use the Legacy Trail. The DRC feels that the applicants may be requesting overuse of the trail and questioned whether there should be a fee for use of the trail. He talked to the other cities which share the trail including Woods Cross, Centerville, Farmington and West Bountiful, and currently no other cities require an application to use the trail. City staff would like to know if the City Council would like to regulate the use of the trail and if a fee should be applied. Per the application the applicants would submit liability insurance for use of the trail.

Mayor Arave asked if these events would require the use of City resources. Jon Rueckert replied that City resources were not used but that there may be an issue with parking and that the application process would help regulate that.

Mayor Arave also asked if there had been complaints from residents. Barry Edwards replied that prior to the application process there were some complaints.

Council Member Mumford said that these types of events should be encouraged in the City but that it is important to maintain the expectation that cleanup after events, etc. must be done.

Council Member Jensen commented that these events will be canceled if they are charged an application fee.

Council Member Porter was also in agreement that no fees should be charged for events held on the Legacy Trail this year.

7. CONSIDERATION OF BID AWARD FOR THE 500 NORTH STREET
RECONSTRUCTION PROJECT, STAKER PARSON COMPANIES, \$153, 688.10

Paul Ottoson reported that with the FedEx expansion, 500 North and Franklin Parkway will be the new route for delivery trucks. 500 North is in bad shape and requires reconstruction. Mr. Ottoson said that bid pricing was very good as the original engineer's estimate was \$205, 907.35 and that City staff recommends awarding the bid to Staker Parson Companies for the price of \$153, 688.10.

Council Member Jensen moved to approve the bid from Staker Parson Companies for the 500 North Street to 400 West to Franklin Parkway reconstruction project for \$153, 688.10. Council Member Mumford seconded the motion. The motion was approved by Council Members Porter, Jensen, Horrocks, Mumford and Hood.

8. CONSIDERATION OF BID AWARD FOR THE STREET OVERLAYS IN THE
SPRINGWOOD NEIGHBORHOOD, STAKER PARSON COMPANIES, \$187, 450

Paul Ottoson reported that the streets to be repaired include Springwood Drive, Springwood Circle, Springridge Drive, Springridge Circle and Lilywood Lane. These will be asphalt overlays, and City staff received seven bids. Staker Parson came in as the lowest bid at \$187, 450.00.

Council Member Hood moved to award the bid for "Street Overlays in the Springwood Neighborhood" to Staker Parson Companies for the price of \$187, 450.00. Council Member Mumford seconded the motion. The motion was approved by Council Members Porter, Jensen, Horrocks, Mumford and Hood.

9. MAYOR'S REPORT

Mayor Arave had nothing to report.

10. CITY MANAGER'S REPORT

Barry Edwards had nothing to report.

11. ADJOURN INTO CLOSED SESSION TO DISCUSS THE ACQUISITION OF REAL PROPERTY

At 10:13 p.m. Council Member Jensen moved to go into closed session to discuss pending litigation and acquisition of real property. Council Member Mumford seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.

12. CLOSED SESSION TO DISCUSS PENDING OR IMMINENT LITIGATION AND THE PURCHASE OR SALE OF REAL PROPERTY

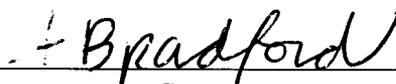
At 10:25 p.m. Council Member Jensen moved to go out of closed session. Council Member Horrocks seconded the motion. The motion was approved by Council Members Hood, Horrocks, Porter and Jensen. Council Member Mumford was excused.

13. ADJOURN

Mayor Arave adjourned the meeting at 10:25 p.m.



Mayor



Secretary