

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – WORK SESSION
JANUARY 4, 2011

Mayor Len Arave called the meeting to order at 6:15 p.m.

PRESENT: Mayor Len Arave
Council Member Stewart Harman
Council Member Brian Horrocks
Council Member Conrad Jacobson
Council Member Matt Jensen
Council Member Stan Porter

STAFF PRESENT: Barry Edwards, City Manager; Brian Passey, Assistant City Manager and Finance Director; Ken Leetham, Economic Development Director; Rod Wood, Public Works Director; Paul Ottoson, City Engineer; Chief Craig Black, Police Chief; Dave Church, City Attorney; Ryan Rhees, Golf Course Director; LaRae Dillingham, City Recorder; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Doug Gibbons, Chris Bias, Kern River.

1. RYAN RHEES

Mr. Rhees informed the Council that he has accepted a position at a golf course in Spanish Fork and will be leaving the City. He thanked the Mayor and Council for their support over the years.

2. ROD WOOD – PUBLIC WORKS REPORT

Rod Wood reported that the secondary water feasibility study is in progress, and it is scheduled to be done by the first of April.

Paul Ottoson stated that he has nothing to report.

3. KEN LEETHAM – ECONOMIC DEVELOPMENT REPORT

Ken Leetham reported that the City has received nine responses on the general plan revision bid process. All nine companies put together teams for land use planning, transportation, and economic analysis. He will be interviewing the firms next week, and they hope to have a hiring recommendation to the City Council two weeks from tonight. The Council can then make a decision. He added that many of the teams stated that they are able to do the work in a 4-5 month period of time. June 1st was the date given to them by which we wanted to adopt the new plan, and Mr. Leetham believes that is feasible.

Mr. Leetham reported that he is working on a new draft for sign regulations, changing the site plan process for non-residential development, and they are reevaluating the code to determine

better categories for each item. He is not attempting to relax the City's standards, but to have a clearer, friendlier code for developers. He stated that the City does have some barriers to economic development within the current code.

Mr. Leetham reminded the Council of the transportation proposals, as seen on the 2040 regional transportation plan, and stated that they are continuing to participate in this planning process with the Wasatch Front Regional Council.

Other items Mr. Leetham's department is working on include some development plans for the upper units in Eaglewood, and then the lower. Sky Properties is also modifying their development plan from the large buildings in Bella Vida to single family homes. He stated that staff has noticed some engineering difficulties in the first review of the plan. The recorded plat has one additional building that they will finish, for a total of 2 buildings. (The original Bella Vida plan was to have five large buildings.)

4. ACTION ITEMS

The action items list of December 7, 2010 was reviewed. Completed items were removed from the list; incomplete items will remain on the list.

The Uniting neighbors meeting will be held next week. It should be noticed on the web site and with a mass e-mail.

Social media – Barry reported that he signed up for a meeting with other cities, etc. on this issue on Jan. 19.

Ken will follow up on CDBG grant process.

5. KERN RIVER GAS TRANSMISSION COMPANY – DOUG GIBBONS

Doug Gibbons, Kern River, addressed the Council to discuss re-vegetation of the right of way, and also a supplemental re-vegetation plan. Mr. Gibbons stated that they are regulated by a federal group whose main concern is erosion, so the land needs to be quickly re-vegetated to prevent that. A supplemental reclamation plan then steps in and improves the landscape to standards set by cities, or landscapers. This allows overplanting of trees, etc. to restore the existing right of way, as well as the new right of way to mask the impact of the pipeline.

6. ADJOURN

Mayor Arave adjourned the meeting at 7:10 p.m. to begin the regular session.

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – REGULAR SESSION
JANUARY 4, 2011

Mayor Len Arave called the meeting to order at 7:20 p.m. Council Member Brian Horrocks offered the invocation, and R. J. Parker, BSA Troop 431, led those present in the Pledge of Allegiance.

PRESENT: Mayor Len Arave
Council Member Stewart Harman
Council Member Brian Horrocks
Council Member Conrad Jacobson
Council Member Matt Jensen
Council Member Stan Porter

STAFF PRESENT: Barry Edwards, City Manager; Brian Passey, Assistant City Manager and Finance Director; Ken Leetham, Economic Development Director; Rod Wood, Public Works Director; Paul Ottoson, City Engineer; Chief Craig Black, Police Chief; Dave Church, City Attorney; LaRae Dillingham, City Recorder; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Jacob and Nicole Case, Don Magnuson, Paul Warnock, Allen Tidwell, residents; Steven and Karen Morgan, BSA Troop 1330; Alli Parker, R.J. Parker, BSA Troop 431; Doug Gibbons and Chris Bias, Kern River.

1. CITIZEN COMMENTS

Donald Magnuson, resident of 12 Angela Way, stated that the road between “here” (city offices?) and Lacey Way is a problem, but did not go into much detail. He then said the deer in the area are a huge problem. He believes the deer multiply by a third every summer, and he has a real issue with them. He stated he has tried everything and does not know what else to do and would like the City to be proactive.

The Council agreed to discuss it at a future meeting.

2. CONSIDERATION AND POSSIBLE APPROVAL OF A RECIPROCAL
ENCROACHMENT AGREEMENT FOR PARKWAY DRIVE WITH KERN
RIVER GAS TRANSMISSION COMPANY

Paul Ottoson reported that a sub contractor for Kern River was not able to do his work without getting within 24 inches of the City’s utility lines under Parkway Drive. The earth is bedrock, and very difficult to manipulate. This agreement allows either the City, or Kern River, to install pipes or utilities up to a 12 inch clearance of either pipeline, if needed. Staff recommends approval of this agreement.

Chris Bias, Kern River, stated that a 24 inch clearance is something they regularly strive to achieve, but it can often be difficult when dealing with urban neighborhoods. He stated that Kern River will maintain separation by putting a barrier between the pipes. There is adequate separation for surface transportation, and all excavation is done by hand, closely monitored in these tight areas.

Council Member Harman pointed out a typo in Par.13. Any dispute will not lie in Third Judicial District Court in Salt Lake County, but in Federal District Court. David Church said he will have that fixed. The Council also wanted Par. 8 and 10 to mirror each other.

Council Member Jacobson moved to approve the Reciprocal Encroachment agreement for Parkway Drive with Kern River Gas Transmission Company as discussed. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

3. CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE NO. 2011-1 AMENDING THE NORTH SALT LAKE CITY ZONE DISTRICT MAP BY CHANGING THE ZONING OF APPROXIMATELY 0.27 ACRES OF LAND LOCATED GENERALLY AT 135 EAST CENTER STREET FROM RESIDENTIAL DISTRICT R1-12 TO HIGHWAY COMMERCIAL DISTRICT C-H

Ken Leetham stated that he originally recommended this parcel be rezoned to RM-20 (to avoid applying for a reduction in lot size); however, after discussion with the Planning Commission, they determined, and Mr. Leetham concurred, that the property should be zoned C-H. The use for the property will still come before the Council as a site plan.

The Council asked about the large trees on the property. Mr. Warnock stated that the large tree to the left of the garage will stay, as well as some of the pine trees in the back. However, there are some unhealthy trees in the back that will need to be removed.

The fence will also be removed, as Mr. Warnock believes it will be safer for the children in the area.

Council Member Harman moved to approve Ordinance 2011-1 amending the North Salt Lake City zone district map by changing the zoning of approximately 0.27 acres of land located generally at 135 East Center Street from Residential District R1-12 to Highway Commercial District C-H. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

4. DISCUSSION OF PENDING ILLEGAL IMMIGRATION BILLS AND DIRECTION TO STAFF

Barry Edwards addressed this issue and stated that if the illegal immigration bill is passed by the legislature, it will require more of the City's police resources than are currently available. It would place a large burden upon an already tightly run department.

Council Member Horrocks stated that the Federal Government should do their job in dealing with immigration, rather than placing the added responsibility on cities. He supports the policy position proposed by Barry Edwards.

The Council has communicated with Representative Edwards about this issue, and hopefully she knows of the burden it places on the cities.

Council Member Porter stated that civil matters should be treated as civil matters, and criminal matters should be treated as such.

Council Member Jacobson stated that he does not agree with the current proposed legislation either.

Council Member Jensen stated that the current proposed legislation would make it less likely that an illegal immigrant would feel safe in reporting a crime against them, and they should also feel that reassurance, if necessary.

The Council directed Barry to inform the legislature, if asked, that they are sympathetic to this issue, but they do not feel it is the cities' responsibility to police this issue.

5. CONSIDERATION AND POSSIBLE ADOPTION OF ORDINANCE NO. 2011-2
REVISING, CODIFYING AND COMPILING THE GENERAL ORDINANCES OF
THE CITY OF NORTH SALT LAKE

Council Member Porter moved to continue this motion to a later date to give the Council time to review the code. Council Member Jacobson seconded the motion. The motion was approved by Council Member Jensen, Horrocks, Porter, Harman and Jacobson.

6. CITY MANAGER'S REPORT

Barry Edwards reported that in tonight's Woods Cross City Council meeting, they are discussing discontinuing their police force and contracting with the North Salt Lake Police Department. Chief Black feels it would be a great opportunity to have an expanded police department; there are some real advantages to this.

The Council agreed that this could be beneficial for both cities.

Mr. Edwards reported that staff is continuing to work with the South Davis Water District in finding an acceptable arrangement to purchase water. Initially, the City would pay for some improvements the District needs. In turn, the City would then have a right to wheel water through their system at one rate, and then have the right to purchase additional water from them at a significantly reduced rate (in the \$20-25 an acre foot range). South Davis Water has a thousand acre feet extra that we could potentially purchase at \$20 an acre foot, a significant decrease from what we are paying Weber Basin. He stated that they will continue discussions, hand in hand with the feasibility study.

Mr. Edwards stated that they are working with Matt Rifkin, from Interplant, to solve the issue of the roadway out of Lakeview Rock Products and Eaglewood Village. Next week there should be some schematics showing possible solutions.

7. APPROVE MINUTES

The City Council minutes of December 7, 2010 were reviewed and amended. **Council Member Horrocks moved to approve the work session and regular session minutes as amended. Council Member Harman seconded the motion. The motion was approved by Council Member Jensen, Horrocks, Porter, Harman and Jacobson.**

The City Council minutes of December 9, 2010 were reviewed. **Council Member Porter moved to approve the December 9, 2010 minutes as written. Council Member Harman seconded the motion. The motion was approved by Council Member Jensen, Horrocks, Porter, Harman and Jacobson.**

8. CITY ATTORNEY

Dave Church reported that the Woodside Homes litigation is still in process. He added that City staff has been working very hard on plans, permits, reviews, etc. Depositions are scheduled for several staff members.

Mr. Church stated that Lakeview Rock Products is challenging the City's site plan for Eaglewood Village on the access road. A hearing will be held January 17th on that issue.

9. MAYOR'S REPORT

Mayor Arave reported that the Elks Lodge is holding their annual Citizen of the Year awards. He received several recommendations for North Salt Lake's citizen, and it was decided that Robert Drinkhall would be chosen as the recipient. A meeting on January 12th at the Elks Lodge will be held to honor Mr. Drinkhall, as well as two of the City's police officers.

Mayor Arave reported that there was a recent incident where a citizen had some problems with Lakeview Rock Products (LRP) and blasting, which has resulted in some additional restrictions on LRP. They are now required to give additional notice and have a blast expert in attendance when blasting.

The Mayor then proposed an activity called "Lunch with the Mayor" where school age children would have an opportunity once a month to meet the Mayor, etc. He asked the Council to let him know of any concerns; otherwise, he plans to move forward with those plans.

10. COUNCIL REPORTS

Council Member Horrocks asked about the Local Officials Day at the Legislature sponsored by the Utah League of Cities and Towns. LaRae Dillingham reported that it is January 26th, and any of the Council should let her know if they want to attend.

Council Member Porter commented that the next step with Kern River would be to come up with the City's own re-vegetation plan and present it to Kern River. He suggested consulting someone with expertise in this area, and putting together a counter offer to Kern River's plan. He added that what they are proposing is not what the City expected.

Mayor Arave asked Council Member Porter to have the Parks and Trails Board look at what Kern River is proposing with their re-vegetation, and possibly come up with a counter-offer that is more in-line with what the City wants to see.

Council Member Harman stated that he received enough feedback from other members of the Council about the public input relating to the proposed east bench property, so he went back and reviewed all of the comments, both e-mail and handwritten comments from open houses. He then removed the 64 people who were not residents of NSL.

Council Member Harman stated that Category 4 – absolutely no cemetery (came in 2nd) after Category 2. Only seven people commented that they wanted a cemetery. Twenty four were in favor of NO cemetery... people that specifically did not want a cemetery. Interestingly, there were more comments stating they didn't want a cemetery, or that wanted option 1, and came in second, only to wanting Option 2.

Council Member Porter stated that this comment period should not be the only one considered, as it is not representative of the majority of opinions of the City.

Mayor Arave stated that so few people expressed an opinion that it was statistically invalid.

The Mayor stated that the City has a representative form of government, and this elected body chose to move forward and fund design plans for this parcel of property.

Council Member Jensen stated that he discussed the cemetery with residents while campaigning. If the populace does not like the way the Council votes, they will not be re-elected.

Council Member Harman stated that we went to the trouble of gathering public comment, and then basically threw out those comments.

11. ADJOURN

Mayor Arave adjourned the meeting at 8:46 p.m.

Mayor

Secretary

New Action Items
January 4, 2011

- ___ 1. Action: Ken follow up on CDBG grant process.
- ___ 2. Action: Stan - have Trails Committee look at what Kern River is proposing with their re-vegetation and possibly come up with a counter-offer that is more in-line with what the City wants to see.

-----Carry Over Items -----

- ___ 1. Action: Review mid-year budget amendment - put lights for Cutler Drive on next year's budget, if doesn't work for this year. (Six lights needed, assuming they are wanted where the trail meets the road at a cost of \$10-12,000.) *In preparation for a budget amendment in the Spring of 2011, Rod will obtain a firm bid to install new street lights on Cutler, Foxhollow and Foxboro Drives.*
- ___ 2. Action: Chief/Barry – look at court revenue numbers and identify reasons for 18% decreases each year. *(They have talked with everyone, including the Prosecutor and Public Defender, and are still trying to figure it out.)*
- ___ 3. Action: put green waste pick up on future agenda outlining more details. *(A staff committee has been formed and assigned to study and evaluate this assignment and report back to the Council. It is anticipated that this group would report back to the Council on January 18, 2011, but are waiting for a price from Waste Management.)*
- ___ 4. Stan – Have Troy Duffin fix the trail that Eaglewood Village messed up. (Spring) – (\$7,600).
- ___ 5. Barry Edwards said they should probably look at the situation (Foxboro parking – all over the place) and see if there are any possible solutions. *(Paul has put together a color coded map for the Police Department showing which streets are public and private, including the HOA streets. This should help the police know on which streets they can enforce the parking ordinance.)*
- ___ 6. Action: Staff - look into possible crosswalk at Eagleridge (617 E.) and Ridgetop Circle – flashing lights on Lofty Lane? *(Paul met with the Safety Committee and will report their recommendation at the January 18th Council Meeting.)*
- ___ 7. Council Member Harman – prepare a proposal for the Council on the Community Council reporting at the Uniting Neighbors Meetings.

- _____ 8. Action: Stan - update on web advisory board and social media. (*Barry Edwards stated that the City is waiting to hear from the woman at Deseret News who is going to make a proposal for the City.*) Barry has signed up for an upcoming class on this.

- _____ 9. Action: Ken Leetham - work to get important thoroughfares cleaned up, i.e. Hwy. 89, Redwood Road, etc.

- _____ 10. Action: Rod – Landscape Eagleridge water tank - (*Rod says budget needs to be increased – discuss in budget meeting.*)