

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – WORK SESSION
MARCH 20, 2012

Mayor Arave called the meeting to order at 6:06 p.m.

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

EXCUSED: Council Member Matt Jensen

STAFF PRESENT: Barry Edwards, City Manager; Brian Passey, Assistant City Manager and Finance Director; Ken Leetham, Community and Economic Development Director; Rod Wood, Public Works Director; Paul Ottoson, City Engineer; Brent Moyes, Golf Course Director; David Church, City Attorney; Marta Nielsen, Deputy Recorder and Administrative Assistant; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Marty Peterson, Emergency Preparedness Manager; Gary Davis and Karen Anderson, Emergency Preparedness representatives and residents.

1. EMERGENCY MANAGER'S REPORT

Marty Peterson reported that FEMA has agreed to reimburse the City for approximately \$6,000 for expenses incurred in the wind storm.

Mr. Peterson reminded everyone about Shakeout 2012 being presented in April by the State of Utah. Regarding staff's responsibilities, Barry Edwards asked Rod Wood to direct things the employees are going to do that day.

There have been many dust complaints near the new Crestpointe development. Mr. Peterson stated that there have been so many windy days lately that it has been difficult for the developers to keep up with the dust.

Mr. Peterson reported that there will be a South Davis Preparedness Fair on October 13, 2012 at Woods Cross High School. He then distributed copies of the Public Officials Guide for Emergency Preparedness to the Council.

Council Member Porter asked about a pre-disaster mitigation plan with some of the businesses through the City who might be impacted. Mr. Peterson stated that Rod Wood and Chief Black were getting involved with that.

2. ACTION ITEMS

The list of action items from February 21, 2012 will be reviewed electronically (e-mail).

3. APPROVE MINUTES

The City Council minutes of February 21, 2012 were reviewed. **Council Member Jacobson moved to approve the City Council work session and regular session minutes of February 21, 2012 as written. Council Member Harman seconded the motion. The motion was approved with Council Members Horrocks, Porter, Jacobson and Harman. Council Member Jensen was excused.**

4. COUNCIL REPORTS

Council Member Porter stated that as part of the Community Covenant signing, they would like to have a shotgun golf tournament on May 19, 2012 at 1:30 p.m. for military personnel with a ceremony to sign the community covenant that evening at 6:00 p.m. The military will provide an honor guard flag ceremony that day, and he noted that it is also Armed Forces Day. To participate in the golf tournament, individuals should be residents of the City and should show military ID. Barry Edwards stated that if individuals do not have their ID, they should be taken at their word and be allowed to participate.

Council Member Porter suggested Mayor Arave say a few words at the ceremony. The suggestion was also made to advertise to businesses, and encourage them to give discounts to the military.

Council Member Jacobson reported that the Youth City Council attended leadership training at USU and had a wonderful time. The bulk of the eggs are filled for the Easter Egg Dash on April 7, and the YCC has been invited to help the South Davis Recreation Center with their 5K on May 12.

Council Member Harman stated that for the NSL 5K in July, they will need to reserve the two pavilions on the east side – everything from the splash pad east. The Youth City Council will help with this event as well. Council Member Harman said last year's race was a success thanks to City staff for their help that morning. He said they will be ordering 200 shirts in May, and if there are a hundred people signed up by June 1 that want shirts, they will order more. This year, the shirt will be red, and a different color for race staff.

March 29 at 6:30 p.m. is Foxboro's annual HOA meeting. Council Member Harman stated that he will be in attendance to possibly set up a Neighborhood Watch program for Foxboro North.

Council Member Harman asked about holding a town meeting for Foxboro. He stated that Woodside is looking at a proposal to change some of the current plans in Foxboro North, and the new plan would include apartments. He is proposing a meeting for residents of Foxboro to discuss and disseminate correct information on the Woodside proposals, and listen to what residents want to do in Foxboro north, and also discuss the RAC. He has been getting a lot of

correspondence about apartments, grocery stores, etc. and believes that when people come to a public hearing, all reasonable, rational thought is gone and replaced by emotions. He hopes to have an informational meeting with correct facts, rather than misinformation through social media, etc.

Action: pick date for town meeting in Foxboro – Marta, CM Harman.

5. ADJOURN

Mayor Arave adjourned the meeting at 7:05 p.m. to begin the regular session.

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – REGULAR SESSION
MARCH 20, 2012

Mayor Arave called the meeting to order at 7:12 p.m. Council Member Horrocks offered the invocation, and Noah Wilkes, BSA Troop 1185, 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 Stan Porter

EXCUSED: Council Member Matt Jensen

STAFF PRESENT: Barry Edwards, City Manager; Brian Passey, Assistant City Manager and Finance Director; Ken Leetham, Community and Economic Development Director; Rod Wood, Public Works Director; Paul Ottoson, City Engineer; Brent Moyes, Golf Course Director; David Church, City Attorney; Marta Nielsen, Deputy Recorder and Administrative Assistant; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Marty Peterson, Emergency Preparedness Manager; Russ Tolbert, Hallmark Homes; Ivy Peterson, Terry and Marianne Dabee, Nicole Kershaw, Mary Lee Kincaid, Nathan Wickizer, Steven Wolfe, residents; Stan Harding, Taylor Smith, Franky Jacobsen, Daniel Israelsen, Nick Sorenson, Noah Wilkes, Luke Robinson, Nathan Roundy, Jack Marriott, Michael Noel, Russ Wilding, BSA Troop 1185; Aaron Spackman, Hughes GL.

1. CITIZEN COMMENT

Nicole Kershaw, 345 Constitution Way, voiced concern on behalf of her neighbors. They have all noticed a significant decrease in water pressure in their homes since construction began on Crestpointe. If you were to drive up Constitution, it is filled with dirt and debris, and there is a City ordinance that fines people for tracking mud and debris. Thirdly, there is an enormous amount of dust coming off the project. There is a water truck sitting at the project, but it has only been used once. She asked if someone from the City could please address this.

Marianne Dabee, 714 Independence Way, stated that she also has major dust concerns. There is also a lot of vibration causing lights to flicker. She has brand new windows, and now there are piles of dirt in the corners. She has concerns with her fence and the pressure on it. She will be meeting with Paul Ottoson to discuss this.

Mary Lee Kincaid, 724 Independence Way, said she has some of the same concerns as Marianne, such as the weight of the dirt behind her fence. She is also concerned about the dust in her windows. The vibrations are horrible, and she heard the dresser making a cracking sound.

Paul Ottoson said he will call the contractor and have him turn the vibrator off on the machinery and switch methods when he gets close to the homes.

Marty Peterson, 744 Independence Way, stated that there were 50+ mph winds this weekend, creating the accumulation of dust. They have had neighbors call wondering if it was an earthquake. The developers have also piled up a lot of dirt; some of it topsoil. He stated that water needs to be sprayed all over the property, not just the road. Mayor Arave added that the developers may be creating an EPA violation.

2. PUBLIC HEARING ON A PROPOSED AMENDED SUBDIVISION PLAT:
EAGLEPOINTE ESTATES PHASE 12 PLAT B AMENDED LOCATED AT THE
NORTHEAST CORNER OF THE INTERSECTION OF SUGAR PLUM LANE AND
EAGLEPOINTE DRIVE. NATHAN AND HEATHER WICKIZER, APPLICANTS.

Ken Leetham showed a slide of the property and stated that three originally platted lots in this area were combined into two. The new proposal is to take these two lots and combine them into one large lot. Mr. Wickizer would like to build a home on this lot, and the Planning Commission recommended approval last week with the condition that the utility easement be vacated by Century Link. That consent was given to the City today.

Mayor Arave opened the public hearing at 7:31 p.m. There were no comments, and he closed the public hearing at 7:31 p.m.

3. CONSIDERATION AND ACTION ON A PROPOSED AMENDED SUBDIVISION
PLAT: EAGLEPOINTE ESTATES PHASE 12 PLAT B AMENDED LOCATED AT
THE NORTHEAST CORNER OF THE INTERSECTION OF SUGARPLUM LANE
AND EAGLEPOINTE DRIVE. NATHAN AND HEATHER WICKIZER,
APPLICANTS

Council Member Jacobson moved to approve the proposed amended subdivision plat for Eaglepointe Estates Phase 12 Plat B amended. Council Member Harman seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jacobson and Harman. Council Member Jensen was excused.

4. CONSIDERATION AND ACTION ON A PROPOSED PRELIMINARY DESIGN
PLAN AND FINAL SUBDIVISION PLAT FOR FOXBORO SOUTH PLAT 6
LOCATED AT THE EXTENSIONS OF STAMFORD AND CHATHAM DRIVES.
HALLMARK HOMES, APPLICANT

Ken Leetham stated that in July of 2011, a portion of Foxboro South Plat 5 was vacated in order to be able to later re-plate the property in smaller phases, reduce the size of the performance bond for the project, and to temporarily reduce the overall property tax liability on the property. The Council approved the plat vacation with the understanding that the property would be re-platted in the same way that it was originally platted. Hallmark Homes has now submitted their

application for the first phase of the re-platting of this entire property. There was a question about previously paid fees for these lots. The City has determined that if the developer has paid fees for those lots, those fees would be credited and applied to those lots. If fees have been increased since then, they would be charged the difference.

Mr. Leetham then stated that going through the design process of Foxboro South, the city engineer has identified the need to include the extension of Chatham Drive to the City-owned parcel dedicated as a future park so the City could install the park all at once instead of in phases. The applicants have done this, and would be subject to a credit on their park impact fee of approximately \$10-12,000.

The City will not start the park if it cannot be completely finished before the bad weather sets in. Mayor Arave asked about parking for the park. Russ Tolbert, Hallmark Homes, brought a plan up front to the Mayor that shows the parking configuration.

Council Member Harman moved to approve the Foxboro South Plat 6 preliminary design and final plat proposal. Council Member Porter seconded the motion. The motion was approved with Council Members Horrocks, Porter, Jacobson and Harman. Council Member Jensen was excused.

5. DISCUSSION AND POSSIBLE AWARDED OF TUNNEL SPRINGS PARK BID

Rod Wood distributed the bids received by the City for the Tunnel Springs Park. The base bid provides what is needed except for grass (it will be seeded by the City), and tennis courts. There was some discussion about the road. The road needs to be brought down to the original plan for public safety reasons. Barry Edwards stated that surface on the road is an inch and a half minus angular rock, suitable for a car to go over, and has plenty of drainage. However, it is not a good surface on which to walk or ride bikes. An inch and a half over road base is not suitable for pedestrians. This really is the least expensive way to get the park design the City wants. Staff does not think combining the roadway and pedestrian walkway make sense, and trying to asphalt it all the way would make it quite costly.

Mayor Arave asked how close the parking lot goes to the wetlands. Paul Ottoson stated that it does not go into the wetlands. It will go further south and will not touch the wetlands.

The Council agreed that tennis courts should be included at Tunnel Springs Park.

Council Member Horrocks moved to approve Scenario 4 (the complete plan). Council Member Jacobson seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jacobson and Harman. Council Member Jensen was excused.

6. AWARDED OF CENTER STREET WATER LINE BID, 300 WEST TO HIGHWAY

Rod Wood stated that this water line goes west to 300 West under the main railroad spur, and under Highway 89 to the east side of Highway 89. Bids were favorable and very close on this project. Staff would like to award the bid to Wolff Excavating for \$445,187.00.

Council Member Porter moved to accept the bid from Wolff Excavating for \$445, 187.00. Council Member Jacobson seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jacobson and Harman. Council Member Jensen was excused.

7. CITY MANAGER'S REPORT

Barry Edwards reported that April 17 at 12:00 in Ogden will be the Tree City Award USA luncheon.

March 22 at 7:00 p.m. at Bountiful City Hall will be an open house about the potential air quality degradation that might come as a result of the modification of three refineries in Davis County.

Tuesday March 27, is a Choice for 2040 meeting, a planning vision process being held at the Salt Palace, and Thursday March 29 in the Davis County Commission office is UDOT's annual visit from 9-11:00 a.m.

The April mid-year ULCT conference is in St. George, and Barry Edwards asked the Council to provide Marta Nielsen with their registration information.

8. CITY ATTORNEY'S REPORT

David Church stated that on the Woodside Homes litigation, both sides have engaged various experts and are preparing for a cutoff. There are plan inspectors to review the plans themselves.

The Tran litigation has started a new round of discovery, and staff is responding to requests for documents, etc.

Regarding the Youth Council lawsuit, he has talked to the new insurance adjustor who called and requested information. They are possibly negotiating a settlement.

Lakeview Rock Products is not giving up on their case. They have hired an outside firm and are pushing it forward.

There are a couple of small police matters, and Mr. Church encouraged the Council to contact him directly if they have questions on any of the above matters.

9. MISCELLANEOUS DISCUSSION

Council Member Harman showed the Council what is currently approved for Foxboro North. Woodside is now proposing to replace Berkely South, 122 units, with 67 single family homes, and also replacing another group of apartments with single family homes. This is the concession

to build apartments (160 units), with its own HOA, clubhouse and pool in another area. Based on concerns from residents in Foxboro North, they love the single family homes. Council Member Harman would like to get accurate information to the residents. Mayor Arave suggested not talking about the RAC now, but supplying other necessary information. Ken Leetham and Council Member Harman could sponsor the meeting, rather than having the whole Council in attendance.

10. ADJOURN

Mayor Arave adjourned the meeting at 8:55 p.m.

Mayor

Secretary