

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – WORK SESSION
JANUARY 3, 2012

Mayor Arave called the meeting to order at 6:04 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; Ken Leetham, Community and Economic Development Director; Rod Wood, Public Works Director; Paul Ottoson, City Engineer; Craig Black, Police Chief; Brent Moyes, Golf Course Director; Marta Nielsen, Deputy Recorder and Administrative Assistant; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Todd Weiler, State Senate candidate.

1. COUNCIL REPORTS

Council Member Harman reported that someone from the State will be attending the Uniting Neighbors meeting next week to discuss the upcoming Great Utah Shakeout (a mock disaster).

Council Member Horrocks had nothing to report from the Planning Commission or the Mosquito Abatement Board.

Council Member Jensen reported that January's Second Sunday Concert Series would be hosting Sarah Sample, a well-known, but non-mainstream, local artist at City Hall, 6:00 pm. He also reported that Chevron has agreed to support this year's City events again with a \$5,000 contribution.

Council Member Porter said the Jordan River Commission presented a display that another party would like to put in the City building for a period of time. Also, visitor parking has been a problem with the Ridgeview apartment complex west of City Hall, stated Council Member Porter. Residents with more than one car have been using the visitor parking, and visitors have been using the City Hall parking lot.

Council Member Porter brought up the need for accessible park restrooms year-round, which would require putting heat in them. Barry Edwards stated that "porta-potties" may be a better solution. He then added that if the Council approves a contract with First Digital (to be discussed during the regular meeting), remote locks could be installed on existing restrooms, so they could remain open during park hours year-round.

Council Member Jacobson stated that there has been some tagging in the northwest corner of Hatch Park on the walking path.

2. TODD WEILER – INTRODUCTION OF STATE SENATE CANDIDATE

Mr. Weiler stated that he is one of the candidates running for Dan Liljenquist's position as State Senator. On January 10th at South Davis Junior High, delegates will be meeting to pick the replacement. Mr. Weiler stated he has served on a city council as well as on the Utah League of City and Towns Board, so he is aware of municipal governments and city operations.

3. WATER IMPACT FEE STATUS REPORT – ROD WOOD

Rod Wood reported that staff is reviewing the most recent water impact fee report which will enable them to review and plan future projects. The last report was done in 2007.

Mayor Arave asked if staff is looking at potential areas for secondary water. Mr. Wood stated that they will have to look at the study, and will know more about secondary water in the next couple of weeks.

4. GENERAL PLAN STATUS REPORT – KEN LEETHAM

Ken Leetham distributed a schedule showing the completion of the City's new General Plan. He stated that there will be a work meeting on the proposed plan next week, followed by a public hearing on January 24th. Open houses will also be held, with a comment period for a certain time afterward. Mayor Arave stated that the Council should look at the 30-year plan and be aware of what it entails. Mr. Leetham will provide copies to the Council.

5. VENDORS IN FOXBORO PARK – KEN LEETHAM

Mr. Leetham reported that the City received a proposal from a family who would like to open a vending/concessions stand at Foxboro Park. He asked for input from the Council. Council Member Porter said the City has had a booth at Hatch Park, so it would not be a new policy. South Davis Baseball does vending, as well. If the City decided to allow independent vendors, it would need to be opened for competitive bids, and the City would have to establish priority. For example, if the Youth Council wanted to do open a booth, they should have first choice. This particular use in the summer would attract a lot of youth. Council Member Harman said there would need to be a fee to cover cleaning costs. There was discussion about traffic, parking, lighting, using up needed parking lot space, City liability and other issues that relate to the proposal.

Council Member Jensen suggested looking at vending machines (including along the Legacy Trail). The Council agreed to deny the proposal received.

6. ACTION ITEMS

The Action items list was reviewed. Completed items were removed from the list. Incomplete items will remain on the list.

Council Member Harman said several of the fence sections at the Foxboro Regional Park are missing. Paul Ottoson said he would let the sewer district know.

Council Member Porter stated that the City should consider a name for the new east bench park, and offered the suggestion of "Tunnel Springs Park." He reported that the Parks and Trails Advisory Board would like to use the Tunnel Springs water as a continually running spring/fountain in the park that people can drink from.

7. ADJOURN

Mayor Arave adjourned the meeting at 7:00p.m. to begin the regular session.

NORTH SALT LAKE CITY
CITY COUNCIL MEETING – REGULAR SESSION
JANUARY 3, 2012

DRAFT

Mayor Arave called the meeting to order at 7:02 p.m. Council Member Stan Porter offered the invocation and 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, Community and Economic Development Director; Rod Wood, Public Works Director; Paul Ottoson, City Engineer; Craig Black, Police Chief; Marta Nielsen, Deputy Recorder and Administrative Assistant; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Michael Pate, Sentry Security Systems, LLC; Allen Tidwell, Robert Drinkall, residents; James Webster, Liveroof; Wade Crandall, Sky Properties; Ed McDonald and Alan Lang, ELM Group.

1. CITIZEN COMMENTS

There were no citizen comments.

2. APPOINTMENT OF PLANNING COMMISSIONER

Mayor Arave introduced Allen Tidwell and stated that he has been involved in the City for many years and is currently on the Parks and Trails Advisory Board. The Mayor stated that he would like to appoint Mr. Tidwell to the North Salt Lake Planning Commission.

Council Member Horrocks moved to ratify Mayor Arave's appointment of Allen Tidwell to the North Salt Lake Planning Commission. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

3. RESOLUTION 2012-01R: APPROVAL OF 2012 MEETING SCHEDULE

The Council reviewed the 2012 City Council meeting schedule. **Council Member Porter moved to approve the 2012 City Council meeting schedule. Council Member Harman**

seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

4. ORDINANCE 2012-02: AN ORDINANCE AMENDING CITY CODE TITLE 10, NORTH SALT LAKE CITY'S LAND USE ORDINANCE, ESTABLISHING PROVISIONS FOR THE USE OF ELECTRIC FENCES IN THE M-D AND M-G ZONING DISTRICTS

Ken Leetham stated that this ordinance has been proposed as a method for providing added security to businesses with outdoor storage. The Development Review Committee (DRC) has done some research on this issue in surrounding cities. The fences being discussed are not lethal, and are operated by a twelve-volt battery charged by a solar panel. Council Member Jacobson suggested using the word "security" rather than "screening" in the ordinance.

Mayor Arave invited Michael Pate, Sentry Security Systems, LLC to address the Council to answer questions. The Mayor asked if the fences are safe without running them with a solar panel, and if so, he would like to strike the solar panel comment. Mr. Pate responded that they are. Council Member Jacobson suggested changing the wording to "may" rather than "shall" be charged by a solar panel.

Mayor Arave asked Chief Black if he sees a reason to require barbed wire fences. He responded that the police department does not see a reason to require them. The question was raised of why is it a conditional use. Mr. Leetham stated that if the Council agrees to the use of electric fences, then they could appoint staff to grant the approval, rather than requiring the Planning Commission to review it.

Council Member Harman said that Paragraph 2-C could be changed from "shall" to "may" on perimeter fence. Council Member Porter said it should just be written that the fences must be compliant with the City's other perimeter fence ordinance.

Council Member Porter moved to adopt Ordinance 2012-02 an ordinance amending City Code Title 10, North Salt Lake City's Land Use Ordinance, establishing provisions for the use of electric fences in the M-D and M-G Zoning Districts, with the change of adoption date to January 3, 2012, and with changes that allow for "security" (not screening) of outdoor storage, and eliminate the entire Paragraph C. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

5. PUBLIC HEARING OF A PROPOSED VACATION OF A PUBLIC UTILITY EASEMENT IN EAGLEPOINTE ESTATES PHASE 16

Mayor Arave opened the public hearing at 7:45 p.m. Paul Ottoson stated that this past summer, Kern River Pipeline installed a new gas main through the North Salt Lake foothills and a portion of that line went through the Eaglepointe Estates, Phase 16 subdivision. Kern River purchased the land needed for their new easement, which in turn decreased the amount of land available for

the residential lots. The revised layout includes only two lots (1609-A and 1610-A) in place of the original three lots. By making this change, however, it leaves an existing public utility easement in the middle of Lot 1609-A which needs to be vacated. No action was taken on this agenda item, so it will be brought back to the Council at the next meeting. There was no public comment, and Mayor Arave closed the public hearing at 7:48 p.m.

6. CONSIDERATION OF A SITE PLAN FOR LANG EQUIPMENT TO BE LOCATED IN THE M-D DISTRICT AT 205 SOUTH 1200 WEST. ALAN LANG AND ED MCDONALD, APPLICANTS

Ken Leetham showed slides to the Council of the proposed site plan for Lang Equipment. He stated that this is a good use of the parcel, and includes a nice landscaping plan. Mr. Leetham stated that a draft access easement must be provided to City staff prior to review by the City Council, and this access easement must be recorded within thirty (30) days of site plan approval by the City Council.

Council Member Harman moved to approve the site plan for Lang Equipment to be located at 205 South 1200 West with the following conditions: a) a draft access easement must be provided to City staff prior to review by the City Council, and b) said access easement must be recorded within thirty (30) days of site plan approval by the City Council. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

7. CONSIDERATION OF A PROPOSAL TO INSTALL PLANT MATERIAL ON THE ROOF OF CITY HALL

Paul Ottoson stated that staff was asked to look at options to beautify the canopy area of City Hall. Core One, Inc. has submitted a plan and a cost estimate to install a hybrid green roof system. This system involves soil and plants that are put in 2'x1' modules. Rock mulch is also incorporated into the design along the perimeter and adjacent to the drains. The submitted cost is \$19,889.78 to complete the project, and does not include pavers or getting irrigation water to the site. Staff feels the pavers are unnecessary, as they do not want to encourage people onto the canopy for safety reasons. If the City Council feels inclined to approve this project, staff recommends approval without the pavers for \$19,889.78.

Mr. Webster showed some potential plantings for the area, including very low maintenance plants requiring few man hours, such as 15-20 minutes per week.

Council Member Porter asked about a warrantee. Mr. Webster said he usually backs the work for about 10 years, and this is included in the above bid. A maintenance agreement for 20 years could be added.

Barry Edwards stated that the area needs to be addressed, as it is an ugly area right at the entrance of the building. It was suggested to increase the amount of rock to decrease the cost. They can also color block the plants. The Council was in agreement to proceed with plantings

on the roof, after decreasing the cost by incorporating more rock. This final amount would not need the Council's approval.

8. APPROVAL OF CONTRACT WITH FIRST DIGITAL

Barry Edwards reported that the City has an opportunity to partner up with First Digital to provide high speed internet access for the City's buildings, including the golf course. Benefits include increasing internet access to 18 times faster at the current cost, increasing connectivity to peripheral locations to 100 Mbps at the current cost, and linking all facilities together on a seamless network owned by the City. It would allow for high bandwidth applications between City buildings to be used more efficiently; buildings will be able to communicate as if in the same location and use programs that are centralized at one location, potentially saving on the cost of licensing users and other user requirements. It allows for North Salt Lake City businesses that are within line of sight of the wireless network (which is the majority of the City) to utilize higher bandwidth solutions that are not available in North Salt Lake City through other carriers. This could draw new businesses to the City, and benefit existing businesses that have been looking for additional bandwidth.

Mayor Arave asked about termination provisions, as there should be no surprises, and if the phones would be compatible. Mr. Edwards said the phones would be compatible, and stated that the City would be eliminating several T-1 lines throughout its facilities.

Mayor Arave asked if the City has firewalls between the business side and public side. Brian Passey stated that the City has made a huge investment in its systems, and firewalls should be adequate. The Mayor asked Mr. Passey to verify this, as the City may want to increase those if City moves forward with First Digital. The City may also want to look into limiting antennas or equipment on the roof, including height. Mr. Edwards stated that right now, First Digital would be putting one dish on the roof to service a nearby school. We happen to be in the right location and they are offering the City an attractive offer so they can use the building.

Council Member Jacobson moved to enter into a contract with First Digital for wireless services with instructions that Barry Edwards negotiate length of contract and the number of items (and height) of roof equipment. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

9. ORDINANCE 2012-01: AN ORDINANCE AMENDING TITLE 6, CHAPTER 12, PARKING REGULATIONS, PROHIBITING THE PLACEMENT OF SAND, GRAVEL, OTHER EARTH MATERIALS, CONSTRUCTION MATERIALS, DEBRIS OR TRASH DUMPSTERS WITHIN PUBLIC RIGHTS-OF-WAY

Ken Leetham stated that this item would be changed to Title 7, including some other things that need to be added to this section. He said he was asked to create an ordinance to specifically address dumpsters in Title 7. The Council is simply reviewing/adopting Section A.

There was some discussion about the need for this ordinance. Council Member Porter suggested working with contractors on the placement of dumpsters, and if the City continues to encounter problems, then the ordinance could be reviewed again for adoption. There was some discussion about allowing dumpsters by permit. Council Member Jensen stated that within a few years, most of the City will be built out, and this may not be a problem. He added that he hates to see permits as the solution to every problem.

Council Member Horrocks moved to approve Ordinance 2012-01: an ordinance amending Title 7, Chapter 1, parking regulations, prohibiting the placement of sand, gravel, or other earth materials, construction materials, debris or trash dumpsters within public rights of way, together with the recommended numbering changes. The new code text should say: It shall be unlawful for any person to place a trash dumpster within public rights-of-way that impedes traffic or creates a driving hazard. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

10. DISCUSSION AND CONSIDERATION OF EMPLOYEE LONGEVITY PAY

Barry Edwards reported that there were several City employees not eligible for a merit pay increase because they have reached the top of the pay range and were not afforded an opportunity to earn a merit increase. These employees are our most seasoned and experienced employees. Brian Passey calculated that it would cost the City about \$5,700 to pay this 2% longevity bonus to the six employees who fall into this category. The bonuses would range from \$900 to \$1400. Barry Edwards stated that there is money in the budget to fund this and would be an appropriate way to reward these employees.

Council Member Jensen asked about the increase and stated he did not realize employees were getting such a large pay increase each year. He stated that the Council approved a 1.5% cost of living increase, and asked if employees essentially received a 4.3% merit increase. He had been under the impression the City had given a 1.5% merit increase adjustment with the 1.5% COLA. Barry Edwards stated that the increase was an increase to the overall general fund and not the percentage of the salary adjustments.

Mayor Arave said he serves on several boards and stated that most granted COLA increases, although many cities did not.

Barry Edwards stated the department heads were instructed to use discretion as they evaluate employees. It was noted that the budget has to be approved each year.

Council Member Porter said it is difficult because in the private sector, incomes go up and go down with the economy, and government salaries are often hard to swallow during difficult times. However, he realizes the City is also competing against other government agencies.

Rod Wood stated that he appreciates management that has backed him up as he evaluates employees. In Barry Edwards' defense, Mr. Wood stated that the culture is changing, and they have let people go and also denied raises.

Mayor Arave stated that he has had discussions with Barry Edwards, and his thought is that the City is better off with fewer good people than with more people that do not have adequate skills. Good, qualified employees are treated fairly. However, in this economy, we do need to be careful. The Mayor believes he has given Barry Edwards that informal direction to get fewer people that do a good job.

Council Member Jensen brought up the fee schedule, and the increase in fees to meet the City's budget shortfall. He asked if 65% of the increase to business owners was to cover salaries. Brian Passey stated that it cannot really be looked at this way because there are so many line items in the budget.

Council Member Harman said it looks like the dates of increases incurred before staff and Council had the budget discussion. Barry Edwards said that is correct; in order to capture every employee, you have to use the 12 month cycle.

Council Member Jacobson stated that as a long term government employee, pay scales and grades are set up, and in some years they received bonuses, and in some years there was not enough money to give bonuses.

Barry Edwards stated that he feels like the Council thinks they always have to act positively on issues brought before them; however, sometimes the discussions need to be had just so staff is clear on issues.

Council Member Horrocks stated that he sees the Council like the board of directors, and Barry Edwards as the CEO, who could make the recommendations. Mayor Arave stated that we have provided COLA increases the last two years, where many Davis County cities have not.

Council Member Jacobson stated that he is not against giving these six employees something. We have to be careful in the future about devising budgets in order to pay people a bonus, however. He suggested giving these employees a 1% bonus.

Council Member Harman stated that he would agree with Council Member Jacobson. The Council needs to look at this and have further discussion in March at the next budget meeting. So, firstly, he asked if these employees deserve the bonus, and, secondly, if they deserve it, is it fair not to give it to them when all the other employees received the merit increase. For those who deserve it at this point, he would approve a 1 or 1.5% bonus.

Council Member Porter stated that if it were just him, he would not give them anything. However, he sees it as a fairness issue, and he would support a 1% bonus.

Mayor Arave stated that because the City has given a COLA increase the last two years, he would not do anything.

Council Member Horrocks said they are not too far out from reviewing the budget, and it could be tabled until then, but if not he would be in favor of a 1% bonus.

Council Member Jensen said there are a lot of reasons why people stay with a company, and pay is only one of those. His mother has been maxed out on her pay for a decade, but her reason to stay with her employer has nothing to do with the pay scale or a bonus. He stated that he did not feel the 2% was necessary, and yet the Council just approved \$20,000 to beautify the roof.

Council Member Jacobson moved to approve a 1% longevity bonus payment per Barry Edwards' suggestion. Council Member Harman seconded the motion. The motion was approved by Council Members Horrocks, Porter, Harman and Jacobson. Council Member Jensen voted in opposition to the motion.

11. RESOLUTION 2012-03R: A RESOLUTION APPOINTING A NORTH SALT LAKE REPRESENTATIVE AS A MEMBER OF THE ADMINISTRATIVE CONTROL BOARD FOR THE SOUTH DAVIS RECREATION SPECIAL SERVICE DISTRICT

Council Member Harman moved to appoint Mayor Len Arave as the representative to the Administrative Control Board for the South Davis Recreation Special Service District. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

12. REAPPOINTMENT OF CITY RECORDER, DEPUTY RECORDER AND TREASURER

The current City Recorder is Barry Edwards, Marta Nielsen is Deputy Recorder, and Stacy Steckler is Treasurer. **Council Member Porter moved to ratify Mayor Arave's appointments of Barry Edwards as City Recorder, Marta Nielsen as Deputy Recorder, and Stacy Steckler as Treasurer. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

13. ESTABLISHMENT OF HEALTH INSURANCE RATE FOR ELECTED OFFICIALS

Barry Edwards stated that City Code states that a City Council person can be on the City's health insurance at the amount approved by the City Council. It is staff's recommendation to establish the health insurance rate for elected officials at the two-party rate of \$916.00. We could not find what the original amount was, so staff used the rate currently being paid.

Council Member Harman moved to establish the health insurance rate for elected officials at the two-party rate of \$916.00 per month to become effective July 1, 2012. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

14. APPROVE MINUTES

The City Council meeting minutes of December 6, 2011 were reviewed and amended. **Council Member Harman moved to approve the December 6, 2011 City Council minutes as amended. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

The November 15, 2011 minutes were reviewed and amended. **Council Member Harman moved to approve the November 15, 2011 work session and regular session minutes as amended. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

15. CITY MANAGER'S REPORT

Barry Edwards reported that he is meeting with the lobbyist Friday on the grant for the Springhill Slide area.

The City has had discussions with South Davis Metro Fire Agency regarding the impact of debt service in relation to the amount being collected by impact fees, and the City has not yet come to an agreement with them.

Mr. Edwards said the salt budget is really firm right now (due to the mild weather), but staff is working on a proposal to develop a snowplow app so people track where the snowplows are at any given time.

16. MAYOR'S REPORT

Mayor Arave reported that there will be a significant shortfall (a couple of million dollars) in the South Davis Metro Fire Agency, so he anticipates some future arguments there. On the positive side, the North Salt Lake increase is only about 1%.

Mayor Arave reported that there will be a flashing red light when someone wants to cross the street in front of Camelot on Highway 89.

The audit reports are done, and Mayor Arave stated that the auditors may come and address the Council.

17. ADJOURN

Mayor Arave adjourned the meeting at 9:46 p.m.

Mayor

Secretary