

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
SEPTEMBER 5, 2017

FINAL

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

PRESENT: Mayor Len Arave
Council Member Stan Porter
Council Member Ryan Mumford
Council Member James Hood

EXCUSED: Council Member Brian Horrocks
Council Member Matt Jensen

STAFF PRESENT: Ken Leetham, City Manager; Karyn Baxter, Assistant City Engineer; David Frandsen, Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; Sherrie Llewelyn, Community Development Director; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Abby Ebert, Brendan Marsh, Youth City Council.

1. PARKS DEPARTMENT REPORT

David Frandsen presented a Parks Asset Replacement Program to those present. The program provided information regarding the purchase year, life span, replacement year, replacement cost, and program constraints and limitations. He then reported that there were many necessary repair or replacement projects currently needed at Hatch Park as it had exceeded the suggested replacement dates. The replacement program plan details the repair or replacement schedule for items such as roofing, pumps, fencing, playgrounds, tennis courts, irrigation systems, asphalt, and restrooms.

Mr. Frandsen reported on the damage at Deer Hollow Park caused by recent storms. The repair work included refilling the base rocks, removing a wooden bridge, and resetting the river rocks. He then suggested several replacements that would better withstand the elements including a sturdier bridge at the cost of \$5,800 and a concrete spillway at \$11,000.

Council Member Mumford asked if the proposed bridge would be wheelchair accessible. David Frandsen replied that the bridge would be wheelchair accessible; however, there was no trail leading to the bridge.

Council Member Mumford suggested that the existing drainage pipe and the proposed bridge could be re-located to match up with the trail.

Council Member Porter asked about surveillance cameras at City parks and asked if they had been helpful in deterring vandalism or catching those who committed crimes in the parks. David Frandsen replied that the majority of the vandalism in the parks occurred inside the restrooms; however, the camera footage had been useful on a few occasions.

David Frandsen reported on the floating dock at the Eaglewood Village Pond and how difficult it was to access. He proposed several solutions such as anchoring the dock in place or adding piling and a pier.

Council Member Hood asked that the Parks Trails Arts Recreation Advisory Board review both the proposed bridge design and the Eaglewood Village dock. Council Member Mumford also suggested that staff work with the Eaglewood Village community on the dock ideas as well.

David Frandsen then reviewed the tree pruning program with a focus on pruning street trees that caused access issues, affected snow plowing, blocked street signs and lights, and potentially caused line of sight issues.

Mr. Frandsen reported on the Legacy Parkway Trail and said that Dominion Energy was installing a new irrigation system in the area. He asked for feedback on improving the trail by connecting the new irrigation system to the City's current irrigation, adding trees along the trail, grading the current weeds, and installing benches. The approximate cost of the new trees along the trail would be \$25,000.

David Frandsen reviewed the splash pad issues and said the start button had been repaired but that a solution needed to be implemented to prevent future issues. He suggested several options to notify residents when the splash pad was in operation such as signage, the addition of a light, a digital display sign, and a loudspeaker.

Mr. Frandsen distributed copies of a proposed North Salt Lake Parks and Trails brochure and said that the first printing needed some revisions as the font and images were too small. He said a few other changes would be made as well such as the inclusion of a foldout map.

The other issues that Mr. Frandsen reviewed were the pour-in-place surface repair at Legacy Park and the phragmite problem in Foxboro. The pour-in-place surface was repaired in August but as cracks and other issues have occurred the contractor would come back to review the

surface in three weeks. He said staff would treat the phragmite with a three year removal plan which included the use of an herbicide treatment followed by a mechanical treatment.

Council Member Mumford asked if the Foxboro Wetlands Trail would be closed while the area was treated for phragmites. David Frandsen replied that the trail would most likely not be closed while the removal work was done.

David Frandsen reported that the splash pad shade contract was completed so that the price would not change between then and next spring, and stated that the installation had been arranged for March. He then said that staff has been pleased with the landscaping company as they had done a good job and allowed staff to work on maintaining the native grasses. The summer season crews laid bark, trimmed trees, mowed native grass, and provided weed control.

Mr. Frandsen provided a brief overview on parks maintenance and presented images of issues that the staff faced on a daily basis including graffiti removal, garbage cleanup and repairing property damage. He commended, Brett Collins, who had worked for the City for ten years and handled a lot of the maintenance and cleanup issues throughout the Parks.

Council Member Mumford asked if staff had responded to a citizen concern regarding overgrown grasses at Tunnel Springs Park. Ken Leetham replied that staff had mowed and weeded the area. He said a resident had dumped grass clippings in the area which made it difficult to mow.

Council Member Porter asked if the surveillance cameras could be used to enforce or investigate vandalism issues. Ken Leetham commented that the camera system was not up to where it needed to be, but stated that staff had obtained a proposal for a system which would be presented to the Council.

2. DISCUSSION-2017 POLYNESIAN CULTURAL FESTIVAL

David Frandsen reported on the Polynesian Cultural Festival and explained that this event utilized his full staff. He said that cleanup after the event took many hours to complete.

Ken Leetham commented that the event was very well attended and that the park was a great venue for the event.

Mayor Arave asked how much the City contributed to the event. Ken Leetham replied that the City contributed \$4,000. This amount included advertising, cleanup, the stage and sound system,

and the portable toilets. He said that there was an issue with vendors and event attendees parking on the grass.

The Council discussed potentially having the vendors pay to participate in the future, decreasing or removing the City's financial contribution, reviewing how other cities managed similar events, how to handle traffic issues, and establishing parking areas with signage.

3. ADJOURN

Mayor Arave adjourned the meeting at 6:59 p.m. to being the regular session.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
SEPTEMBER 5, 2017

FINAL

Mayor Arave called the meeting to order at 7:07 p.m. He offered the invocation and led those present in the Pledge of Allegiance.

PRESENT: Mayor Len Arave
Council Member Stan Porter
Council Member Ryan Mumford
Council Member James Hood

EXCUSED: Council Member Brian Horrocks
Council Member Matt Jensen

STAFF PRESENT: Ken Leetham, City Manager; Karyn Baxter, Assistant City Engineer; David Frandsen, Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; Sherrie Llewelyn, Community Development Director; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Bill Paez, Nancy Paez, Joan Teasdale, Holly Betteridge, Steve Aase, Mary Lynn Kinsel, Phil Kinsel, Alisa Van Langeveld, Callye Cleverly, Steven Israelsen, Calle Butcher, Ron Barney, Marilyn Barney, Eric Waite, Matt Ballard, F. Scott Smith, Darryl Lee, Bonnie Lee, Colleen Clifford, Jason Hughes, Wayne Facer, Lesley Garaycochen, Laurence Gee, Roger Jones, Marlene Jones, Tom Durrant, Judy Berrett, Diane Boade, residents; Brad Sweet, Granite Construction; John Burgraff, Hughes.

1. CITIZEN COMMENT

There were no public comments.

Mayor Arave commented that he would accept public comments regarding the agenda item for the consideration of Agreement 2017-39A between Kilgore Companies and the City for the reclamation of the Monte Thomas property after that presentation.

2. CITY COUNCIL APPOINTMENT(S) TO THE PARKS TRAILS ART RECREATION
ADVISORY BOARD (NSL LIVE) AND PRESENTATION TO OUTGOING
MEMBERS OF THE BOARD

Mayor Arave reported that the Parks Trails Arts Recreation Advisory Board (NSL Live) was comprised of resident volunteers that planned many different City events including the kite festival, various races, the Second Sunday Concerts, NSL Reads, etc.

Mayor Arave commented that Steve Aase had completed his term on the advisory board and had been involved in many of the events including the kite festival and a theater production.

Council Member Mumford commented that Steve had been very dedicated to the board and thanked him for his service and dedication to the City.

Mayor Arave presented Steve Aase with a plaque in recognition of his service on this board.

Council Member Hood expressed his appreciation for his outgoing board appointment, Tayler Clough, who was not in attendance. He then introduced his new appointment Callye Cleverly.

Callye Cleverly said that she currently worked for the Utah Film Commission with the Governor's office and had helped with events such as the Sundance Film Festival. She said she had lived in the City for five years and was excited to volunteer for public service.

Council Member Hood moved to appoint Callye Cleverly to the Parks Trails Arts Recreation Advisory Board (NSL Live). Council Member Mumford seconded the motion. The motion was approved by Council Members Porter, Mumford and Hood. Council Members Horrocks and Jensen were excused.

3. BID AWARD FOR THE ROAD REPAIR WORK ON LACEY WAY BETWEEN ANGELA WAY AND NANCY WAY

Karyn Baxter reported that there was a water leak on Lacey Way located between Nancy Way and Angela Way. There had been a storm drain issue in this location several years ago that had since been repaired. Several of the issues with this project included material movement, an electrical line located along the slope, and stabilization of the slope. Staff had obtained three bids from Mc Green, Allied Underground, and Hughes Construction. Ms. Baxter explained that as this was caused by a water leak the funding would come from the Water Repair Fund; however, the total annual budget was \$25,000. The low bid for this project was \$31,000 which would require a budget amendment. Staff recommended awarding the slope repair work to M.C. Green and Sons.

Council Member Mumford asked if residents were aware of the scope of the project and also who owned the affected property. Karyn Baxter responded that an easement was not necessary as

the City caused water damage on private property from a water line break. She said there had been meetings on-site with the property owners and the affected residents had been contacted.

Council Member Mumford asked that staff work with residents on this project before construction begins.

Council Member Mumford moved that the City Council award the Lacey Way Slope Repair Project to M.C. Green and Sons Inc. for the price of \$31,676.63. Council Member Hood seconded the motion. The motion was approved by Council Members Porter, Mumford and Hood. Council Members Horrocks and Jensen were excused.

4. CONSIDERATION OF AGREEMENT 2017-39A BETWEEN KILGORE COMPANIES AND THE CITY OF NORTH SALT LAKE FOR THE RECLAMATION OF THE MONTE THOMAS PROPERTY AT 650 SOUTH HIGHWAY 89

Ken Leetham presented a map to those present which showed the Monte Thomas property. He explained that the reclamation of the property had been occurring for years and that the property owner was proposing that a new owner take over the project.

Stuart Lamb, Kilgore Companies, reported that Kilgore would assume the responsibilities to mine, reclaim, and would meet all laws that pertained to the site. He brought a blasting specialist, an attorney, and a representative of the current property owner with him and introduced them.

Chris Hogle, Holland and Hart, stated that he was an attorney representing Kilgore and that the subject property was currently being mined by Lakeview Rock Products. He said that the applicant was seeking to continue the reclamation with a better agreement which included more provisions governing the relationship with the City and residents.

Josh Thomas, MC Thomas, commented that his family had owned the property for many years. He gave his approval for Kilgore to take over the project and continue the reclamation of the property.

Chris Hogle then added that a lease agreement had been signed between the Monte Thomas family and Kilgore authorizing the work.

Mark Greenwood, Granite Construction, said he owned the neighboring parcel which was also being mined. He also gave his approval for Kilgore to take over the reclamation and said they had a great relationship with the company.

Stuart Lamb presented Kilgore's latest proposed reclamation plan. He said he had met with Questar and Kern River to ensure that their easements were not undermined, and that all conditions were met. Mayor Arave replied that the City had received a letter from Kern River and Questar, and while they did not necessarily express their approval of the project they did not directly oppose the proposed plan.

Council Member Mumford asked if a bond would be setup that ensured the property would be reclaimed and the area made stable and safe once the mining activity had ceased. Stuart Lamb replied that the Division of Oil, Gas, and Mining (DOG M) would require a bond with the City to be listed as a benefactor.

Council Member Mumford commented that there was some concern on the proposed completion date as a previous company had agreed to reclaim the property within ten years and did not fulfill that agreement. Stuart Lamb replied that there were limitations on the bond including a ten year completion date which would be part of the bond.

Mayor Arave said that he reviewed the site and was told that there was approximately 250,000 yards of material left. He explained that the property was no longer zoned for mining, had been used as a junkyard, and was located below a residentially zoned area. The City Council may or may not change the zoning or allowed use.

Stuart Lamb replied that there was enough material left to justify mining and complete the reclamation. He explained that the agreement for reclamation would be ten years.

Council Member Porter asked about the safety level of the property if it was left as-is with no further mining allowed. He asked what the purpose of the reclamation project would be. Stuart Lamb replied that the original purpose of the contract was to have developable property.

Mayor Arave said that the City required certain requirements of the Thomas family for the property. Stuart Lamb replied that the Thomas family had hired Kilgore to meet those requirements and that the plan would be to continue mining followed by the reclamation of the property.

Mayor Arave explained that the City had three options including no longer allowing mining, continue to allow Lakeview Rock Products to mine for a period of one year per the agreement, or work with Kilgore for a ten year period.

Aaron Jones, VCE, said he had been a blasting expert for 17 years and that they would work to mitigate any blasting damage and limit the vibrations and residential exposure. He explained that

it had been determined that blasting could be done in close proximity to the homes and gas lines without causing any damage to either.

Mayor Arave commented that that residents would feel and hear blasting and asked for clarification on whether there would be property damage caused by the mining. Aaron Jones replied that this would be correct and said if the blasting was done correctly there would be no damage.

Mayor Arave opened the meeting for public comment.

Steve Israleson, 742 Eagle Pass, said he was representing several groups such as the Villas Development and Edgewood, and that they were in direct opposition to the agreement for continued mining of the Monte Thomas property. He said there would be two operators mining the hillside resulting in dust, reverberations and damage caused by blasting, as well as health and safety issues, and heavy vehicle traffic.

Lesley Garaycochen said that she was a commercial realtor and felt that the application was not about reclamation but a means to acquiring a rezone of the property. She said the Monte Thomas property had never been zoned for mining and that there were varying options for the property other than residential or commercial development.

Mary Lynn Kinsel, 290 Eagleridge Drive, commented that it was the duty of the City to protect the residents from a public nuisance and diminish environmental impacts. She said that the agreement Kilgore had proposed would not benefit the City and mining would be a nuisance due to air conditions, traffic issues, and blasting.

Bill Paez, 221 Edgewood Circle, said he was representing the Edgewood HOA and that he had experienced earthquakes in California which were similar in magnitude to the blasting vibrations he had felt from the mining activities. He also said there was significant dust, noise, and property damage and that the mining should not be allowed to continue.

Stuart Lamb commented that the mining, and some of the side effects, would continue to occur even if Kilgore were to finish the project with the intent to turn the property into developable land. He said they were not asking for a zone change and that the asphalt and concrete plants were requested to speed up the mining process. Mr. Lamb said that the residents may have felt threatened and uninformed but said that Kilgore would explain the blasting schedule and location, and provide the best long-term solution for the property.

Council Member Mumford thanked those in attendance and asked why the previous bond with DOGM on the property had not been triggered as the ten-year time period had passed. Mayor Arave explained that the City had an agreement with the Thomas family that was separate from the agreement with Lakeview Rock Products so the bond may not have had a ten-year timeframe.

Council Member Mumford then said that the property was currently being mined by a company other than Kilgore and asked if this had been agreed upon. Stuart Lamb replied that Kilgore had not approved the mining activities and said that the City should look into whether the property was currently being illegally mined.

Tom Durrant, 850 Parkway Drive, said that he was surprised that the blasting had not triggered further landslide movement. He urged the City to research the current bond which could possibly be used for reclamation of the property. Mr. Durrant said that the hillside had stability issues and that further mining would create a vertical cliff.

Holly Betteridge, 718 Eagle Pass, commented that residents just wanted to protect their families and that when she moved to the City she was told that the mining would not be done any closer to the residential areas. She said that the mining and blasting was a safety issue for residents.

Chris Hogle said that the issues residents had expressed were related to not having control, safety, and blasting. He said Kilgore was offering control, blasting standards, an obligation for compliance with DOGM and State law, and a means to fixing the current situation.

Council Member Porter commented that he was on the Planning Commission when the original agreement was put in place. The location consisted of a junk yard and Hughes (Lakeview Rock Products) agreed to clean up the area and reclaim the property. The same arguments and promises had been made by them. He said the property could remain unsightly or the City could allow Kilgore to reclaim the property. He suggested that the City table the application and research the issue by meeting with DOGM and the Department of Air Quality (DOAQ).

Mayor Arave said that there is an obligation for the original requirements to be completed whether or not the City would allow further mining. He said the City would like the project completed in less than ten years.

Josh Thomas said that the Thomas family did not have the money to reclaim the property which was why they hired Hughes to complete the work. He said the property was mined from 1930 to 1980 by various companies including by his grandfather and he was unsure why the family did not follow up to make sure the original plan was completed.

Mayor Arave commented that there would be a public meeting with DOGM and the DAQ on September 14th at 5:30 p.m.

Council Member Porter moved to table the item to allow the City to obtain more information and work through certain issues.

Council Member Mumford commented that the old agreement was short and the new agreement was more detailed but he would still like to table the item and meet with DOGM and the DAQ before a decision was made. He explained that the Council was not tabling the item for any reason other than to obtain more information and encouraged citizen awareness of the proposed project and the Council's deliberations.

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

5. APPROVE MINUTES

The City Council minutes of August 15, 2017 were reviewed and approved. **Council Member Mumford moved to approve the City Council minutes from August 1, 2017 as presented. Council Member Porter seconded the motion. The motion was approved by Council Members Porter, Mumford and Hood. Council Members Horrocks and Jensen were excused.**

6. ACTION ITEMS

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

7. COUNCIL REPORTS

Council Member Hood reported that the Youth City Council (YCC) kick-off was held that day with 33 youth in attendance. He said the YCC reviewed the responsibilities and duties that were expected of them and thanked the City for their support.

Council Member Mumford said he appreciated the new and outgoing members of the NSL Live Committee and said that the Planning Commission should have upcoming approvals.

Council Member Porter reported on the Get Into The River Festival held in various communities throughout September. He said the City would hold their event on September 16th at 9 a.m. including boat trips down the Jordan River.

8. MAYOR'S REPORT

Mayor Arave reported that Stericycle had obtained most of their permits which would help to hasten their move from the City.

9. CITY MANAGER'S REPORT

Ken Leetham reported that the annual deer culling program had commenced and that Dane Stone would be teaching the bow hunting classes.

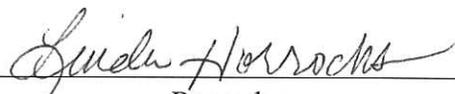
Mr. Leetham also reported that staff had made an effort to reach out to the public regarding upcoming road repairs including Eagleridge and Foxboro Drive projects, especially as residential access would be restricted. He said that staff would be more proactive in notifying residents rather than depending on the project contractors to inform the public.

10. ADJOURN

Mayor Arave adjourned the meeting at 9:10 p.m.



Mayor



Recorder