

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
FEBRUARY 20, 2018

FINAL

Mayor Pro Tem Mumford called the meeting to order at 6:06 p.m.

PRESENT: Mayor Pro Tem Ryan Mumford
Council Member Brian Horrocks
Council Member Stan Porter
Council Member James Hood
Council Member Lisa Watts Baskin

EXCUSED: Mayor Len Arave

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen, Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; David Church, City Attorney; Brent Moyes, Golf Course Director; Linda Horrocks, City Recorder; Marty Peterson, Emergency Preparedness Manager; Holly Christensen, Administrative Assistant; Andrea Bradford, Minutes Secretary.

1. BUDGET DISCUSSION AND OVERVIEW: GENERAL FUND AND PERSONNEL
(COLA AND BENEFITS)

Ken Leetham gave an overview of the City Council and staff roles, and said that the Council determined the City's vision and what would be accomplished, while the staff determined how it would be accomplished.. He spoke on five guiding principles that staff used to implement the Council's vision which included: 1) maintenance of required minimum Levels of Service (LOS) standards (including replacement and repair of infrastructure), 2) identification of deficient LOS standards and proposed solutions, 3) identification of best practices and strategies to "think outside the box", 4) consideration of new programs, services, or facilities that are needed to elevate and improve life in the city, and 5) what is the most cost-effective way to accomplish principles 1-4? All of these principles were observed in the context of long-term sustainability.

Mr. Leetham then reported on the budget and said that the City's current financial condition was excellent with healthy fund reserves and a positive short-term outlook. The challenge was in addressing the City's long-term needs, including maintaining aging infrastructure and retaining and hiring qualified personnel in the face of potentially flattening revenues. The General Fund

continued to maintain healthy fund reserves with an increase to the Fund Balance at the end of Fiscal Year (FY) 2018. FY 2018 will be under spent by at least 2% as staff was conservative and financially prudent with public funds.

Council Member Baskin asked about the current General Fund Reserve balance. Janice Larsen replied that the beginning balance was \$3.1 million.

Ken Leetham then spoke about the General Fund regarding personnel and said that while there was currently a competitive hiring market, particularly in public safety, that the City would try to hire the most qualified employees. He explained that well trained employees were the most valuable resource as they maintained the service level and were hopefully a good return on the investment.

Mr. Leetham proposed a compensation study that would identify competitive wages by position, update and standardize job descriptions, and would be a tool to help the City remain competitive while achieving long-term sustainability. He explained that a comprehensive study would cost approximately \$30,000.

Ken Leetham reported on the Cost of Living Adjustment (COLA) and said that personnel costs made up 74% of the General Fund budgeted expenditures and included the estimated costs for fire personnel. The COLA was determined through CPI index studies performed by Zions Bank and the Bureau of Labor Statistics, with a proposed 3% COLA for fiscal year 2018-2019.

Ken Leetham showed the COLA study done for fiscal years 2014 to 2019 as well as the proposed and actual increases for each year. Council Member Porter commented that based on the proposed chart the 3% COLA increase was very logical.

Ken Leetham distributed the spreadsheet with his and the elected officials' budget priorities. Mayor Pro Tem Mumford requested that Ken Leetham report on the Mayor's proposed priorities for the upcoming budget., Mr. Leetham reported on the Mayor's items which included concerns regarding land uses along Cutler Drive and Redwood Road, and the disconnect between the industrial zoning and the proposed business licenses for that area that are not zoned General Commercial. He said that the Mayor felt a form-based code approach could support the idea of being more permissive in the redevelopment of these areas, without sacrificing appearance, function, landscaping, or outdoor storage. Mayor Arave also wanted to focus on correctly implementing the General Plan in the Town Center, resolving traffic circulation issues on Main and Center Street, landscaping and betterment along Highway 89 and Redwood Road, and coordinating with South Davis County on parks, trails, and recreation.

Council Member Hood reported on his vision and budgetary items, which included open communication with residents regarding the Hatch Park expansion, recognizing that the Youth City Council was an important part of the City particularly through their service projects, working to get a city library, and the resolution of the landslide. Ken Leetham commented that the City went through a public input process for the park expansion in 2011 and would include the neighborhood in the future planning of Hatch Park.

Council Member Porter said that while Hatch Park may or may not be expanded in the future it would be prudent for the City to purchase the land now before it was redeveloped by others.

Mayor Pro Tem Mumford spoke about his list of items, which included changing the City ordinance on code violations to civil violations, hiring a second code enforcement officer, creating a standardized park replacement budget, utilizing the Parks, Arts, Trails, and Recreation Committee (NSL Live), discontinuing the apartment expansion on the hillside and in Foxboro, the Town Center development, improving Hatch Park, the redevelopment of the Redwood Road corridor, annexing unincorporated areas that currently use City resources, getting a library, curbing theft in the City, bus rapid transit along Highway 89, improving walk-ability, researching solar and alternative power, a phone app for City complaints and communication, improving business relationships, cleaning up the PCE plume, improving air quality, broadcasting City meetings, resolving the landslide, installing a bridge over the railroad tracks at 1100 North, and improving the Foxboro Wetlands Park.

2. APPROVE CITY COUNCIL MINUTES

The City Council minutes of February 6, 2018 were reviewed and approved. **Council Member Baskin moved to approve the City Council minutes of February 6, 2018 as written. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood, and Baskin.**

3. ACTION ITEMS

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

4. ADJOURN

Mayor Pro Tem Mumford adjourned the meeting at 6:58 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
FEBRUARY 20, 2018

FINAL

Mayor Pro Tem Mumford called the meeting to order at 7:05 p.m. Council Member Brian Horrocks offered the invocation and Daniel Olsen, BSA Troop 884, led those present in the Pledge of Allegiance.

PRESENT: Mayor Pro Tem Ryan Mumford
Council Member Brian Horrocks
Council Member Stan Porter
Council Member James Hood
Council Member Lisa Watts Baskin

EXCUSED: Mayor Len Arave

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen, Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; Assistant Police Chief Troy Johnson; David Church, City Attorney; Brent Moyes, Golf Course Director; Linda Horrocks, City Recorder; Marty Peterson, Emergency Preparedness Manager; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Sam Wood, Daniel Olsen, Keith Wheelwright, Chris Wood, Eric Smith, BSA Troop 884; Josh Merrell, Four Foods Group; Isaac Galvez, BSA Troop 1036; Ryan Wray, BSA Troop 1330; Mike Stanger, Brandon Stone, Leslie Giles, Isaac Lane, Cameron Jolley, Matthew Smith, Ben Forsgren, BSA Troop 770.

1. CITIZEN COMMENT

There were no public comments.

2. PUBLIC HEARING AND CONSIDERATION OF RESOLUTION 2018-03R
ADJUSTING THE 2017-2018 FISCAL YEAR GENERAL FUND, ROAD CAPITAL
FUND, AND GOLF ENTERPRISE FUND BUDGETS

Janice Larsen reported on the budget adjustment to move restricted C-Road and fuel tax funds from the General Fund to the Road Fund. The second adjustment would be an adjustment to the Golf Enterprise Fund for an increase of \$13,800 for the approved repairs at the golf course as the bids to resurface the maintenance building floor and upgrade the restrooms at the clubhouse were higher than the original budgeted amount.

Mayor Pro Tem Mumford opened the public hearing at 7:09 p.m. There were no public comments and he closed the public hearing at 7:10 p.m.

Council Member Baskin asked for clarification on the requested budget adjustments. Janice Larsen replied that per State law when fuel tax and C-Road funds were received that it was placed in the Road Capital Fund to fund projects until the end of the year. Each year those funds must be moved back to the General Fund.

Council Member Horrocks commented that construction costs were expected to be very high for 2018 and the City might want to reconsider postponing some projects until the demand had died down.

Council Member Horrocks moved to approve Resolution 2018-03R adjusting the 2017-2018 fiscal year General Fund, Road Capital Fund, and Golf Enterprise Fund budgets. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood, and Baskin.

3. PROPOSED BID AWARD FOR THE EAGLEWOOD CLUBHOUSE RESTROOM
REMODEL PROJECT

Brent Moyes reported that staff had received bids several years ago for remodeling the restrooms, but did not proceed with the work at that time. Staff was only able to obtain one bid from Kirkham Properties LLC, as other contractors were too busy and felt the project was too small to pursue.

Council Member Porter moved to approve the proposed bid award for remodel work at the Eaglewood Golf Course clubhouse to Kirkham Properties, LLC in an amount not to exceed \$38,490.64. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood, and Baskin.

4. CONSIDERATION OF RESOLUTION 2018-04R APPROVING A FRANCHISE
AGREEMENT (2018-03A) BETWEEN MCIMETRO/VERIZON AND THE CITY OF
NORTH SALT LAKE

Ken Leetham reported that sections 10.3 and 10.4 of the draft for the franchise agreement should be deleted as these requirements were already part of the City code. He explained that the City Attorney had reviewed the draft and that this agreement would be consistent with other franchise agreements for utility providers.

Council Member Baskin asked what the terms and fees for the franchise agreement would be. Ken Leetham replied that the City would collect a telecommunications tax of 3.5% of the gross sales per law.

Council Member Baskin asked for clarification on the franchise agreement in the event that a City ordinance was changed. David Church replied that if the ordinance were different than the franchise agreement that the City ordinance would govern.

Ken Leetham commented that this wording could be confusing in that all utility franchisees must be treated the same. He said that these companies would be subject to all City requirements and would need to acquire permits prior to performing certain work. David Church added that the City ordinance could not be amended to put a utility company out of business but would govern things such as the location of utilities, road cuts, etc.

Council Member Porter asked if the fee schedules for road cuts were up to date with the requirement that utility companies could not cut into new roads. Paul Ottoson replied that utility companies could not cut into new asphalt or concrete for three years. He said that the majority of the excavation permits the City issued were from utility companies.

Council Member Horrocks moved to approve Resolution 2018-04R a resolution of the City of North Salt Lake City Council approving a franchise agreement between North Salt Lake and MCImetro Access Transmission Services Corp. D/B/A Verizon Access Transmission Services. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood, and Baskin.

5. PROPOSED BID AWARD BID- EAGLEPOINTE ESTATES AUXILIARY STORM DRAIN PROJECT

Paul Ottoson reported that the Eaglepointe Estates Auxiliary Storm Drain project, which originally included running the storm drain from Valley View and Eagleridge Drives up Eagleridge Drive to Cynthia Way, had been reviewed and the determination was made that the storm drain could run outside of the street on City-owned property. This route would lessen the traffic impact and would be shorter, thus less expensive. Street closures for traffic would be

addressed in the contract with the restriction that the contractor could only close the streets for two separate weekends with at least one lane of traffic to be open the remainder of the time.

Staff received six bids, with Red Pine Construction being the low bidder at \$354,550. As Red Pine would be a new City vendor, staff reviewed their references and found that they were highly recommended by Alpine City. The company also had experience with storm drain work, significant slope, and high-density polyethylene (HDPE) pipe. City staff recommended that the Council award this project to Red Pine Construction.

Mr. Ottoson said that while the HDPE pipe would take 14 weeks to order, Red Pine could start work on the concrete pipe sections. He said that this type of pipe was necessary for the slope and explained that a Geotechnical study had been performed to determine stability for the project.

Council Member Porter asked about re-vegetation of the site. Paul Ottoson replied that matting and seeding would be done as well as any necessary water removal or additional rock for further stability. He also said that the bid would include restoration of residential yards.

Council Member Porter asked if the project would include a trail extension. Paul Ottoson replied that the property was owned by a private developer at this time. He said the City already obtained a permanent easement for this project and had an existing public utility easement in the area that could be used for a trail but said staff would need to work with the landowner.

Council Member Porter moved to accept the bid for \$354,550 and award it to Red Pine Construction LLC for this project. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood, and Baskin.

6. CONSIDERATION OF PROPOSED LEASE AGREEMENT 2018-02A WITH FOUR FOODS GROUP FOR CITY-OWNED PROPERTY AT APPROXIMATELY 1065 NORTH HIGHWAY 89 (R&R BARBECUE)

Ken Leetham reported that the proposed lease agreement consisted of leasing City owned property to R&R BBQ for a redevelopment project at 1065 North Highway 89. The property would be used for parking and traffic circulation. Staff concerns included a culinary well, an easement, access, and storm drain approval by the City Engineer. Preservation and access to the culinary well, located on the south end of the property, would be maintained through a physical barrier and documentation with certain restrictions.

Ken Leetham suggested several changes to the current Access and Parking Easement Agreement including the addition of “with no barriers” to restriction number three, and a paragraph eight stating that the property would continue to provide access to the adjacent properties to the west.

Josh Merrell, Four Foods Group, commented that as Four Foods Group owned the Kneaders which currently used the access, there would be no issue with the City’s request to maintain the easement and access. He then thanked the City for allowing them to use the property especially as it would enable them to construct 22 more parking stalls.

Mayor Pro Tem Mumford asked why the City was not currently developing the culinary well. Paul Ottoson replied that there was not a current need but said the well would be developed for future growth.

Council Member Baskin moved that the City Council approve the Lease Agreement 2018-02A with Four Foods Group for the use of City property adjacent to 1065 North Highway 89 for the purpose of access and parking easements related to the construction of R&R BBQ. Council Member Horrocks seconded the motion.

Ken Leetham recommended that the motion include that the lease agreement would be subject to the City Engineer approval of the final storm drain plans and the amendments to the lease agreement.

Council Member Baskin amended her motion to include approval by the City Engineer and the additional restrictions added to subsections iii and viii. Council Member Horrocks seconded the amended motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood, and Baskin.

7. CONSIDERATION OF CONCEPT PLAN APPROVAL FOR A TWO LOT
SUBDIVISION, LOCATED AT 1065 NORTH HIGHWAY 89, FOUR FOODS GROUP
(R&R BARBECUE), APPLICANT

Ken Leetham reported on the configuration of the property located at 1065 North Highway 89 and explained the proposed division of the property into two parcels. The approval for the final plat would come back before the Planning Commission and the City Council. The Planning Commission reviewed the concept plan application and recommended approval with the conditions that provisions be made for a utility easement along the property line for a future water line and that the subdivision line be located with landscaping on only one lot, unless a maintenance agreement was attached to the plat. The lot currently contained a Top Stop, Subway, Key Bank and Master Muffler.

Council Member Porter moved that the City Council approve the concept plan for the two lot subdivision at 1065 North Highway 89 subject to the following conditions:

- 1) Provision for a utility easement along the divided property line for future water line;**
- 2) Subdivision line should be located with landscaping on only one lot, unless a recorded maintenance agreement is attached to the plat**

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

8. PRESENTATION OF POLICE DEPARTMENT FY2019 BUDGET

Chief Black reported on the 2019 Police Budget presentation, including the status and results of last year's budget, proposed staffing, and a briefing of future public safety issues. The five year staffing plan included the hiring of two police officers in the patrol division for cover shifts. Chief Black indicated that the department filled the two positions but then lost two officers, which put the department in a position of being unable to cover shifts. The two vacant positions were filled by one cover shift officer and one administrative sergeant.

Chief Black then reported on Sergeant Gwilliam's administrative duties which included operator and controller of body and car camera systems, primary investigator of personnel complaints, training coordinator, filling GRAMA requests, coordination of U-Visas for witnesses or victims of violent crimes, tracking equipment, support to the Chief and Assistant Chief, assisting with local grant opportunities, and providing supervisor oversight.

Chief Black talked about the proposed staffing for the upcoming year, including hiring the second cover shift officer as soon as possible to avoid the hiring rush by other entities, as well as requesting funding to hire one non-sworn position. This administrative position would allow the department to maintain public transparency by handling requests for audio, video, and pictures and would follow strict guidelines on what could be recorded, how things are recorded, and what could be released publicly. This position would also include fingerprinting, handling walk-in issues, citizen requests, ensuring that records were in compliance, and assisting victims. He said that the cover shift officer position would be one of the last sworn positions for the next five years and would put the department at the level of service that was necessary for the community and to ensure officer safety.

Chief Black reported that there were 388 traffic accidents in the City in 2017, including two fatal accidents. He spoke about the officer involved traffic accident on April 10, 2017 in which a

drunk driver hit the police officer head on. This accident resulted in surgery and light duty work for nine months for Sergeant Gwilliam.

Chief Black then reported on how drugs and alcohol impacted the community, including one case in which drugs were found in an impounded vehicle which led to a case involving prostitution, drug and human trafficking, and outstanding warrants. He said there were 70 violent crimes, which are classified as domestic abuse, robbery, and kidnapping in 2017. Theft was the biggest crime problem, with over 300 reports of basic larceny, and 48 vehicle thefts. Many of these thefts were driven by drug and addiction issues. There were five high tech cases including credit card skimming at the Flying J gas station, and 104 identify theft cases.

Chief Black spoke on active shooter situations and said that 15% of the school shootings suspects were under twelve years old. Sergeant Gwilliam and Assistant Chief Johnson demonstrated the use of a mobile barricade that could be utilized in schools, apartment complexes or in any active shooter situation. Chief Black said that the recent school shooting occurred in three minutes, which was faster than emergency services could arrive, and said that school administration and City employees need to be trained to deal with these situations.

Council Member Hood asked what type of experience the clerk position would require. Chief Black responded that the ideal candidate would be media savvy, able to use editing software to make video and audio available for the public, and have an understanding of basic software programs. The department would train the individual on how to interact with victims, the prosecutor's office, and Safe Harbor Crisis Center.

Mayor Pro Tem Mumford asked about the violent crime kits and whether there was a backlog. Chief Black replied that approximately 90% of the time the suspect was known but the problem was proving consent between adults, especially in an impairment situation. He said that all of the department's kits had been sent in for testing but the backlog could take months or even years.

Mayor Pro Tem Mumford commented on the competitive nature of police hiring and asked if there was a salary increase request as well. Chief Black replied that they were only requesting the City employee COLA increase that had already been discussed. He said that the department tried to provide career opportunities, praise and recognition, training and support, as well as good compensation and benefits.

Mayor Pro Tem Mumford said that three of the stolen cars were in his neighborhood and asked if the request for a new clerk and police officer would be adequate to curtail this issue or if something else needed to be done. Chief Black responded that he could not promise that staffing would solve the issue as there were more factors involved. He said additional staffing would help

to provide proactive and adequate response time coverage, and that a more effective method would be to continually identify trends and review the recovered cars for evidence. He also said it was hard when the cases were prosecuted in Salt Lake County and not Davis County, as it was more difficult to prove possession of the stolen vehicles.

Council Member Baskin asked how many pounds of expired drugs were collected in the drop-off box located in the police department. Assistant Chief Johnson replied that the contents were collected five times per year and averaged around 140 to 160 pounds each time.

Council Member Baskin also asked if the bitcoin and gaming machines found in local gas stations were legal. Chief Black replied that they were illegal and there was a raid to remove those machines, but the State's gambling laws were an issue.

9. CITY COUNCIL REPORTS

Mayor Pro Tem Mumford asked that the Council continue their budgetary requests.

Council Member Horrocks reported that his requests included updating and improving the golf course club house and marketing it more heavily for weddings and other events, reviewing all City activities and events for their value, resolving the landslide issue, and reviewing the General Plan regarding apartments.

Council Member Baskin reported that her requests included the PCE plume mitigation, resolving the landslide litigation and working on stabilization, more traffic control and shuttle system at the annual firework show, senior citizen requests for fruit and nut trees in the parks, more lights at Hatch Park, and addressing garbage pickup delays.

Ken Leetham commented that garbage pickup delays were a citywide complaint. He said when staff contacted Waste Management they suggested residents put the cans out the night before and leave them out all day. Mayor Pro Tem Mumford suggested that the City potentially review other waste services as the City endeavored to provide a certain level of service for residents.

The Council discussed the second Saturday pickup, lack of consistency for pickup, and potentially negotiating with the Bountiful landfill to allow residents to dump there.

Council Member Baskin asked if Utah Foster Care could be added to a future agenda to allow them to speak to the Council as part of a community outreach and education tool. She said there were up to 3,000 children in foster care on any given day and that this amount had risen from 2,500 children six months ago due to the opioid crisis.

Council Member Baskin commented that many of the parks such as Wild Rose and Tunnel Springs Park were too hot and asked if shade could be installed. Ken Leetham replied that shade would be installed at the Legacy Park splash pad and said staff could look into shade options at other parks.

Council Member Baskin asked when the zoning appeal for the Granite parcel would be held. David Church replied that the appeal would be held before the City's hearing officer on March 15th at City Hall.

Council Member Porter reported on his budget request items including matching funds with potential grants for the trail on I-215 to Center Street, Tunnel Springs Park improvements such as a boardwalk and use of the spring, and a dog park. He also said that he would like a public display, such as a kiosk, of the history of the City.

Ken Leetham reported on his budget requests which included the Eaglepointe Landslide repair, completion of the amendments to the City code to change code violations from a criminal to a civil process, a market compensation study, the Foxboro Wetlands project, improvements and plan for the Veteran's Memorial Park, acquisition of property adjacent to Hatch Park, and completion of the Hatch Park master plan, an annual investment in City-wide landscaping, completion of the Sports World plan, beautification on the north side of Eagleridge Drive, repair/upgrade of golf course sprinkler system, and transportation in the Town Center (including trails, pedestrian access across Eagleridge Drive and roundabout, Main Street, and Center Street).

The Council discussed a potential library and a possible location within Hatch Park.

Mayor Pro Tem Mumford then said that air pollution was an issue and asked that staff look into the idling ordinance that Salt Lake City had adopted and whether it could be implemented in the City. He also asked that the Get into the River and Arbor Day be added to the NSL event poster.

Council Member Hood reported that the Youth City Council (YCC) had started to fill eggs for the annual City Easter egg hunt. He said the YCC also participated in the Super Bowl of Caring at area grocery stores and collected 2,050 pounds of food, as well as \$220 dollars for the Bountiful Food Pantry. The YCC Leadership Conference would be held March 8th through the 10th at Utah State University.

10. CITY MANAGER'S REPORT

Ken Leetham then reported on the Polynesian Cultural Festival and said the festival organizer had discussed the festival with the sponsors and stated that they may not continue to hold the

festival if the City did not provide funding. Mr. Leetham said the City would still participate through allowing the use of the park at no charge and with service by the Police and Public Works Departments. He said that with over 1,000 festival participants the sponsors should be able to hold the event and also make a profit.

Council Member Porter suggested that the festival could look at inclusion into the Summerfest event or look for county sponsorship. Mayor Pro Tem Mumford commented that NSL Live voted not to fund the festival as the City was participating in other ways such as advertising, park use, and City staff cleanup.

Council Member Hood said that the City should not put such a large amount of money into one event, especially since the festival organizers seemed unable to organize previous events with the presented budget and had continually asked for additional funds.

11. MAYOR'S REPORT

Mayor Arave was excused.

12. CITY ATTORNEY'S REPORT

David Church had nothing to report.

13. ADJOURN

Mayor Pro Tem Mumford adjourned the meeting at 9:47 p.m.



Mayor Pro Tem



Recorder