

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-WORK SESSION  
MAY 15, 2018

**FINAL**

Mayor Arave called the meeting to order at 6:03 p.m.

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

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; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Holly Christensen, Administrative Assistant; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Mary Kay Porter, resident; Nate Pugsley, Taylor Spendlove, Brighton Homes.

1. DISCUSSION OF CONCEPT PLAN FOR A PROPOSED TOWN CENTER PROJECT,  
BRIGHTON HOMES, APPLICANT

Taylor Spendlove, Brighton Homes, presented a concept plan for the proposed Town Center project which would include four existing residential homes, housing units, office buildings, and an open field. The site was located between Highway 89, Main Street, and Center Street. The commercial portion would be 16,500 square feet of office and retail space. The housing portion would consist of 34 three bedroom units and 22 two bedroom units for a total of 56 townhome units. Mr. Spendlove presented the architectural design of the buildings and said that JZW would be the architects for the project. These units would be owner occupied row houses with the potential for live/work space. The streetscape along Center Street would match the City's Town Center plan requirements including street trees, sidewalk width, and parking. The overall project would have a total of 177 parking stalls. He commented that they would be seeking Redevelopment Area (RDA) funding for the project.

Nate Pugsley, Brighton Homes, commented on the requested financial aid from the Redevelopment Agency (RDA) for tax increment financing reimbursement of \$155,000 to \$170,000 per year for 15 years on the four acre property, which would be approximately \$19.33 per square foot as the current land value for virgin land was \$10 per square foot. He said the projected cost for both Center and Main streets included street improvements, street lights, land cost, utility relocation, landscaping, sidewalk, curb and gutter, asphalt, road preparation, and demolition of existing road improvements.

Council Member Mumford asked what the proposed price per unit would be. Nate Pugsley replied that these units would be priced similarly to Chesham Village at approximately \$300,000 per unit. He also said that the retail space lease pricing would be \$15 to \$16 per square foot and the office space would be \$13 to \$15 per square foot.

Ken Leetham commented on the projected TIF number and said that the City reviewed Brighton's three existing projects along Highway 89 as well as the proposed project plus the projected values. He projected that \$158,000 to \$160,000 could be collected per year due to the tax increment collected in the Community Development Area (CDA). Mr. Leetham also said that Brighton had asked for \$400,000 in impact fees and commented that staff would work with them on possible solutions.

Council Member Mumford asked if the live/work units would be feasible in that area per City code. Ken Leetham replied that since it would be a Planned District the City could establish zoning to permit live/work units.

The Council brought up additional comments and concerns about parallel parking, multifamily housing, providing more ADA accessible units throughout the City, and the current warehouse use of the area adjacent to the proposed development.

Council Member Porter commented that he had a conflict of interest with this project but said this area had been under review for redevelopment since the 1990s.

City staff and the majority of the Council were supportive of the project as it was a for sale development with a commercial/retail aspect and it would complement the Town Plaza project.

Council Member Mumford asked for clarification that the TIF would be \$2.4 million over a 15 year period. Nate Pugsley replied that this was correct and the City would specify the start date. He said they would work on the formal TIF agreement with City staff.

## 2. APPROVE CITY COUNCIL MINUTES

The City Council minutes of May 1, 2018 were reviewed and approved. **Council Member Baskin moved to approve the City Council meeting minutes from May 1, 2018 as amended. Council Member Mumford 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.

Mayor Arave asked that staff determine appropriate measures for enforcing the new blasting ordinance.

Council Member Hood asked if there was an update on the cost for weekly recycling services. Ken Leetham replied that this service would be mandatory for each resident and that he had requested pricing from Beth Holbrook at Wasatch Integrated Waste Management.

The Council discussed issues with both the second Saturday pickup services and the level of service with the current waste management provider. Mayor Arave asked that the staff review the term limits on the contract with Wasatch Integrated Waste Management.

Council Member Porter suggested that the City should look into providing their own waste management services or at least secondary service for missed cans or second Saturday pickups.

Council Member Mumford commented that he had received many compliments from residents about City staff and the organization of the spring cleanup held at the Public Works Building.

## 4. COUNCIL REPORTS

Council Member Baskin reported that the Arbor Day event was successful. She also reported on the ribbon cutting at Del Taco and commented that she would work with staff to add the Utah Foster Care presentation to the agenda.

Council Member Hood reported that there was an agenda item in the regular session to honor the outgoing Youth City Council (YCC) seniors and advisors. He said the new advisory couple and executive committee would be introduced in June.

Council Member Mumford reported that the Kite Festival would be held May 19<sup>th</sup> from 10 a.m. to 12 p.m. at Legacy Park. The Foxboro community garage sale and fair would also be held that day with food trucks present at the event. He commented that Lori Seppi would be retiring from the Parks and Arts Council and asked that she be recognized during a City Council meeting.

Council Member Mumford also commented that the UTOPIA presentation would be held June 19<sup>th</sup> during the City Council work session. Council Member Horrocks commented that the other communities had subsidized these services which may result in a good deal for the City, but he was still skeptical of the company.

Council Member Horrocks commented that his church group was going to Woods Cross to play pickleball and suggested that pickleball courts would be a nice amenity for the City.

#### 5. ADJOURN

Mayor Arave adjourned the meeting at 6:58 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-REGULAR SESSION  
MAY 15, 2018

**FINAL**

Mayor Pro Tem Mumford called the meeting to order at 7:10 p.m. Council Member Brian Horrocks offered the invocation and led those present in the Pledge of Allegiance.

PRESENT:

Council Member Brian Horrocks  
Council Member Stan Porter  
Council Member Ryan Mumford  
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; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Joseph Earnest, Quick Quack Car Wash; Justin Savage, Orchard 5<sup>th</sup> Ward; Brian Myers, Bountiful resident; Thomas Baskin, Rob Baskin, Marissa Brunner, Grayson Ence, Nathan Jensen, Leah Thacker, Mary Banks, Matthew Thacker, Camille Thorpe, Liz Ence, Stanley Garcia, Kris Garcia, Katie Rasmussen, Taylor Dillon; Dave Curtis, National Commercial Properties.

1. CITIZEN COMMENT

Justin Savage commented that he was the bishop of the Orchard Fifth Ward and thanked the City for providing the spring cleanup service. He said that his ward does a biannual service project and was able to utilize the spring cleanup program to help the elderly and those who were unable to transfer bulk waste. Mr. Savage complimented City staff and the organized manner of the event.

Brian Myers, 448 West 3400 South in Bountiful, asked that any items or discussions relating to the Winegar's redevelopment be publically noticed in the future. He also clarified that the

proposed density was more than 46 per acre and was not really mixed use as the retail element was 3% of the development. Mr. Myers commented that once the land was sold and developed Winegar's and the developer would no longer have a stake in the neighborhood. He asked that all zoning codes be followed to protect the land owner, developer, and residents.

Council Member Horrocks clarified that Lonny Winegar came to the previous City Council meeting and made a comment during the citizen comment portion of the meeting. The City was not notified beforehand, which was why his comments were not noticed on the agenda.

Council Member Porter said that the proposed redevelopment of the Winegar's property had not come before the City Council and Council would remain impartial until the Planning Commission made their recommendations.

Nathan Jensen, the current YCC mayor, reported that it was National Police Week and thanked the police department for their service. He then presented thank you cards to Chief Black.

## 2. RECOGNITION OF OUTGOING YOUTH CITY COUNCIL AND ADVISORS- COUNCIL MEMBER JAMES HOOD

Council Member Hood reported that several of the youth were graduating from high school and would be leaving the Youth City Council (YCC). He said the youth were the future of the country and that the YCC provided the youth with many opportunities to further develop their leadership qualities. He said there were 35 active youth that attended the weekly YCC meetings. Plaques were then presented to Nathan Jensen, Sara Drinkall, and Thomas Baskin.

Council Member Hood also recognized Josh Horrocks, who was absent, and the advisory couple, Matt and Leah Thacker. He explained that the Thackers would be moving out of the City and thanked them for their year and a half of service.

## 3. DISCUSSION-PROPOSED AMENDMENT TO THE EAGLEWOOD VILLAGE DEVELOPMENT AGREEMENT TO ALLOW CAR WASH AS A PERMITTED COMMERCIAL RETAIL USE

Sherrie Llewelyn reported that Lone Star Builders was interested in acquiring a portion of the property in Eaglewood Village to build a Quick Quack Car Wash. She explained that they were prominent along the Wasatch front. Mrs. Llewelyn presented several images which showed the standard branding with yellow and green architectural accents as well as a more modified color scheme. City staff recommended the modified color scheme in order to be compatible with the Town Center Master Plan area. The development agreement for Eaglewood Village did not

currently allow for a car wash so an amendment to the development agreement would need to be made. Staff met with the applicant regarding the appearance of the building, the layout, water usage, and how it would fit into the Town Center.

Joseph Earnest, Lone Star Builders, commented that they were the exclusive developer of Quick Quack in Utah, with over ten locations. He discussed the site plan and said that winter hours would be 7 a.m. to 7p.m. and summer hours from 7 a.m. to 10 p.m. Mr. Earnest said that the company took water conservation very seriously and used a water recycling process. He also spoke about the company's community involvement through local charities and other events.

Council Member Horrocks asked about tax recovery based on the proposed project. Ken Leetham said that measuring performance based against projects showed that it was underperforming. He said that as the original intent of the property was for office buildings the development group would not recover what had been invested in the property.

Sherrie Llewelyn asked for direction from the City Council on potentially amending the development agreement. Overall the Council was supportive of the amendment but asked for further information.

Ken Leetham asked what the Planning Commission involvement would be at this level of development. Sherrie Llewelyn replied that the applicant would subdivide the lot and then request site plan approval, which would go before the Planning Commission.

4. ORDINANCE 2018-05: CONSIDERATION OF A PROPOSAL TO REZONE PROPERTY LOCATED AT 200 SOUTH HIGHWAY 89, FROM COMMERCIAL HIGHWAY (CH) TO PLANNED DISTRICT (P) WITH DEVELOPMENT AGREEMENT FOR CITY'S EDGE APARTMENTS

Sherrie Llewelyn reported on the redevelopment of the former Bountiful Pointe Apartments which would now be known as the City's Edge Apartments. The general development plan was approved in January 2018. Two of the existing three apartment buildings would be rehabbed while one would be replaced with two new apartment buildings. The landscaping and architectural plans were reviewed with those present. The revised parking plan provided 49 covered spaces and 31 uncovered spaces for a total of 80 parking spaces at 1.86 stalls per unit. The Planning Commission recommended approval with two conditions including correction of the parking tabulation on the site plan exhibit and submission of the fencing sample to City staff for approval as a quality composite material.

Council Member Horrocks commented there was a concern that the project was under parked. Sherrie Llewelyn replied that the project was at 2.25 parking stalls per unit but the Town Center Master plan required that the parking plan be reduced 65%. She said that the one bedroom unit parking requirement was 1.5 spaces per unit, the two bedroom units were 2 spaces per unit and the guest parking spaces were 0.25 spaces per unit.

Brian Knowlton, Knowlton General, commented that the units would be for lease with assigned parking stalls and that property management would consistently monitor parking.

The Council discussed the location of the covered and visitor parking on the site based on the concept site plan presented. It was also discussed that some of the parking shown would need to be reconfigured and then reflected on an updated site plan.

**Council Member Baskin moved that the City Council approve Ordinance 2018-05 rezoning property located at 200 South Main from CH to P District and approval of the associated development agreement for City's Edge Apartments with the following conditions:**

- 1) Correction of the parking tabulation on site plan exhibit;**
- 2) Submission of fencing sample to City staff for approval as a quality composite material**

Mayor Pro Tem Mumford asked if a condition should be added to address the parking stall discussion.

**Council Member Baskin amended her motion to include a third condition "that parking stalls will be covered pursuant to recommendations from staff." Council Member Porter seconded the motion.**

Ken Leetham commented on section 8A of the development agreement and said that the language needed to be amended to remove the wording related to "damages".

Brian Knowlton asked that the terminology be amended before the ordinance was voted upon.

Sherrie Llewelyn suggested that section A8 read "all rights and remedies available at law and in equity including injunctive relief or specific performance but shall have no claim for money damages."

David Church commented that the court could order specific injunction but not a claim for money damages. He explained that as a general principle the right to sue for damages should not

be placed in a development agreement. The right should be for both the City and the developer to enforce and honor the agreement.

**Council Member Baskin withdrew her motion.**

**Council Member Horrocks moved to amend the development agreement, specifically section 8A to read “all rights and remedies available at law and in equity including injunctive relief or specific performance but shall have no claim for money damages.” Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

**Council Member Baskin moved to approve Ordinance 2018-05 rezoning property located at 200 South Main from CH to P District and approval of the associated development agreement, as amended, for the City’s Edge Apartments with the following conditions:**

- 1) Correction of the parking tabulation on site plan exhibit;**
- 2) Submission of the fencing sample to City staff for approval as a quality composite material;**
- 3) Covered parking as recommended and approved by City staff.**

**Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Baskin. Council Member Hood voted in opposition to the motion.**

- 5. CONSIDERATION OF PROPOSED SITE PLAN APPROVAL FOR PROPERTY LOCATED AT 200 SOUTH HIGHWAY 89, CITY’S EDGE APARTMENTS**

Sherrie Llewlyn commented that there was a section of the trail located on the property that would require an easement to connect to Hatch Park.

**Council Member Horrocks moved to approve the proposed site plan for property located at 200 South Highway 89 with the following conditions:**

- 1) Correction of the parking tabulation on site plan exhibit;**
- 2) Submission of the fencing sample to City staff for approval as a quality composite material;**
- 3) Covered parking as recommended and approved by City staff.**

**Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Baskin. Council Member Hood voted in opposition to the motion.**

6. ORDINANCE 2018-06: CONSIDERATION OF A PROPOSAL TO REZONE PROPERTY LOCATED AT APPROXIMATELY 180 SOUTH HIGHWAY 89, FROM COMMERCIAL HIGHWAY (CH) TO PLANNED DISTRICT (P) WITH DEVELOPMENT AGREEMENT FOR CITY'S EDGE CENTRAL TOWNHOMES

Sherrie Llewelyn reported that this property known as City's Edge Central would connect to the City's Edge Apartments and NSL14 developments. The 21 proposed units would be townhome style with two car tandem style garages. Twelve of the units would have driveways for a total of 60 parking spaces overall at 2.85 stalls per unit.

Mrs. Llewelyn explained that the Planning Commission suggested one correction to the site plan to move units T14 through T21 one foot north to meet the minimum 5' setback. The Planning Commission made a favorable recommendation with two conditions that the 5' minimum setbacks be met for units T14-T21 and that City staff must approve the fencing material.

Sherrie Llewelyn commented that the same amendment be made to the development agreement regarding section 8A.

The Council and the developer reviewed guest parking locations and the easement for the trail to connect to Hatch Park, which could be used for larger gatherings.

Council Member Horrocks made a motion to modify the development agreement.

**Council Member Horrocks moved to modify the development agreement section 8A to read "all rights and remedies available at law and in equity including injunctive relief or specific performance but shall have no claim for money damages." Council Member Baskin seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Baskin. Council Member Hood voted in opposition to the motion.**

Council Member Porter then made a motion on the zoning proposal.

**Council Member Porter moved that the City Council approve Ordinance 2018-05 rezoning property located at 180 South Main from CH to P District and approval of the associated development agreement for City's Edge Central Townhomes with the following condition:**

- 1) **Submission of fencing sample to City staff for approval as a quality composite material.**

**Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Baskin. Council Member Hood voted in opposition to the motion.**

7. CONSIDERATION OF PROPOSED SITE PLAN APPROVAL FOR PROPERTY LOCATED AT APPROXIMATELY 180 SOUTH HIGHWAY 89, CITY'S EDGE CENTRAL TOWNHOMES

**Council Member Mumford moved to approve the site plan for the property located at approximately 180 South Highway 89 with the following conditions:**

- 1) **Submission of fencing sample to City staff for approval as a quality composite material**

**Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Baskin. Council Member Hood voted in opposition to the motion.**

8. CONSIDERATION OF FINAL PLAT APPROVAL FOR TOWNE PLAZA, PHASE 2 & 3 LOCATED AT APPROXIMATELY 130 EAST CENTER STREET

Sherrie Llewelyn reported that Phase 2 of this project would consist of 24 townhomes and Phase 3 would now consist of two buildings with office space on the second floor. She presented the landscaping plan and the development agreement amendment for landscaping. The proposed modification to the agreement would require the developer to reimburse the City for asphalt, trees, and landscaping for Phases 1 and 2 at the cost of \$36,067.75 since the City was requesting that these items not be installed prior to the improvements on 130 East.

The Planning Commission made a favorable recommendation on the final plats with the condition that new mylar be submitted by the applicant to notice private streets in the development.

Dave Curtis, National Commercial Properties, explained that he would be retaining one of the office buildings for business use. He commented that Phase 2 was sold out with price points starting at \$249,000 for a five bedroom unit.

**Council Member Horrocks moved to approve the final plat for Towne Plaza Phases 2 and 3 located at approximately 130 East Center Street with the following condition:**

- 1) Submission of the corrected Phase 1 plat with the designation for private streets corrected on it.**

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

9. CONSIDERATION OF A SECOND AMENDMENT TO THE TOWNE PLAZA DEVELOPMENT AGREEMENT RELATED TO INFRASTRUCTURE COSTS AND APPROVED LAND USES

Sherrie Llewelyn reported that the land uses were not originally included in the development agreement. The Planning Commission reviewed and recommended approval of the amendment and payment of infrastructure improvements.

**Council Member Hood moved that the proposed amendment for the Towne Plaza be approved as attached herein. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

10. CONSIDERATION OF A PROPOSED SITE PLAN APPROVAL FOR COMMERCIAL OFFICE BUILDINGS AT 120 EAST CENTER AND 140 EAST CENTER STREET

Sherrie Llewelyn reported that staff worked with the applicant on preparing a good landscape plan for the site.

**Council Member Baskin moved that the City Council approve the site plan for Towne Plaza, Phase 3 located at approximately 130 East Center with no conditions. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

Ken Leetham thanked Dave Curtis for working with staff to help meet the vision for the Towne Plaza and the Town Center.

11. AWARDING OF BID FOR STREET PRESERVATION PROJECTS FOR PROPOSED  
CHIP SEAL LOCATIONS TO CONSOLIDATED PAVING & CONCRETE FOR  
\$123,181.50

Paul Ottoson reported on the street preservation projects and the chip and fog seal locations shown on the presented map. He explained that a chip seal was similar to a rock type material while a slurry seal was more like a sand mix. Mr. Ottoson said that staff received three bids and Consolidated Paving & Concrete, Inc. was the low bid at \$123,181.50. The Engineer's Estimate for this project was \$152,000. Staff recommended awarding the bid to Consolidated Paving.

**Council Member Baskin moved that the City Council award the Miscellaneous Street Preservations 2018 - Chip Seals to Consolidated Paving & Concrete, Inc. for the price of \$123,181.50. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

12. AWARDING OF BID FOR STREET PRESERVATION PROJECTS FOR PROPOSED  
HA5 SEAL LOCATIONS TO HOLBROOK ASPHALT COMPANY FOR \$119,712.38

Paul Ottoson reported that Holbrook Asphalt Co. was the sole source provider for the High Density Mineral Bond (HA5) material. Staff recommended awarding the bid to Holbrook Asphalt Co. for the price of \$119,712.38. He explained that HA5 was similar to a slurry seal in that it had good friction control but was slightly more expensive than slurry.

**Council Member Baskin moved to award the Miscellaneous Street Preservations 2018-High Density Mineral Bond HA5 project to Holbrook Asphalt for the price of \$119,712.38. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

13. AWARDING OF BID FOR MORTON WATER CONTROL VAULT PROJECT TO  
BURTON CONTRACTORS FOR \$185,636.74

Paul Ottoson reported on the Morton Tank Water Control project and explained that currently all City wells pump uphill. He said due to the different lengths and sizes of the pipes the tanks fill up at different rates and this project would allow them to fill equally. The second part of the project would include a bypass connection for Weber Basin water to save on pump costs as it would allow the City to control where well water was distributed and decrease power costs during winter months. Staff received five bids with Burton Contractors as the low bid at \$185,636.74.

**Council Member Horrocks moved to approve the bid for the Morton Water Control Vault project to Burton Contractors for \$185,636.74. Council Member Baskin seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

#### 14. DISCUSSION OF DRAFT POLICY RELATED TO THE SALE OF CITY-OWNED PROPERTY

Ken Leetham reported that this project included two sets of guidelines to evaluate requests from property owners or potential buyers for purchasing City-owned property. He explained that there were several questions in the draft policy to review, including: how and why the City became the owner of the subject property; whether there was a current or future public purpose for the property; and how the subject property fit into its surroundings. Other things to review included potential incompatibility caused by the possible sale of City-owned property, previous investments made by the City in the property, and any restrictions, agreements or laws that would prevent the sale of the property. He recommended that these types of transactions should not cost the City or taxpayers anything and that any costs to the City should be reimbursed by the buyers of the property.

Council Member Porter mentioned issues with City owned property including the situation with the potential proximity of City trails to residences.

Ken Leetham then explained several preventative measures and restrictions related to selling City owned property including being cautious of selling property just to satisfy complaints.

Council Member Mumford suggested rewriting guideline 7 to read "Is the property sold or transferred to an adjacent property owner or sold or transferred as a free-standing parcel?"

The Council discussed placing guidelines that were capable of repetition and whether the policy should state that property that was part of the Eaglewood Golf Course would never be disposed of.

David Church explained that there was a deed restriction on the golf course and the property would legally have to be offered for sale to developers as well.

Ken Leetham also suggested that the golf course should not be sold to adjacent landowners as this would change the golf course.

Ken Leetham commented that he would incorporate the suggestions made by the Council and present the resolution at the next City Council meeting.

15. CONSIDERATION OF RESOLUTION 2018-14R ENTERING INTO AGREEMENT  
2018-19A WITH THE STATE OF UTAH FOR PARTICIPATION IN THE PUBLIC  
SAFETY AND FIREFIGHTER SURVIVING SPOUSE TRUST FUND

Ken Leetham reported that staff had been working on this legislation for some time and was successful, with Senator Weiler's help, to get a 2017 bill passed. He explained that the bill adjusted the line of duty death date from 2015 to 2005 to allow for agencies which had qualifying deaths which occurred after 2005 to participate in the Trust Fund established to provide health insurance benefits to surviving dependents of public safety (police and firefighters) personnel. The original legislation excluded the City from participating in the Fund for the dependents of our police officer who was killed after 2005, but before 2015. Several other public agencies also had deaths occurring in this time period and were also prohibited from participating in the Trust Fund. Without this option to participate in the Fund, the original legislation would have required the City to provide the full health insurance coverage for his dependents at an estimated cost of \$500,000. The 2017 bill that passed requires that all public agencies pay into the Trust Fund for every public safety officer it employs. The State of Utah manages the Trust Fund and requires that each public agency pay \$95 per employee annually. The estimated cost for the City is \$2,100 per year and staff recommends adopting the cost sharing agreement.

Council Member Baskin commented that the date noticed in the agreement had the date of July 1, 2005 while the legislation referenced July 1, 2017 and asked about the discrepancy. Ken Leetham replied that 2015 was the year the Trust Fund was established and that the recent bill changed the line of duty death date to include line of duty deaths occurring after 2005. This change allows for all qualifying deaths occurring after 2005 and prior to 2015 to participate in the new Trust Fund.

Council Member Baskin commented that she would abstain from voting as she was not comfortable with the wording and dates referenced in the agreement in relation to the Utah Code Section 53-17.

**Council Member Porter moved to adopt Resolution 2018-14R and Agreement 2018-19A Public Safety and Surviving Spouse Trust Fund. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Hood. Commissioner Baskin abstained from voting.**

16. MAYOR'S REPORT

Mayor Arave was excused.

17. CITY ATTORNEY'S REPORT

David Church had nothing to report.

18. CITY MANAGER'S REPORT

Ken Leetham reported that there would be an open enrollment benefits meeting for City staff on May 17<sup>th</sup> at 9:30 a.m. He also said that Utah Transit Authority (UTA) had proposed to use the Proposition 1 money for the Bus Rapid Transit (BRT) project.

Mr. Leetham also reported that staff had made the determination to discontinue spraying the Ash trees in Foxboro as it was not effective in addressing the infestation problem. He mentioned that a resident had expressed interest in planning and holding a farmer's market on Wednesday evenings in Legacy Park.

Council Member Baskin commented that there would be a presentation on gangs for the Citizen's Police Academy which would be held Wednesday May 16<sup>th</sup>. She explained that it would be held at City Hall and invited the Council Members to attend.

Council Member Mumford reminded those present that the upcoming City events included the Kite Festival on May 19<sup>th</sup>, the Master Chorus Concert also on May 19<sup>th</sup>, the Golden Spoke event on June 2<sup>nd</sup>, the Laurel Park ribbon cutting on June 23<sup>rd</sup>, the 5K on June 30<sup>th</sup>, the Festival of Speed on July 2<sup>nd</sup>, and the July 3<sup>rd</sup> Celebration.

19. ADJOURN

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

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Recorder