

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-WORK SESSION  
AUGUST 21, 2018

**FINAL**

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

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

EXCUSED: Council Member Ryan Mumford

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.

1. DEPARTMENT REPORT-ENGINEERING

Paul Ottoson reported on the streets analysis recommendations per the LTAP report and the proposed five year plan. He explained that the projects for the next fiscal year would be designed this year and would go out for bid in the winter. The proposed projects included Orchard Drive from Center Street to Eagleridge Drive at the cost of \$435,000, Orchard Drive from Eaglewood Drive to the City limits for \$365,000, the southern portion of Eaglewood Loop for \$300,000, and Rockwood Drive to Tanglewood Loop at \$225,000. The total cost for these projects would be approximately \$1,325,000 with staff to bring a budget adjustment to the City Council for approval.

Mayor Arave asked if the proposed road projects would include asphalt or concrete streets and if the City should consider concrete roads. Paul Ottoson replied that the five year plan would include the option for concrete streets for several heavily used roads.

Council Member Horrocks commented that Bountiful residents used the roads as well and asked if there was a way to charge for that use. He also asked if there could be a special assessment charged to residents that were willing to pay for road improvements in certain areas. Ken Leetham replied that a special assessment district could be created to collect funds from City

residents for certain road projects but he was unsure how to charge Bountiful residents. He also said that the road utility fee could be used to collect funds from businesses as well.

Paul Ottoson then reported that the total of \$1,325,000 for the street projects did not include the \$400,000 for street preservation costs. He then spoke on the current projects which included the Eaglepointe Estates auxiliary storm drain, citywide refreshing of pavement markings, the traffic signal at 400 West and Center Street, 130 East reconstruction, and the Redwood Road/I-215 interchange. Mr. Ottoson spoke on the status of these projects and said that the pavement markings project was currently occurring at night, the hardware had been installed for the traffic signal at 400 West and staff was waiting on Rocky Mountain to install power, and two resurfacing projects, 1100 North as well as Oakwood Drive, were just awarded to Post Construction. The Eaglepointe Estates auxiliary storm drain project included fusing thick pipes together with the majority of the project completed minus the matting and seeding portion which would be completed in October. Stamped asphalt at the crosswalks had been completed on the 130 East reconstruction project but the sidewalks, street tree install, and underground irrigation would still need to be completed. The Redwood Road/I-215, which was mainly a UDOT project, would not be completed until June 2019. However, the mill and fill, the road widening, and trail installation portions of that project would be completed in October of this year.

Paul Ottoson reported on upcoming projects that would go out for bid soon including the 1100 North swale improvements, Orchard Drive sidewalks, Coventry Canyon storm drain improvements, Eaglewood Pump Building construction, and the Deer Hollow Park Detention Basin.

## 2. DEPARTMENT REPORT-COMMUNITY DEVELOPMENT

Sherrie Llewelyn reported on the Code Enforcement Ordinance and explained that the current process was a criminal process which was covered under Title 4 Chapter 2: Nuisances, Weeds, and Dangerous Buildings & Abandoned Vehicles. This process included a complaint being filed, an inspection of the property, a notice of violation, a citation, and then criminal prosecution.

The new civil process, under Title 12: Administrative Code Enforcement Hearing Program, as well as Title 4 Chapter 1-7, were revised and reviewed by City staff including the community development director, the City attorney, the police chief, and the code enforcement officer.

Sherrie Llewelyn then presented a flow chart which detailed the new civil process as outlined in the code from the initial complaint to the possible resolutions including compliance, citation, appeal, or hearing with the administrative law judge. This flow chart also explained the roles of the code enforcement officer and the administrative law judge, the different options for the

property owner at each stage, and the potential outcomes. She explained that the goal of this process was to bring the property into compliance and not to penalize the property owner.

David Church commented that the benefit of the civil process was that lawyers were not necessary in the early stages and allowed the property owner to work with the City on compliance.

Ken Leetham clarified that the abatement process and said in the cases where the issue was not resolved the City would perform the work and then put a lien on the property.

Mayor Arave asked if there was the potential to obtain community help to bring some properties into compliance such as asking a church group to help clean up the yard of a senior or widow in their congregation, etc. Ken Leetham replied that the City could explore those types of solutions.

Sherrie Llewelyn commented that this process would help with issues due to absentee landlords as they would receive a violation which would force them to address the issue. She said that most cases would not progress all the way to a hearing.

Ken Leetham asked how many cases were solved at the verbal warning stage. Chief Black replied that out of the 500-600 code enforcement cases each year that there were only a handful that had advanced further than the warning stage.

Sherrie Llewelyn reported on pending ordinance amendments including small cell sites, P-District, a form based code for the Town Center, a subdivision ordinance, and State code updates.

David Church said that as of September 1<sup>st</sup> State law would allow small cell sites as a permitted use and would cap what fees the City could charge.

Sherrie Llewelyn explained that the small cell site ordinance would address design standards in the Town Center, and the P-District code change would address the minimum size and when the public hearing was held.

Ken Leetham commented that the housing crisis in Utah had continued to generate applications for redevelopment projects which cut into the time staff had to work on long range projects.

Ken Leetham reported on the Polynesian Festival and said it was more organized and better managed this year. He said the biggest issue was vehicles driving and parking on the grass in the

park. David Frandsen commented that the issues he saw were related to the portable restrooms and garbage can issues.

### 3. ADJOURN

Mayor Arave adjourned the meeting at 7:01 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-REGULAR SESSION  
AUGUST 21, 2018

**FINAL**

Mayor Arave called the meeting to order at 7:09 p.m. Council Member Stan Porter offered the invocation and led those present in the Pledge of Allegiance.

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

EXCUSED: Council Member Ryan Mumford

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: Dee Lalliss, Greg Frazier, residents; Chad Fox, Four Foods Group.

1. CITIZEN COMMENT

Greg Frazier, 395 North 675 East, commented on the agenda item for the proposed 90 foot cellular telephone tower and said it would be a big eyesore for the neighborhood. He asked that the item be postponed to allow more time for residents to express their comments.

2. CONSIDERATION OF A REQUEST FOR A CLASS B RESTAURANT BEER  
LICENSE FOR R&R BBQ AT 1085 NORTH HIGHWAY 89

Sherrie Llewelyn reported that this request was for R&R BBQ as they were required to obtain local consent prior to licensing by the Department of Alcoholic Beverage Control (DABC). City code classified the proposed use as a Class B licenses which would allow beer to be served in its original container in a restaurant setting.

Mrs. Llewelyn presented a map showing that the restaurant was not within 300 feet of a community location as prohibited by the license requirements. Community locations would include a church, playground, school, or library, etc. The Development Review Committee (DRC) recommended approval of the Class B Beer License for R&R BBQ.

Council Member Porter commented that historically the City had tried to reduce the number of bar licenses and had gone from four to zero of that type of license/establishment which was a good thing. He clarified that this was a restaurant which was a different class and type of license.

**Council Member Horrocks moved that the City Council approve a Class B Beer License for R&R BBQ at 1085 North Highway 89. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Hood and Baskin. Council Member Mumford was excused.**

3. CONSIDERATION OF A LEASE AGREEMENT FOR A CELLULAR TELEPHONE TOWER AT 431 NORTH 725 EAST

Sherrie Llewelyn reported that Verizon Wireless approached the City last year about entering into a lease agreement to construct a cell tower on the proposed site. Staff spent time researching market value for the lease agreement. The Planning Commission held a public hearing on this item last week after notification was posted on the proposed tower. One resident attended and expressed concern with the appearance of the tower.

Mrs. Llewelyn presented a map showing the location of the tower and the layout of the site. She then showed an example of the mono-pine and tower designs. The applicant proposed a 67 foot tower and staff recommended an 80 foot tower to allow for co-location by other carriers in the future. The City would like to install cameras, relay devices, and other electronics for the purpose of providing security and maintenance at the water tank site.

The Planning Commission recommended approval with six conditions including the maximum height of the tower at up to 90 feet, that the tower utilize the mono-pine treatment if under 67 feet or a monopole design if greater, the tower be capable for co-location, the installation of City owned cameras and equipment on the tower, the access easement be constructed from dustless, washed gravel or asphalt, and the City Council approve a lease agreement for the site.

Sherrie Llewelyn explained that the terms of the proposed lease would be \$16,800 per year paid in monthly installments with a 2% annual increase in the rental rate. The initial term of the lease would be five years with four additional five year terms. Upon the termination of the lease, the

lessee would be required to remove any improvements made on the property within 90 days. The lease would also include the conditions placed by the Planning Commission.

Mayor Arave asked why the City would want to allow co-location. Sherrie Llewelyn replied that after discussion by the DRC that it would be prudent to allow co-location to prevent the need for multiple towers by different carriers. She said this tower would help with coverage and capacity in the area.

Mayor Arave asked if the City could prohibit the tower. Ken Leetham replied that if the applicant met the City ordinances the tower could not be prohibited.

Sherrie Llewelyn commented that historically a cell tower was classified as a public or quasi-public use as a utility provider and was allowed in any zone as a conditional use. This meant the City could only specify height, appearance, and security.

The Council discussed the mono-pine versus pole design, small cell sites, zoning, other locations, and the potential for multiple towers in this location instead of co-location.

Ken Leetham commented that there was most likely not room at the site for a second tower at the site. He said staff felt the tree would be preferred at this location and that there was an elevation change which would help to lessen the visual impact of the height.

Council Member Baskin said that she lived in the area and notified her neighborhood of the proposed tower but was surprised at the lack of feedback. She felt that the tower should be mono-pine and lower in height so as to be less obtrusive to the adjacent neighbors including the homeowner across the street. Council Member Porter commented that he was inclined to prefer the shorter tower.

**Council Member Porter moved that the City Council approve the proposed lease agreement with Verizon for the wireless cellular tower on City-owned property at 431 North 725 East with a height of 67 feet and the mono-tree appearance. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks and Porter. Council Members Hood and Baskin voted in opposition to the motion. Council Member Mumford was excused. Mayor Arave voted in favor of the motion, and the motion was approved.**

Council Member Baskin commented that she voted in opposition due to the fact that she felt the tower was unsightly and a nuisance. Council Member Hood commented that he felt with small cell technology that the tower would not be necessary in the future.

4. CONSIDERATION OF A PLAT AMENDMENT FOR SAHARA REDWOOD  
CONDOMINIUMS AT 460 NORTH REDWOOD ROAD

Sherrie Llewelyn reported that this was the location of Z-Brothers Pizza on Redwood Road. She explained that while this was a simple lot line adjustment that normally would be handled administratively that the County Recorder had requested an amended plat when the deed was recorded. The amendment would adjust the interior lot lines in the condominium subdivision to allow for the sale of the two separate units. The Planning Commission recommended approval with no conditions.

**Council Member Horrocks moved that the City Council approve the plat amendment for Sahara Redwood Condominium Subdivision at 460 North Redwood Road with no conditions. Council Member Baskin seconded the motion. The motion was approved by Council Members Horrocks, Porter, Hood and Baskin. Council Member Mumford was excused.**

5. BID AWARD FOR CENTER STREET SIDEWALK LOCATED BETWEEN  
REDWOOD ROAD AND FOXBORO DRIVE

Paul Ottoson reported that the bid opening for this project was held several weeks ago and three bids were received. The project entailed the installation of a sidewalk from Center Street westward to Foxboro Drive and would end at the Stericycle property. Stericycle was currently unwilling to deed right-of-way to the City for the completion of that section of sidewalk. The City received Prop 1 funding in the amount of \$189,000 from UTA towards the construction of this project.

Mr. Ottoson explained that Jordan Valley Construction was the low bidder at \$138,755.20. As the City had not previously worked with them previously, staff called several references, and Mr. Ottoson recommended awarding the Center Street sidewalk project to Jordan Valley Construction.

Council Member Hood asked why there was such a significant difference in the bid amounts received. Paul Ottoson replied that sometimes contractors would provide a high bid during the busy season which was why City staff would be going out for bid on many of the upcoming projects in the slower winter months to obtain lower, more competitive bids.

**Council Member Hood moved that the City Council award the Center Street Sidewalk Project, west of Redwood Road, to Jordan Valley Construction, Inc. for the amount of**

**\$138,755.20. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Hood and Baskin. Council Member Mumford was excused.**

Mayor Arave asked that staff speak with the homeowner who was located across from the proposed cellular phone tower to see if they would prefer the mono-pine or pole design. Ken Leetham commented that as the City was the landowner of the proposed tower site that it would allow for some discrepancy.

#### 6. DISCUSSION OF USE OF CITY HALL FACILITIES

Ken Leetham reported that City Hall was a wonderful community resource which was heavily used for meetings after hours with approximately 80 uses in the past year. He said there was some concern as no City staff was present when the building was being used for some of these functions and whether there was a better solution. Mr. Leetham suggested that a staff member could open and close the building and potentially be present during these events. This would most likely require overtime hours for staff. He said that staff tried to limit the use of the building to public and government-sponsored uses like caucus meetings, NSL Live events, etc.

Ken Leetham commented that the Volunteer Income Tax Assistance (VITA) was the most intrusive use to the Council Chambers and explained that they require use of the storage room for their equipment as well.

The Council discussed what staff would be required to do at the event and alternatives for VITA including the use of the police training room but found there were difficulties with securing the area. Ken Leetham suggested that if a community center were built in Hatch Park that a multi-purpose room be included for this type of purpose.

Dee Lalliss suggested that the City could hire a part time employee to watch the building during these events for a few hours a night. The Council felt that this might be a good option as it would help to avoid overtime and allow a resident to be an emissary for the City at those events.

#### 7. DISCUSSION OF EXPANSION OF CITY'S CAMERA SYSTEM

Ken Leetham reported that staff had been working on the aspects of the camera system project for some time. He showed a map with the proposed surveillance needs in the parks and explained the benefits of putting cameras in the pavilions, etc.

David Frandsen reported on the proposed and existing camera locations in each of the City parks and at Eaglewood Golf Course that would allow monitoring of the pavilions and facilities such as the restrooms, clubhouse, pump stations, and maintenance buildings. He described the different camera styles and the need for the cameras to help with pavilion rentals.

Council Member Baskin asked what type of issues staff had encountered at the pavilions. David Frandsen replied that damaged included graffiti, vandalism, etc.

Council Member Porter asked if staff were utilizing the current cameras to catch vandals. David Frandsen replied that it depended on where the damage occurred but the cameras would allow staff to monitor the pavilion rentals. He said that the City would need to spend extra money for night vision as most of the damage occurred at night.

Council Member Baskin also asked what type of camera would be best for law enforcement purposes. Chief Black replied that the cameras David Frandsen proposed should be adequate. He felt that even though society was moving towards having cameras everywhere that he was hesitant to set them up for law enforcement surveillance in the parks as he would rather have cameras set up for traffic monitoring.

The Council suggested researching other types of technology including cameras with DVR type capabilities, police access to camera feeds, motion sensors, public access to feeds, and volunteer surveillance.

David Frandsen reported on the cost estimates for the camera system upgrade with the current and proposed cameras throughout the City parks and the golf course. The proposed cost for twenty additional cameras would be approximately \$92,560.00. He explained that the cost would include the installation, camera costs, and labor by an IT consulting group.

Ken Leetham commented that the intersection on Bobcat Way and 1100 North was an issue and that the City should consider installing a camera at that location. Chief Black said that it was the number one intersection for accidents and that a camera would allow police to evaluate what was happening.

Mayor Arave asked for David Frandsen and Chief Black's opinions on installing cameras. David Frandsen explained that he would recommend cameras on any areas with public water sources and for safety and monitoring in the parks. Chief Black commented that cameras are becoming expected and standard in most areas. He also said it would be helpful in identifying vandals, etc.

Ken Leetham suggested that staff could prioritize the surveillance needs including water safety, traffic monitoring, etc. in accordance with a long range plan and then present that information to the Council.

## 8. ACTION ITEMS

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

Council Member Hood asked for an update on the UTOPIA contract. Ken Leetham replied that he did receive a general contract from Roger Timmerman but had not yet received the contract specific to the City.

Mayor Arave asked about the staff meeting with UDOT regarding 1100 North. Paul Ottoson replied that staff, Woods Cross, UDOT, and Horrocks Engineering were present and discussed the alternatives for the project. The first option included a bridge over the railroad tracks and the realignment of Main Street at a cost of \$25 million. The second option would take the road under the railroad tracks but would entail draining groundwater. Cost estimates for these two options would be presented in a future meeting.

## 9. APPROVE CITY COUNCIL MINUTES

The City Council minutes of August 7, 2018 were reviewed and approved. **Council Member Baskin moved to approve the minutes of August 7, 2018. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Hood and Baskin. Council Member Porter abstained from voting. Council Member Mumford was excused.**

## 10. CITY COUNCIL REPORTS

Council Member Hood reported on safety issues at Spectrum Academy and asked if signage designating a school zone could be placed on both Cutler and Foxboro Drive. He then reported on the Youth City Council (YCC) movie night and said it was well attended. He asked if a portable DVD player could be obtained for future use at these types of City events.

Council Member Porter reported that the annual Get into the River Event would be held September 8<sup>th</sup> at Porter's Landing. The City and County would sponsor canoe and kayak rides down the Jordan River as well as free hot dogs and drinks.

Council Member Horrocks asked if there was an issue with tiki torches at Tunnel Springs Park for a luau at the pavilion. David Frandsen said he did not think there were any restrictions.

Council Member Horrocks also commented that two residents had received warnings by Davis County animal control for dogs that were wearing electronic collars in an unfenced yard. He asked if City ordinances trumped County ordinances. David Church replied that the City animal ordinance stated that animals running at large and not under restraint were prohibited.

Council Member Horrocks asked if there were any developments on the criminal case. Chief Black replied that the United States Attorney's office was now involved but no arrests had been made.

Council Member Baskin asked if Council Member Porter would be available to attend the September Senior Lunch Brunch. She also said she would not be in attendance at the next City Council meeting.

#### 11. CITY ATTORNEY'S REPORT

David Church had nothing to report.

#### 12. MAYOR'S REPORT

Mayor Arave reported that he met with the Mexican Consulate and the potential to have the Utah Hispanic Chamber of Commerce provide a short presentation to the City Council. He also reported on the police department's Night out Against Crime and said that while it was not as well attended this year that it was a great event.

#### 13. CITY MANAGER'S REPORT

Ken Leetham reported on the PCE contamination and the 5 Points Plume. He said that Tony Howe with the Utah Department of Environmental Quality (DEQ) explained that they had halted the design of the cleanup due to low levels of contamination. First quarter test results from February 2018 showed levels below 5 micrograms per liter. Mr. Leetham presented test results and a geographical image from the last several years showing the wells and contamination levels.

Mr. Leetham then reported on a 125 acre development west of the Jordan River which may potentially seek annexation into the City. He recommended that staff create a study area for financial feasibility and analyze land uses, water and storm drain impacts, and future demands.

Council Member Horrocks asked if Salt Lake City was opposed to the development if it would still occur. David Church said that the real issue would be if Salt Lake would consent to the annexation across county lines. He said that the County Council would also have to agree.

Mayor Arave commented that even if the development did not annex into the City that staff would still want to be involved due to the proximity of the property.

Ken Leetham then reported on the UTE Conference Football to be held at Legacy Park on September 15<sup>th</sup> and 29<sup>th</sup> and October 6<sup>th</sup> and 13<sup>th</sup>. David Frandsen said that the conference would utilize all three fields at the park and that the main concern would be traffic and parking.

Ken Leetham reported on Fire Prevention Week and the open houses at Station 85 in Foxboro on September 12<sup>th</sup> and Station 82 on Eaglewood Drive on September 13<sup>th</sup> from 6 p.m. to 8 p.m. Mr. Leetham reported on several other upcoming events including the NSL Live Veteran's Concert on September 9<sup>th</sup> and the Centerville Fire Station groundbreaking on September 15<sup>th</sup>.

Ken Leetham also spoke on the potential sports campus which would include a 10,000 seat stadium and said staff would continue to work with the developer on this project.

#### 14. ADJOURN

Mayor Arave adjourned the meeting at 9:23 p.m.

  
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Mayor

  
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Recorder