

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
AUGUST 20, 2019

FINAL

Mayor Pro Tem Mumford called the meeting to order at 6:03 p.m.

PRESENT: Council Member 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; Troy Johnson, Assistant Police Chief; David Church, City Attorney; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

1. CITY MANAGER'S REPORT

Ken Leetham reported on several of the projects staff was working on including public education through the use of tri-fold pamphlets and mailings, improved bi-monthly use of the newsletter, and improvements to the notification process. He explained that the potential public education topics could include erosion control, flooding prevention, property maintenance, land use issues, information on City trails and parks, City budget and taxation, emergency preparedness, and public safety/crime prevention. Mr. Leetham also mentioned the potential for a City app as well.

Mayor Pro Tem Mumford asked if there was a new resident packet and how the City knew about those who had recently moved into the City. Linda Horrocks replied that there was a new resident packet in the process of being updated. She also said the City was made aware of new residents when they signed up for utility services.

Ken Leetham commented that the City could give the new resident information to apartment managers to share with new tenants.

Mayor Pro Tem Mumford suggested that a digital pdf of the new resident packet be posted on the City's website and other social media outlets.

Ken Leetham then shared a public education success story related to the Eagleridge Drive resurfacing project. He said this project required road closures so staff provided outreach to the

public through door hangers, letters and social media to help minimize the impact on those residents. He also spoke on a similar project on Orchard Drive and said staff held an open house, met with property owners and considered all those who would be impacted by the project including residents, schools, adjacent cities, etc.

Ken Leetham then reported on risk management training. He said this included a revised personnel policies and procedures manual with a focus on constitutional First Amendment claims, hostile work environment claims, sexual harassment, better and more accurate procedures for performance evaluation, disciplinary procedures and employee standards, as well as accurate definitions of the types of workers and types of leave and policies related to leave use and accrual. Mr. Leetham said that the second part of risk management was the training of all personnel in Public Works and the Police Departments including OSHA safety, equipment training, licensing, and detailed officer training. He said the City was a great starting place for officers beginning their career due to good managers and training.

Council Member Baskin asked for more detail on why the City's police department was a good place to start. Chief Black replied that the City offered opportunity, a variety of cases, community service, and allowed for officers to stay busy while allowing them to also be proactive.

Assistant Chief Johnson commented that the City also had a good reputation as a good place to work and raise a family.

Ken Leetham then spoke on the third item related to risk management training and said staff was compiling a report related to consistent job descriptions and compensation analyses that could be presented at a later date.

Ken Leetham reported on future projects including the use of Municast software to build a financial model which would allow for three, five, and ten-year financial projections for the general fund, capital projects such as roads and parks, and the water fund. He said the projections would tell staff what adjustments and corrections should be made right now in advances of changes. This modeling should assist the staff and Council in viewing "what if" scenarios such as downturns in revenues, increases in taxes and fees, etc. Mr. Leetham said some analysis would need to be performed regarding the potential west side annexation. Staff has completed a preliminary model of the water system and would work in conjunction with Weber Basin to complete the review and analysis. He said other analyses needed to be performed including impact fee and a financial review of off-site improvements such as the water and sewer lines and improvements to the road system.

Ken Leetham spoke on management and leadership training, which would include mentoring of middle managers with increased training in legal obligations of employers to employees, improved performance and training evaluations, and the correct procedures in case of significant

issues related to accidents, human resources, poor performance and discipline, coaching, debriefing, inclusion, and goal setting. He said that the focus on coaching, inclusion and communication were important as they contributed to the culture and helped to establish good standards especially at the beginning of employment. Mr. Leetham said the second focus was to look for opportunities by thinking about career paths, skills sets, and helping employees to grow into more responsibilities and skills. He said that a recent retirement allowed for the opportunity to make some changes. The full-time position would be filled through the promotion of a utility billing clerk to a part time accounts payable position, a new part-time utility clerk, a part-time receptionist, and potentially one more part-time position. Public Works also had several new positions and allowed for the opportunity to promote one current employee. These new employees would be introduced at a future City Council meeting.

Ken Leetham reported on the future and how the City would get to where they wanted to go through identifying issues and proposing solutions such as potential code changes, property disturbance issues, and discussing problems and finding solutions with the help of the Planning Commission and City Council. He gave the example of the recent moratorium as one way the City Council could address issues or problems. Mr. Leetham talked about policy creation and gave examples of items that needed to be addressed including insurance flooding claims, replacement of water services damaged by City water projects, water lines and other equipment beyond the meter, and the use of the RDA housing fund. He spoke on insurance flood claims and gave the example of the flooding of a resident's basement adjacent to the golf course. He said that the insurance settlement did not completely replace what was damaged and suggested that the Council review this policy going forward.

Mayor Pro Tem Mumford questioned if the City had run into any issues with old pipes that affected the water quality. He asked how the City could address this before it became an issue. Ken Leetham replied that this issue could be addressed through public education.

Mayor Pro Tem Mumford then asked what areas might be an issue in regards to old pipes and potentially affected water. David Frandsen replied that the City did not test the water in residences as it was not indicative of the overall water system. He said most of the complaints about water quality were usually an internal home issue such as water heaters or galvanized pipes.

Ken Leetham then concluded his report by saying that revisions were needed to complete the Tunnel Springs Park buildout, the Hatch Park expansion, and other recreation needs. He also suggested an overhaul of the current parks and recreation master plan with public input.

2. ADJOURN

Mayor Pro Tem Mumford adjourned the meeting at 6:56 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
AUGUST 20, 2019

FINAL

Mayor Pro Tem Mumford called the meeting to order at 7:08 p.m. Council Member Brian Horrocks offered the invocation and led those present in the Pledge of Allegiance.

PRESENT: Council Member 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; Troy Johnson, Assistant Police Chief; David Church, City Attorney; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Dee Lalliss, Barry Bryson, B. Scott Allen, Manuel Delgado, Carly Martin, Natalie Gordon, Damon Cross, residents.

Ken Leetham asked to address the Council to recognize several employees on the Local Organizing Committee of the Tour of Utah who had helped to successfully coordinate the City ancillary events and responsibilities during the race. He said Linda Horrocks, who was in charge of communications and coordinating events, vendors, performers and hospitality items, had gone above and beyond in her role. Mr. Leetham then said Assistant Police Chief Troy Johnson was the head of public safety and worked with the highway patrol to manage over 45 volunteers, 34 road closures, and the overall traffic flow, road closures and safety for the event.

Chief Black then awarded Troy Johnson with a formal commendation for his great service on behalf of the police department. He praised Assistant Chief Johnson's capable leadership skills.

Ken Leetham also recognized David Frandsen as a critical component of the City's Local Organizing Committee (LOC). He said David did a phenomenal job organizing and coordinating this event with details and logistics.

Ken Leetham thanked Brent Moyes for his help with events at the golf course and other staff that provided support with the Tour. He said that the City was well represented and displayed the

City in the best possible light. He was very proud of the City during this wonderful event and heard nothing but great feedback from the Tour of Utah committee.

Council Member Porter commented that the best compliment he heard, regarding the Tour of Utah, was from one of his customers who had received an email from a friend in Switzerland who watched the Tour of Utah live and said that City was a beautiful place.

Council Member Baskin commented on how quickly staff worked to clean up after the event. She also commented on an incident where a pedestrian tried to cross the race path and the efficiency of the police department in detaining the individual.

Mayor Pro Tem Mumford expressed regret in missing the event and said it was an honor for the City to host the Tour of Utah.

1. CITIZEN COMMENT

Barry Bryson, 349 Odell Lane, congratulated the City for the great primary election. He recognized Sherrie Llewelyn as Deputy City Recorder for her efforts and said the election was very well run. Mr. Bryson commented on the Orchard Grove final plat agenda item and said he had not seen anything regarding the protection of his solar panels from this development. He also went on the record to request a no parking rule be kept on the north side of Odell Lane.

2. 2019 MUNICIPAL PRIMARY ELECTION CANVASS

Sherrie Llewelyn reported on the 2019 municipal election of August 13th, 2019. She said two candidates were eliminated including Gary Widders and Barry Bryson. Those continuing to the November election were Natalie Gordon, Brian Horrocks, Stan Porter, Manuel Delgado, James Hood, and B. Scott Allen.

Mayor Pro Tem Mumford asked if there was a report showing the provisional and absentee ballots. Sherrie Llewelyn replied that she had sent an email to the Council with the number of votes but the precinct information would not be available from the County until August 28th.

Council Member Baskin moved to accept the 2019 Primary Municipal Election Canvass as reported. Council Member Mumford seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

3. CONSIDERATION OF A FINAL PLAT FOR ORCHARD GROVE PUD AT 378 EAST ODELL LANE, BRIGHTON DEVELOPMENT UTAH, APPLICANT

Sherrie Llewelyn reported that the Planning Commission reviewed the final plat and recommended approval on July 23, 2019 with several conditions that have since been completed.

Mrs. Llewelyn said that she had completed research on the solar panel concern express by Barry Bryson and would send the information to him. She did not feel that shadows cast by the proposed development would impact his solar panels.

Council Member Horrocks asked if it was true that nothing could be done if a neighbor planted a tree that affected an adjacent neighbor's solar panels. Sherrie Llewelyn replied that she was unfamiliar with the law and had only analyzed if there was an impact of the proposed townhomes on Mr. Bryson's solar array.

Council Member Porter commented that he had reviewed the laws regarding trees and said that State law did not really have any tree ordinances.

Council Member Baskin stated that she had worked with staff per a grant to complete a City tree ordinance that would be completed soon.

Council Member Hood clarified that this approval of the final plat was an administrative action.

Council Member Porter moved to approve the final plat for Orchard Grove PUD located at 378 East Odell Lane with no conditions.

Council Member Baskin asked if the three conditions recommended by the Planning Commission in the staff report had been met. Sherrie Llewelyn replied that all of the conditions had been met.

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

4. CONSIDERATION OF RESOLUTION 2019-31R: A RESOLUTION AMENDING THE CONSOLIDATED FEE SCHEDULE TO ESTABLISH CIVIL PENALTIES FOR CODE VIOLATION

Sherrie Llewelyn reported that the City recently adopted a new civil process for code violations, Title 12 Administrative Code Enforcement, rather than prosecuting violations through the criminal system. One of the requirements of Title 12 required that the City Council establish the maximum penalties that may be imposed by the Administrative Law Judge when a notice of compliance was sent. She said the number one motivation of code enforcement was compliance and not to generate funds for the City. All fines would be imposed as a last resort and only upon the order of the Administrative Law Judge. The proposal was that no fine could be imposed if the property was brought into compliance within the initial ten day violation notice. If the property was not brought into compliance, or had been granted an extension compliance date by the code enforcement official, fines could be assessed by the Judge at a rate of \$100 per day beginning on day 11 of the notice of violation. The Judge may further reduce the fines, between a 25 to 75% reduction, for timely compliance after an order was entered. She explained that the hearing

before the Administrative Law Judge only occurred when all other attempts at compliance had failed.

Sherrie Llewelyn also said the proposed fee schedule had been prepared after obtaining fine information from multiple cities. She said that the nearby cities of Bountiful, Layton, and Centerville processed violations through a criminal process with fines ranging from \$1,000 to \$5,000. Farmington, Clearfield, West Jordan and Salt Lake cities all charged approximately \$100 per day.

Council Member Baskin moved that the City Council approve Resolution 2019-32R amending the Comprehensive Fee Schedule for the City of North Salt Lake. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

5. CONSIDERATION OF APPROVAL OF A CONTRACT WITH FIRST SERVICE MECHANICAL FOR HVAC SYSTEM REPAIRS AT THE CITY OFFICE BUILDING

Ken Leetham reported that there had been difficulty regulating the temperatures in the City office building for many years and had tried several scenarios to fix the problem with little success. Mr. Leetham said he had since signed a maintenance agreement with Thad Torres of First Service Mechanical (FSM) to maintain and service the building systems and also authorized service calls and minor repairs and upgrades in an effort to get the system to function properly. Unfortunately, the boilers continued to shut off too quickly and the building continued to be either too cold or hot. He said that the malfunction made for a difficult workplace, particularly in the police department.

Mr. Leetham said that several weeks ago he asked FSM to provide a comprehensive analysis of what was needed to determine the problem with the HVAC system. Thad Torres went through a process of analysis that included the control and boiler manufacturers reviewing the building plans and inspecting various parts of the system. This analysis showed that the boilers were oversized for the building and a series of valves and sensors have begun to fail. The proposed solution includes eight tasks such as the installation of automated valves, sensors, bypass equipment, and pipes that would manage the pressures properly within the system.

Ken Leetham said that while normally staff would obtain three bids for the work that he recommended considering this as a sole source contract since FSM completed an extensive forensic analysis on the deficiencies of the system and put together a comprehensive plan for repair that took several months to complete. He also said that Council Member Horrocks recommended FSM as he used them for building management services in his profession.

Ken Leetham said that there was an estimated one-time rebate of \$5,300 for replacing some of the systems as well as a savings of \$6,000 a year in utility bills.

Council Member Horrocks said that he managed 100 year old buildings and brand new buildings and that there could still be issues in brand new buildings. He said that American National Standards recommendations for HVAC were from the 1950s and needed to be updated. Council Member Horrocks said he had a lot of respect for the work Thad Torres had done for him over the years.

Ken Leetham also said that the bid award amount was not to exceed the agreed upon price and that the variability was in the labor.

Council Member Horrocks asked if he needed to recuse himself as he had a professional relationship with Thad Torres of FSM. David Church replied that unless Council Member Horrocks had something to gain personally that it was not an issue.

Council Member Baskin asked for further clarification on why the repair work would not go out for bid. Ken Leetham replied that the analysis performed by FSM could be put into a request for proposal (RFP) but felt that the time it would take for other firms to analyze the system would take too long and be difficult to evaluate.

David Church explained that the City could put out an RFP but would have to keep FSM's proposal private. Other firms would have to evaluate and then make a proposal but the main issue was the time this would take. He said that the City could proceed without an RFP as FSM's proposal was a professional services contract.

Council Member Hood asked how long the proposed services by FSM would take. Ken Leetham replied that it could take up to ten weeks for the work to be completed.

Council Member Baskin moved that the City Council approve an expenditure not to exceed \$256,221 to First Service Mechanical for the repair of the HVAC system at City Hall as described in the proposal. She further moved that City staff is hereby instructed to prepare a budget amendment for the fiscal year 2019-2020 for this expenditure. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

6. CONSIDERATION OF A BID AWARD FOR DEER HOLLOW UPPER BASIN IMPROVEMENTS

Paul Ottoson reported on the Deer Hollow Park upper detention basin swale improvements. He said this project would include the removal of sediment and vegetation. Public Works removed phragmites and weeds to determine how much sediment would need to be removed. Concrete swales would also be added to handle low flow water. Currently the silt plugs the actual drain

and the standing water breeds mosquitos. After the work was completed staff would be able to better maintain the area.

Staff received six bids with Strong Solutions as the low bidder at \$80,599. The original budget for the project was \$60,000 so a future budget adjustment would be necessary.

Council Member Hood asked if the City waited to go out for bid during the winter if the price reduction would be worth it. Paul Ottoson replied that he was unsure if the price would improve if staff waited and expressed concern that the cost could even increase.

Mayor Pro Tem Mumford asked what type of routine maintenance would be needed going forward. Paul Ottoson replied that the City would need to continuously remove the silt from the concrete channels to avoid a marsh in the area. He said this removal could occur several times a year.

Mayor Pro Tem Mumford said that beyond the phragmites and mosquitos that detention basins were meant to retain water and asked if there was another long term recommendation. Paul Ottoson replied that staff had many discussions and felt this was the best solution going forward.

Council Member Horrocks moved that the City Council award the Deer Hollow Park upper detention swale improvement project to Strong Solutions for the price of \$80,599. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

7. CITY ATTORNEY'S REPORT

David Church had nothing to report.

8. CITY MANAGER'S REPORT

Ken Leetham reported that staff would hold a public meeting at 7 p.m. on August 28th at the Deer Hollow Park water pump station to answer questions about the proposed reconstruction. He also said that the first golf course advisory meeting would be held September 6th.

9. APPROVE CITY COUNCIL MINUTES

The City Council minutes of August 6, 2019 were reviewed and approved.

Council Member Horrocks moved to approve the City Council meeting minutes of August 6, 2019 as written. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Hood. Council Member Baskin abstained from voting.

10. ACTION ITEMS

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

11. CITY COUNCIL REPORTS

Council Member Hood reported on the Youth City Council (YCC) movie in the park. He said there were over 100 people in attendance. Kona Ice was on site and recommended that the City combine this event with another event and partner with at least three other food trucks in the future.

Mayor Pro Tem Mumford suggested that now might be the time for a better façade on the rebuild of the pump station at Deer Hollow. He said that while he usually supported saving money that he was also an advocate for beautification and that it could even be landscaping improvements instead of an upgraded facade. Ken Leetham said that any changes to the façade would need to be made soon and asked if this item should be placed on a future agenda.

Paul Ottoson said that the new building was proposed to be CMU block with an asphalt roof and a decorative door. He said that the options could be presented at the public open house.

The Council discussed upgraded landscaping and/or façade on the Deer Hollow pump station as it was in a prominent location.

Ken Leetham said that staff would look at improved façade or landscaping at the Deer Hollow Pump station and bring feedback from the public open house as well as pricing options back to the Council as a future agenda item.

Mayor Pro Tem Mumford asked about the broken zipline. David Frandsen replied that it had been repaired and functioning for several weeks. He said staff had to order the replacement part from Germany.

Council Member Porter reported that the Get to the River event would be held on September 14th. He said the City would hold several events including a ribbon cutting for the new Jordan River Trail connection and canoe rides. Ken Leetham said that the Bruges Waffle truck would be offering free food to the public at the event.

Council Member Horrocks reported that there had been many great summer activities in the City including the Tour of Utah. He said that he had another conversation with the Jibsons about potentially helping fund the installation of pickleball courts. Ken Leetham said that staff would obtain pricing and bring this information back to the Council.

The City Council discussed which parks could accommodate pickleball courts based on size and parking needs.

Council Member Horrocks said that there had been two confirmed cases of West Nile virus in Davis County.

Council Member Baskin commented on Century Link service issues in her area including outages of nine to ten days. She said that she was told only City officials would have any influence in getting this issue resolved. Ken Leetham said he would reach out to Century Link.

Council Member Baskin then reported on a Purge the Spurge scout project to be held August 24th at Wild Rose Park. She also said her neighborhood had pressure value issues and flooding, particularly in cul-de-sacs, and asked if the pumping system could be affected by this. David Frandsen replied that he did not think the cul-de-sac configuration would cause this problem. He explained that staff had found a rock in a new PRV vault which was holding it open and caused higher pressure in that area. If a resident had a faulty pressure control valve in their home it would not have been able to handle the increased pressure. Mr. Frandsen said that information regarding pressure control valves in residential homes would be in the next City newsletter.

Council Member Baskin reported that she would be attending the Legislative Policy Committee meeting on Wednesday. There would also be a meeting of the Legacy Parkway Scenic Byway Committee on Thursday August 22nd. She asked when the Council and staff would discuss the landslide settlement.

12. MAYOR'S REPORT

Mayor Arave was excused.

13. CONSIDERATION OF APPROVAL OF A CONTRACT WITH FIRST SERVICE MECHANICAL (CONT.)

Thad Torres, FSM, arrived later in the meeting and reported on the contract work for the HVAC system. He said when they first received the contract that they reviewed the boiler and found that they were oversized among other problems. After analysis of the system with an engineer from the boiler company a proposal for the solution was made including a pressure regulation devices and valves as well as a reconditioning of the HVAC controls. Mr. Torres said that FSM had a service contract with the City and would monitor the service provided by the control company. He also said FSM had applied for energy credits with Rocky Mountain Power and Dominion Energy for this project.

Thad Torres said they would try to complete the project under budget and have it completed in mid-October.

Ken Leetham confirmed with Thad Torres that \$256,221 was the not to be exceeded price. Mr. Torres replied that he was planning for the project to cost less than the proposed amount.

14. ADJOURN INTO CLOSED SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION; TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL; TO DISCUSS COLLECTIVE BARGAINING; OR TO DISCUSS THE PURCHASE, EXCHANGE, SALE, OR LEASE OF REAL PROPERTY

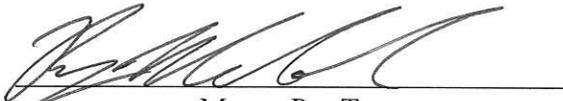
At 8:38 p.m. Council Member Baskin moved to go into closed session to discuss pending litigation. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

15. RECONVENE INTO REGULAR SESSION

At 9:10 p.m. Council Member Hood moved to go out of closed session and into the regular session. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

16. ADJOURN

Mayor Pro Tem Mumford adjourned the meeting at 9:11 p.m.



Mayor Pro Tem



City Recorder