

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
OCTOBER 17, 2023

FINAL

Mayor Horrocks welcomed those present at 6:09 p.m.

PRESENT: Mayor Brian Horrocks
Councilmember Lisa Watts Baskin
Councilmember Natalie Gordon
Councilmember Stan Porter
Councilmember Alisa Van Langeveld

EXCUSED: Councilmember Ted Knowlton

STAFF PRESENT: Ken Leetham, City Manager; David Frandsen, Assistant City Manager; Craig Black, Police Chief; Karyn Baxter, City Engineer; Todd Godfrey, City Attorney; Sherrie Pace, Community Development Director; Wendy Page, City Recorder.

OTHERS PRESENT: Dee Lalliss, Peter Wirthlin, Leslie Clark, Collin Larson, Camille Thorpe, residents.

1. DISCUSSION OF TRANSPORTATION GRADE SEPARATION PROJECTS AT 1100 NORTH AND CENTER STREET

Ken Leetham reported on the grade separation project at 1100 North and said in 2021 the City obtained a \$3 million appropriation from the State Legislature through UDOT to perform an environmental and design study for the 1100 North bridge to separate the road from the rail corridor. In 2019 the City, UDOT, and Woods Cross City paid Horrocks Engineering to complete a preliminary document. This document identified a preferred alternative for moving forward with the bridge option. The City also obtained a promise of \$1 million from the Davis County 3rd quarter cent sales tax transportation fund which the City would match with \$1 million in road impact fees for a total of \$5 million for the purpose of performing environmental design work on the project. In 2021 the City hired Horrocks Engineering to begin the environmental design of the grade separation project. In 2022 Union Pacific denied the conceptual plan for several reasons.

Councilmember Gordon arrived at 6:13 p.m.

Ken Leetham noted the preferred alternative which was not approved included moving Main Street to the west and creating a new intersection. He acknowledged Union Pacific would not approve the project as the bridge was too close to the third rail line, which is the Woods Cross Industrial Lead, but said they would support the project if all rail corridors were crossed. He explained that an approved project would be a large bridge or viaduct that crossed all rail corridors and showed the location of the new bridge project, which was 2,200 feet long, on a map. He reported this larger bridge would increase the cost of the project to approximately \$100-\$120 million. Mr. Leetham said last year the City submitted comments during the I-15 EIS project for a grade separated bridge at 1100 North to be considered as part of that project. He indicated Union Pacific also asked UDOT to prepare a Center Street design so UDOT prepared concept plans for a crossing at Center Street. He shared two conceptual plans prepared by UDOT including one with the bridge at Center Street extending over the freeway. Mr. Leetham indicated the problem with this option that several of the at-grade rail crossings would remain along new frontage roads. He noted the second plan would go under I-15 and the rail corridors and come back to grade at 400 West. Issues with this option also included several at-grade crossings would remain and there would be severe impacts to existing properties.

Ken Leetham said the Center Street area received many complaints related to train delays. He further stated that a grade separation project here would encourage truck traffic through the Town Center, on Center Street and Main Street. He said this would affect the feel of the Town Center having land use impacts on the apartments and Hatch Park. He indicated the Center Street option would have the support of Union Pacific, but staff recommended a grade separation at 1100 North and not Center Street. He also stated Mr. Leetham said Union Pacific suggested the City could apply for federal and state funding. He spoke on the cons of building a 2,200 foot long bridge at 1100 North including severe land use impacts and forced redevelopment of properties.

Ken Leetham shared examples of a similar viaduct in Salt Lake City. Mr. Leetham said there was no rush to make a decision at this meeting but asked the Council to consider whether to move forward or not and what information they would need staff to obtain in order for them to make a decision.

Mayor Horrocks asked to discuss the pros and cons of ending Center Street and a shorter bridge.

Councilmember Porter said the Woods Cross railroad line eventually became a trail and explained the areas it serviced and that this crossing could be removed. He spoke on some alternatives that may save money by relocating or abandoning a portion of the Woods Cross Industrial Lead in order to shorten the bridge length. He said he shared these ideas previously with City staff and asked if staff had investigated them.

Ken Leetham acknowledged that he had discussed ideas with Stan but had not investigated the feasibility of those changes.

Councilmember Van Langeveld requested reviewing traffic use, shifts in traffic, costs, and a comparison study showing safety and traffic implications for the two options. Mayor Horrocks suggested including the impact of the new I-15 study as well.

Councilmember Van Langeveld asked if Horrocks Engineering could attend a work session to answer questions. Ken Leetham replied that Horrocks Engineering did not like to guess or answer questions without prior research. He said Horrocks Engineering would probably provide a report comparing the two projects.

Councilmember Baskin asked if this project was critical and suggested a citywide public poll to ask residents if they would be willing to consider bonding. She asked if the UDOT funds expired and what Union Pacific would contribute financially. Ken Leetham responded that Union Pacific would pay five percent or approximately \$5 million of the hard construction costs. UTA would potentially contribute as well.

Councilmember Baskin also asked to see examples of studies of the impact these overpasses had on neighborhoods. Ken Leetham replied that the City Council could view sites in Utah including Ogden.

Councilmember Gordon spoke on the public poll and how this issue only affected a portion of the City. She said those who lived on the west side of the City experienced major delays due to the rail crossings. Mayor Horrocks replied that this was a large amount of money but Union Pacific did not think obtaining the funding would be a problem. He spoke on the bigger issue which was the impact on the area.

The Council discussed closing Main Street, eminent domain, impact to properties, and other options.

Ken Leetham commented that more information was needed and said he would request a cost estimate from Horrocks Engineering for a design and environmental study of the longer bridge that Union Pacific would support on 1100 North. He said the UDOT, City, and County funds could be used for that study and staff would bring back a scope of the project with more design work, traffic data, and impacts.

Councilmember Van Langeveld said this would solve a problem, particularly for Foxboro residents, but all residents would not benefit from this equally. She mentioned cost, impact, quality of life, and safety including emergency services access and asked for more information on each of these topics.

Ken Leetham commented that he would obtain a scope of work and cost estimate as well as information on all three options (including Councilmember Porter's suggestion) from Horrocks Engineering at the Council's request.

2. ADJOURN

Mayor Horrocks adjourned the meeting at 7:08 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
OCTOBER 17, 2023

FINAL

Mayor Horrocks welcomed those present at 7:16 p.m. Alisa Van Langeveld offered the thought and led those present in the Pledge of Allegiance.

PRESENT: Mayor Brian Horrocks
Councilmember Lisa Watts Baskin
Councilmember Natalie Gordon
Councilmember Stan Porter
Councilmember Alisa Van Langeveld

EXCUSED: Councilmember Ted Knowlton

STAFF PRESENT: Ken Leetham, City Manager; David Frandsen, Assistant City Manager; Craig Black, Police Chief; Karyn Baxter, City Engineer; Todd Godfrey, City Attorney; Sherrie Pace, Community Development Director; Wendy Page, City Recorder.

OTHERS PRESENT: Dee Lalliss, Peter Wirthlin, Leslie Clark, Collin Larson, Camille Thorpe, Laura Call, Brian Myers, Amy Ambler, residents.

1. CITIZEN COMMENT

Peter Wirthlin, resident, commented that Bountiful City had completed 14 additional miles of trails and invited those present to a ribbon cutting at Mueller Park on Tuesday at 3 p.m.

Collin Larson, resident, spoke on getting stuck at the rail crossings and the concern he had when his wife was pregnant and needing to quickly access the hospital.

2. CONSIDERATION OF REQUEST BY A MEMBER OF THE PARKS, ARTS,
RECREATION, AND TRAILS ADVISORY BOARD FOR A WINTER CELEBRATION
IN 2023, CAMILLE THORPE

Camille Thorpe, member of the Parks, Arts, Recreation, and Trails Advisory Board, spoke on a winter celebration event for 2023 similar to the City's 75th anniversary celebration. She stated the proposed event would be held November 27th at the Veterans Memorial Amphitheater with a tree lighting, treats, Mr. and Mrs. Claus, aerial flyers, face painting, food trucks, music, and displays.

Mayor Horrocks asked about arranging fireworks or drones for the event. Ken Leetham replied that fireworks could be arranged.

Councilmember Baskin was in favor if the funds were available. Councilmember Van Langeveld also supported the event as a celebration of the City's anniversary and suggested caroling in conjunction with the City's Choir. She said the City Council should prioritize events as there was a cost to staff.

Councilmember Porter was in favor of the event and suggested using volunteers instead of City staff. David Frandsen replied that he preferred to use staff for liability, efficiency, and when using City equipment.

Councilmember Gordon said the events which brought people together and celebrated the City were exactly the type of event she wanted the Parks and Arts Committee to promote.

The Council was in favor of hosting this event and had a discussion about volunteers versus staff, fireworks, and potentially changing the proposed date.

3. CONSIDERATION OF RESOLUTION 2023-40R: A RESOLUTION APPROVING A LEGAL SERVICES AGREEMENT BETWEEN ROGER ADAMS AND THE CITY OF NORTH SALT LAKE FOR PUBLIC DEFENDER LEGAL SERVICES IN THE CITY'S JUSTICE COURT

Ken Leetham reported during the recent approval of an agreement for prosecution services in the Justice Court the question was raised if the City had a contract in place with a public defender. Mr. Leetham stated staff discovered there was an unexecuted version of the contract for public defender services which needed to be approved by the Council. He said this contract would be for public defender services provided by Roger Adams for a flat fee of \$1,500 per month and a \$1,000 flat fee for jury trials. He said there were approximately five jury cases per year and approximately twenty cases per month that required a public defender.

Councilmember Baskin moved that the City Council approve Resolution No. 2023-40R: A Resolution Approving a Legal Services Agreement Between Roger Adams and the City of North Salt Lake for Public Defender Legal Services in the City's Justice Court.

Councilmember Porter seconded the motion. The motion was approved by Council Members Baskin, Gordon, Porter, and Van Langeveld. Councilmember Knowlton was excused.

4. CONSIDERATION OF RESOLUTION 2023-41R: A RESOLUTION APPROVING AN EXTENSION OF A CELL TOWER LEASE WITH CROWN CASTLE FOR USE OF

EAGLEWOOD GOLF COURSE PROPERTY LOCATED AT 1110 EAST
EAGLEWOOD DRIVE

Ken Leetham reported this would be the extension of an existing lease agreement set to expire in February 2024. He indicated the lease covered one of the flagpoles located at the intersection of Eaglewood and Eagleridge Drive. He explained the resolution authorized the Mayor to sign a new twenty (20) year agreement. He noted the current monthly payment of \$1,749 would increase to \$2,011.36 (a 15% increase). Mr. Leetham stated the lease would also allow for 40% of future revenues from other carriers who collocated to be paid to the City.

Councilmember Porter asked what would happen if the agreement was not signed. Ken Leetham replied that there was a provision that if the extension of the lease was not signed Crown Castle would have to restore the property to the preleased condition.

Councilmember Baskin said federal law was very protective of cell towers and asked about the term collocation. Ken Leetham explained that collocation meant the addition of another carrier on the tower and said that any future carriers would pay rent to Crown Castle who would in turn pay a portion of that to the City.

Councilmember Baskin asked if this could be approved as the agreement would be executed without review by the Council. Todd Godfrey replied that the Council would be required to review the actual agreement. He suggested this be authorized for the agreement to come back for ratification.

Councilmember Baskin moved that the City Council approve Resolution No. 2023-41R for the purpose of notifying Crown Castle that a cell tower lease agreement will be prepared and come back to the City Council for action. Councilmember Van Langeveld seconded the motion. The motion was approved by Council Members Baskin, Gordon, Porter, and Van Langeveld. Councilmember Knowlton was excused.

5. CONSIDERATION OF RESOLUTION 2023-42R: A RESOLUTION APPROVING AN
AMENDMENT TO AGREEMENT NUMBER 2016-52A, EMPLOYMENT
AGREEMENT BETWEEN THE CITY OF NORTH SALT LAKE AND KENNETH J.
LEETHAM

Ken Leetham reported that when he was hired as the City Manager the Council put an expiration on a portion of his employment agreement. He asked the Council to consider continuing under the same terms as the last seven years. He mentioned these terms related to how compensation changes were made with the same general schedule as other employees including the addition of a cost of living adjustment (COLA) or merit increase to his salary. He stated this provision expires on November 15, 2023 and the proposed resolution would extend the provisions for an additional four years. Mr. Leetham stated the proposed Resolution would repeal the existing

Paragraph 2(f) and replace it with a new provision that allowed for a continuation of how salary increases were determined until February 1, 2028. He mentioned that there was a provision that would withhold salary adjustments due to performance issues with the City Manager. He mentioned employee performance evaluations and welcomed any comments from the Council.

Councilmember Baskin suggested that as this was a discussion of employee performance this should be a closed session item.

At 7:54 p.m. Councilmember Baskin moved to go into closed session to discuss the character, professional competence, or physical or mental health of an individual. Councilmember Gordon seconded the motion. The motion was approved by Council Members Baskin, Gordon, Porter, and Van Langeveld. Councilmember Knowlton was excused.

Councilmember Baskin withdrew her motion and this item was requested to be moved to the end of the agenda for discussion.

Councilmember Porter moved to discuss this agenda item and take action after the closed session. Councilmember Baskin seconded the motion. The motion was approved by Council Members Baskin, Gordon, Porter, and Van Langeveld. Councilmember Knowlton was excused.

6. CONSIDERATION OF VEHICLE PURCHASE FOR PUBLIC WORKS IN THE AMOUNT OF \$67,793.05

David Frandsen reported that this was part of the budget discussion and the adjustment was approved in a previous Council meeting as it was omitted from the fiscal year 2023-2024 budget. He explained this vehicle would be purchased in the General Fleet Fund for use in the Parks Department. He reported the new 2024 Ford F-550 single cab chassis would be equipped with a dump bed and plow. He mentioned upfitting charges for the vehicle were \$33,2011.98 and was not included in the purchase price of \$67,633.65. He said it would take approximately one year for delivery of the vehicle but the price would be locked in at the proposed amount of \$67,633.65.

Councilmember Gordon moved that the City Council approve the purchase of a 2024 Ford F-550 Single Cab Chassis under State of Utah Cooperative Contract MA3794 from Larry H. Miller Auto for the price of \$67,633.65. Councilmember Van Langeveld seconded the motion. The motion was approved by Council Members Baskin, Gordon, Porter, and Van Langeveld. Councilmember Knowlton was excused.

7. CONSIDERATION OF ACCEPTING A GRANT AWARD FOR THE STATE
HOMELAND SECURITY GRANT PROGRAM (SHSP) TO PURCHASE POLICE
RADIOS

Chief Black reported that the Police Department applied for a Federal Emergency Management Agency (FEMA) grant from the State of Utah Department of Emergency Management to purchase police radios. He explained these radios were P25 compliant as the State of Utah transitioned to a public safety communication system that would be fully implemented in 2024. He said it had been about twelve (12) years since the department purchased and replaced handheld radios for most of the department. He indicated in-car (mobile) radios have not been replaced across the board in at least 15 years (there have been some individual radio purchases with the hiring of new officers since that time). Chief Black stated the approximate total cost to replace all the radios was \$200,000 and this grant would help in reducing that cost. He noted staff was also looking at other funding options such as a trade-in credit with Motorola for the old radios.

Councilmember Porter moved the City Council authorize the Mayor to sign the attached award document on behalf of the City of North Salt Lake accepting a grant of \$27,000 toward the purchase of nine (9) radio systems. Councilmember Van Langeveld seconded the motion. The motion was approved by Council Members Baskin, Gordon, Porter, and Van Langeveld. Councilmember Knowlton was excused.

8. CONSIDERATION OF EXPENDING FUNDS ON RADIOS PURCHASE FOR
POLICE DEPARTMENT IN THE AMOUNT NOT TO EXCEED \$28,501.30

Chief Black reported that the cost of the nine police radios from Motorola would be \$27,501.30 to be purchased with the \$27,000 grant award through the State of Utah. He asked for up to an additional \$1,000 to cover shipping costs.

Councilmember Van Langeveld moved the City Council authorize the police department to expend \$27,501.30 plus any shipping costs not to exceed \$1,000.00 to purchase nine (9) APEX radio systems from Motorola. Councilmember Porter seconded the motion. The motion was approved by Council Members Baskin, Gordon, Porter, and Van Langeveld. Councilmember Knowlton was excused.

Chief Black clarified that once the grant was received this item would come back as a budget adjustment.

9. APPROVAL OF CITY COUNCIL MINUTES

The City Council minutes of October 3, 2023 were reviewed and approved.

Councilmember Gordon mentioned she had arrived late to the meeting but it was not reflected in the minutes.

Councilmember Baskin moved to approve the minutes of October 3, 2023 as amended. Councilmember Van Langeveld seconded the motion. The motion was approved by Council Members Baskin, Gordon, Porter, and Van Langeveld. Councilmember Knowlton was excused.

Note: The minutes of October 3, 2023 were not amended to reflect the arrival of Councilmember Gordon because the meeting began at 6:08 p.m. after her arrival once a quorum was present.

10. ACTION ITEMS

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

Councilmember Van Langeveld asked about the meeting with Woods Cross City related to the dog park. David Frandsen replied that the meeting went well and said staff asked for a 50/50 split which would be discussed by the Woods Cross City Council.

11. COUNCIL REPORTS

Councilmember Van Langeveld reported that several members of the Health and Wellness Committee attended the Get Healthy Stakeholders Retreat. She spoke on creating a health checklist to consider how projects impacted wellness and health, walkability, social connectedness, etc. She also mentioned adding a Health and Wellness section in the City's General Plan.

Councilmember Van Langeveld mentioned that she had spoken with former State legislator Wayne Niederhauser on the unhoused/homeless population and the statistics that the rate of homelessness increased at the rate of 10% per year in Utah and the impact on cities. She said this was tied to the housing market and suggested a work session to discuss this issue with Wayne Niederhauser.

Mayor Horrocks said Davis County was mandated to have a homeless shelter. He said the mayor of Clearfield volunteered to build the shelter in his city. However, the property for the proposed homeless shelter was owned by a billboard company who was willing to make a deal in exchange for more billboards. Mayor Horrocks asked about the City's billboard availability. Ken Leetham replied that there was no more space along the freeway for billboards but once the I-15 widening occurred there would be some availability as well as other locations in the City.

Sherrie Pace commented that City ordinance for billboard separation distance was 1,500 feet but the State code separation distance was much less. She said currently there were not many

locations available for billboards but this would change after the removal of the Center Street off ramp. She indicated the Planning Commission would review the sign ordinance in 2024.

Councilmember Baskin reported on positive press for the Hispanic Festival and the Get in the River events. Councilmember Van Langeveld asked that these articles be linked on the City website.

Councilmember Baskin reported on the Golf Committee meeting including the expansion of the golf simulator area, a snow park similar to Spanish Fork, and hiring of another golf pro. She stated the Senior Lunch Bunch was well attended.

Councilmember Baskin said her employer hosted an event for The Utah Global Diplomacy with the United States State Department. She was involved in hosting women leaders from the Middle East on October 6th which was one day before the war in Israel.

12. CITY ATTORNEY'S REPORT

Todd Godfrey had nothing to report.

13. MAYOR'S REPORT

Mayor Horrocks reported that Colorado had chosen not to have mosquito abatement but had 580 West Nile cases with 42 deaths and 300 hospitalizations. Utah had four cases of West Nile virus.

Mayor Horrocks spoke on the Meet the Candidates Night on October 26th at 6:30 p.m. He also mentioned a potential earthquake alert system that would provide two to seventeen seconds of warning prior to an earthquake. This system could shut down transit, Kern River pipeline, etc.

Mayor Horrocks asked about trees at the water tank. Karyn Baxter replied that these trees would be planted next spring at the water tanks located above Eaglewood Cove Phase 13-15.

Mayor Horrocks asked about a movie being filmed at North Canyon Park and the golf course clubhouse. Ken Leetham replied that he would ask staff. He said there was a request from a film crew to use Tunnel Springs Park but staff declined that request due to the request to use 100% of the Park's parking lot for up to a month.

14. CITY MANAGER'S REPORT

Ken Leetham reported on street light outages and said staff performed inspections at least four times per year and repairs October, December, February, and April. He said the City did not have street light repair crews on staff and it was most cost effective to hire an outside contractor. Mr. Leetham commented that staff was trained to report issues such as broken street lights. He noted

that this schedule sometimes creates frustration among residents, but wanted the Council to know they could respond to questions by sharing this information, as needed.

15. ADJOURN INTO CLOSED SESSION

At 8:34 p.m. Councilmember Baskin moved to go into closed session to discuss personnel matters and performance. Councilmember Gordon seconded the motion. The motion was approved by Council Members Baskin, Gordon, Porter, and Van Langeveld. Councilmember Knowlton was excused.

16. RECONVENE INTO REGULAR SESSION

At 9:17 p.m. Councilmember Gordon moved to go out of closed session and into the regular session. Councilmember Baskin seconded the motion. The motion was approved by Council Members Baskin, Gordon, Porter, and Van Langeveld. Councilmember Knowlton was excused.

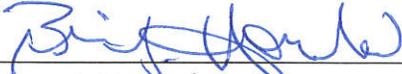
17. CONSIDERATION OF RESOLUTION 2023-42R: A RESOLUTION APPROVING AN AMENDMENT TO AGREEMENT NUMBER 2016-52A, EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NORTH SALT LAKE AND KENNETH J. LEETHAM CONT.

Councilmember Porter moved to table Resolution 2023-42R and instructed the City Attorney to amend City Code 1-6-6G striking the clause related to severance pay and have both items ready for further discussion at the November 7th City Council meeting. Councilmember Van Langeveld seconded the motion. The motion was approved by Council Members Baskin, Gordon, Porter, and Van Langeveld. Councilmember Knowlton was excused.

18. ADJOURN

Mayor Horrocks adjourned the meeting at 9:19 p.m.

The foregoing was approved by the City Council of the City of North Salt Lake on Tuesday November 7, 2023 by unanimous vote of all members present.



Brian J. Horrocks, Mayor



Wendy Page, City Recorder

