

NORTH SALT LAKE CITY COUNCIL
REGULAR SESSION MINUTES
MAY 4, 2010

Mayor Len Arave called the meeting to order at 7:10 p.m. Council Member Jacobson offered the invocation and led those present in the Pledge of Allegiance.

PRESENT: Mayor Len Arave
Council Member Stewart Harman
Council Member Brian Horrocks
Council Member Conrad Jacobson
Council Member Matt Jensen
Council Member Stan Porter

STAFF PRESENT: Barry Edwards, City Manager; Brian Passey, Assistant City Manager and Finance Director; Rod Wood, Public Works Director; Paul Ottoson, City Engineer; Blaine Gehring, Community and Economic Development Director; Chief Craig Black, City Police Chief; Mike Nielsen, City Attorney; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Kimberlee, Kiersten, Emily, Ted, Danielle, Caitlyn, Dain, Amber, Michah, Garth, Abby, Elle, and Ben Black; Bob Gallagher, Thayle "Buzz" Nielsen, Jim Crowley, Bob Bobrowski, Gary Cox, (friends and colleagues of Chief Black); NSL police officers; Judge David Miller; J. R. Hood, Allen Tidwell, Gary Davis, Karen Anderson, residents; Kevin Watkins, Lakeview Rock; Jason Burningham, LYRB.

1. SWEARING IN OF CRAIG CLACK

Judge David Miller performed the swearing in of Police Chief Craig Black. Chief Black then introduced his family and other friends/colleagues who were in attendance to support him. He expressed his appreciation and excitement about being involved with North Salt Lake and its Police Department.

2. CITIZEN COMMENTS

There were no citizen comments.

3. REVIEW AND ADOPT THE TENTATIVE BUDGET FOR THE FISCAL YEAR 2010-2011 AND SET A DATE FOR THE PUBLIC HEARING TO REOPEN THE 2009-2010 FISCAL YEAR BUDGET AND CONSIDER THE 2010-2011 FISCAL YEAR BUDGET

Barry Edwards asked the Council if they would like to hold a separate session to review the budget in detail. Council Member Horrocks said he had some questions, but they could probably be answered during a work session. Other Council Members concurred.

Council Member Jacobson moved to accept the tentative budget and set the date for the public hearing as June 1, 2010. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

4. CONSIDERATION OF RESOLUTION NO. 2010-12R ADOPTING A COMPREHENSIVE SCHEDULE OF FEES, CHARGES AND COSTS

Rod Wood reminded the Council that these site grading and related fees are required to offset actual City costs incurred.

Council Member Horrocks moved to approve Resolution No. 2010-12R adopting a Comprehensive Schedule of Fees, Charges and Costs. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

5. CONSIDERATION OF AN AGREEMENT BETWEEN NORTH SALT LAKE AND DAVIS COUNTY ON THE SYCAMORE ROAD RECONSTRUCTION

Council Member Porter moved to approve an agreement between North Salt Lake and Davis County on the Sycamore Road Reconstruction project contingent upon speaking with the NSL homeowners on that street to determine strong feelings about the project, one way or another. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

6. CONSIDERATION AND POSSIBLE APPROVAL OF THE BID FOR MISCELLANEOUS SLURRY SEAL PROJECTS

Council Member Jensen moved to approve the bid for Intermountain Slurry to perform miscellaneous slurry seal projects throughout the City for this fiscal year. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

7. CONSIDERATION TO GRANT A FIFTY (50) FOOT WIDE PERMANENT EASEMENT AND RIGHT-OF-WAY TO KERN RIVER GAS TRANSMISSION COMPANY

Paul Ottoson presented a map to the Council showing the area in question. There was some discussion about the offer from Kern River of \$47,000 for the land and how the Council (and staff) felt it was an insufficient amount. Having this gas line will devalue the City's land. There was an appraisal done some years ago (submitted by Wilford Cannon) of \$2 million.

The Council expressed frustration that more options were not considered, and that North Salt Lake really does not seem to have a choice. Michael Nielsen stated that one option is to engage the media. SLC has open space, which is the ideal place for the pipeline – no trees, parks, etc. They are only offering NSL \$47,000, and they are taking valuable City land.

It was decided that the City should drum up interest from different parties, and take them through the land, parks, etc., and try to negotiate a better deal. The City should also suggest that Kern River plant trees for NSL in another part of the city, or build the Bonneville Shoreline Park. Another option is to explore litigation.

Council Member Porter moved to direct staff to research and find out the practicality of opposing this action by Kern River as currently written, and also determine the actual value of the land and bring it back to the Council for discussion in closed session. Council Member Harman seconded the

motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

8. CONSIDERATION OF A DONATION TO FREEDOM'S LIGHT FOUNDATION

There are many good causes, and it would be nice to support efforts to educate the public. Council Member Porter stated that he would feel more supportive of the program if it were held in our community, but since this is in Bountiful, he does not feel that funds should be set aside for this project.

There is a policy outlining two steps to be considered before approving funds for causes such as this, including if it has been pre-budgeted, and if it is a benefit to the community. Brian Passey stated that there is a small amount in the community action fund. It was decided that staff should determine if this policy has been adopted and then make a decision on the request from the Freedom's Light Foundation at a later date.

Council Member Harman moved to continue this discussion of a donation to Freedom's Light Foundation until the next City Council meeting. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

9. TAX INCREMENT AGREEMENT DISCUSSION

At 8:18 p.m. Council Member Jacobson moved to go into closed session to negotiate a strategy on the City's funding and finance for the RDA for Eaglewood Village. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

At 9:26 p.m. Council Member Jensen moved to go out of closed session and back into regular session. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

10. YOUTH COUNCIL PROCLAMATION

Mayor Arave read the Youth Council proclamation. **Council Member Porter moved to ratify Mayor Arave's proclamation of Youth Council Week. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

11. ARBOR DAY PROCLAMATION

Council Member Harman moved to ratify Mayor Arave's Arbor Day Proclamation. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

12. CONSIDERATION OF RESOLUTION NO. 2010-11R AMENDING RESOLUTION NO. 2010-10R, SECTION 1: APPEAL PROCEDURES, ITEM B "DEPARTMENT HEADS" OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL

Council Member Jacobson moved to approve Resolution No. 2010-11R amending Resolution No. 2010-10R, Section 1: Appeal Procedures, Item B "Department Heads" of the Personnel Policies

and Procedures Manual with the inclusion of Finance Director. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.

13. CITY MANAGER'S REPORT

Barry Edwards stated that even though the City is not eligible for an earmark for landslide money this year, he has engaged an engineering firm (at a cost of approximately \$5,000) so the City can be eligible and ready to apply for this next year.

Mr. Edwards stated that there has been a lot of activity in the City the past two weeks (referring to landslides and media attention). He believes it is under control, and competent legal counsel is working with staff. He would be happy to answer any questions the Council might have.

14. CITY ATTORNEY'S REPORT

Michael Nielsen reported that an attorney contracted by the Trans, whose retaining wall slid down the hill several weeks ago, contacted Michael Nielsen, but he directed him to the City's ULGT attorney, David Church.

Mr. Nielsen reported that there has been another situation where the homeowner overwatered his property, and a portion of his retaining wall also experienced movement.

15. APPROVE MINUTES

The City Council budget planning meeting minutes of March 6, 2010 were reviewed and amended. **Council Member Porter moved to approve the City Council budget meeting minutes of March 6, 2010 as amended. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

The City Council work session and regular session minutes of March 16, 2010 were reviewed and amended. **Council Member Jacobson moved to approve the March 16, 2010 City Council meeting minutes as amended. Council Member Harman seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

The City Council meeting minutes of April 20, 2010 were reviewed and amended. **Council Member Harman moved to approve the April 20, 2010 City Council meeting minutes as amended. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter, Harman and Jacobson.**

16. ACTION ITEMS

The action items list of April 26 was reviewed. Completed items were removed from the list. Incomplete items remained on the list.

Mayor Arave suggested the following items be added to the list:
Action: Mike? - look at ordinance preventing people from driving on trails, including a hefty fine for violating.

- Action: Blaine review geological hazard maps and incorporate them into planning process.
- Action: Uniting neighbors meeting next Wed. at 7:30 pm (send e-mail for May 12)
- Action: Barry - review ordinances on retaining walls
- Action: Safety Committee – address speed on Eagleridge Drive; there is no good way to cross the street.
- Action: City’s electronic speed monitoring signs – review location rotation; possibly purchase additional units.
- Action: Council Member Porter - look into stainless steel pre-fab toilets for Mathis Park.

17. MAYOR’S REPORT

UPS sent Mayor Arave an e-mail letting the City know that they will be closing their operations in North Salt Lake.

Flying J finished their plant shut down and retrofit. As part of negotiations with the EPA, Mayor Arave reported that they may have funds which would be required to be spent in NSL.

The Mayor received a letter from Paul Howard, Police Chief of Wood Cross City thanking the North Salt Lake Police Department for helping them with a recent shooting and standoff.

18. COUNCIL REPORTS

Council Member Jensen stated that the Three Kings bike event being planned for July 17th cannot conclude as planned at Trailhead Park, as there is a function scheduled there for that day. It will now end at the lower clubhouse parking lot. Also, there are currently no charitable organizations behind the ride, acting as sponsor. He stated that the City could use the proceeds for the Parks, or the Springhill slide victims. Council Member Harman noted that he has the same situation with the July 3rd celebration 5K race. Council Member Jensen said he will also ask if the Golf Course might want to sponsor a portion of the event.

Council Member Jensen reported that the Army Rock Band, who is scheduled to play at the July 3rd celebration, has now been invited to fly overseas to play, so the City may need to make other arrangements for entertainment at the July 3rd celebration.

A citizen wants to advertise his baseball program on the City’s Facebook page. There was some discussion about where to draw the line if this is allowed. It should probably be used for non-profit or other City business.

Council Member Horrocks reported that the Planning Commission worked on an “off-street parking ordinance” at their last meeting as well as created a new zone (S-G, sand and gravel) for the gravel pit.

Council Member Porter asked if the City wants to consider supporting its own recycling program in the new building.

Mayor Arave asked Barry Edwards what the policy is on shredding. He responded that there is a records retention policy, and at the end of this period, a shredding company is brought on site, and they shred those records. Michael Nielsen added that First National Bank has a shred day where the public is invited to bring items for shredding for free.

Council Member Harman asked if the Mayor has been in contact with Mike Shafto, Emergency Preparedness Coordinator, because he has not responded to messages left for him. The Mayor had not.

Council Member Harman stated that Officer Everett gave his gang presentation at a recent Foxboro town meeting and did a great job. Their hope is that they can get together and take that presentation to other neighborhoods, organize town meetings, etc. to help motivate and encourage others to form Neighborhood Watch programs and let them know about the resource they have in Officer Everett.

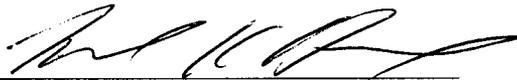
Council Member Jacobson asked about an email sent to the Council from Daniel Cottam (Parks and Trails Board member). Mr. Cottam has the impression that the Mayor has the intention to sell off property on the hill for development. Mayor Arave stated that no decisions have been made about that property.

Council Member Jacobson reported he recently attended the Woods Cross City's senior's activity. It was catered by a local restaurant, and the seniors played Bingo. While he was there, the former Mayor of Woods Cross suggested NSL should combine programs with Woods Cross, rather than starting our own. Council Member Jacobson stated that NSL really should consider going forward with an activity, and that it would require a modest investment on the City's part.

There was some discussion about knocking down the current City office building when the new City Hall is completed. Demolition and haul-away could be done for \$40,000, not including the fire station portion, which they wish to keep for the Parks Department to utilize.

19. ADJOURN

Mayor Arave adjourned the meeting at 11:00 p.m.



Mayor



Secretary