

**NORTH SALT LAKE CITY  
CITY COUNCIL MEETING  
JANUARY 15, 2013**

**FINAL**

Minutes of the North Salt Lake City Council meeting held Tuesday, January 15, 2013 in the North Salt Lake City Office Building, 10 East Center Street, North Salt Lake, Utah 84054. The meeting was called to order by Mayor Arave at 6:00 p.m. (*Note: Mayor Arave opened both the Redevelopment Agency Meeting and the City Council meeting simultaneously. For clarity there are two sets of minutes.*)

**PRESENT:** Mayor: Len Arave, Mayor

Council Members: Stewart Harman  
Brian Horrocks  
Conrad Jacobson  
Matt Jensen  
Stan Porter

**STAFF:** Barry Edwards, City Manager  
Ken Leetham, Assistant City Manager  
Janice Larsen, Finance Director  
Paul Ottoson, City Engineer  
Craig Black, Police Chief  
Rod Wood, Public Works Director  
Linda Horrocks, Administrative Assistant  
Kathy Streadbeck, Minutes Secretary

**VISITORS:** John Urbanis Robert Bagley Jim Allen  
Mell Ball Karen Ball Troop 997  
Russ Tolbert Beverlee Campbell Fred Campbell  
Jim Kelly Peter Cahron Jeremy Terry  
Jason Burningham

**PLEDGE OF ALLEGIANCE** Troop 997

**INVOCATION** Council Member Harman

### ACTION ITEMS

The Action items list was reviewed. Completed items were removed from the list. Incomplete items will remain on the carry over list.

### CITIZEN COMMENT

Jim Allen, 902 Romsey Court, provided each Council Member with a copy of a 2008 survey he completed when serving on the Planning Commissioner regarding wetlands.

### DISCUSSION - US ARMY CORP OF ENGINEERS – Foxboro Wetlands Plan

Council Member Jensen explained the Foxboro wetland area has become unkempt and unsightly. He explained that some of the low lying areas of the wetlands remain wet for a portion of the year, but the higher areas of the wetlands (and some low lying areas) are dry and noxious weeds have taken over. In addition, sediment has collected which is also an eyesore. He questioned what can be done to maintain this area, i.e., digging out sediment, removing/killing weeds, and/or planting other vegetative species. He also questioned if the higher areas could be used by the community, perhaps grass planted or a tree or picnic table allowed.

John Urbanic, Army Corp of Engineers, said there is a substantial amount of wetlands in Foxboro. The Foxboro Wetlands Plan included buying into a mitigation bank and also prohibits any encroachment into the Central Wetland Corridor. He said there is a Declaration of Restrictions included with the Foxboro Wetlands plan that outlines what can and cannot be done with regard to maintenance. He said most wetlands do dry up over the summer months, but this does not mean they are no longer wetlands. He said the City is allowed to maintain anything from the toe of the slope up to residential property lines, but is not allowed to change anything from the toe of the slope to the base of the wetlands (for exact dimensions consult map and Declaration of Restrictions included with Foxboro Wetlands Plan). The City should clean out surrounding culverts in order to maintain water flow to the area. If the City would like to change something within the wetlands he suggested they hire a consultant to review the area and provide a plan. Possible options could include increasing water flow, dredging sediment, or introducing other native vegetation. He said the City could also look at their drainage systems to see if there are other ways to increasing water flow to the area. Any plan will need to be submitted to the Army Corp of Engineer for review and approval before any work can take place. He said the City cannot mow weeds, plant grass, or irrigate the area without permission from the Army Corp of Engineers.

### PRESENTATION OF WATER UNIVERSITY MANAGEMENT CERTIFICATION to JONATHON RUECKERT.

Mayor Arave recognized Jonathon Rueckert, of the North Salt Lake City Public Works Department and presented him with a plaque from the Water University.

**REAPPOINTMENT – Ratification of the reappointment of Kim Jensen to the Planning Commission**

Council Member Jacobson made a motion to reappointed Kim Jensen to the North Salt Lake Planning Commission. The motion was seconded by Council Member Porter and passed by unanimous vote (5-0).

**ORDINANCE NO. 2013-01 – An ordinance adopting the I-215 Legacy Highway Urban Renewal Project Area Plan, as approved by the City of North Salt Lake Redevelopment Agency.**

Council Member Jensen made a motion to approve Ordinance No. 2013-01 adopting the I-215 Legacy Highway Urban Renewal Project Area Plan as approved by the City of North Salt Lake Redevelopment Agency, as an official Urban Renewal Project Area Plan. The motion was seconded by Council Member Horrocks and passed by unanimous vote (5-0).

**WATER RECONNECTION FEE**

Barry Edwards, City Manager, reported the cost to shut off and reconnect water utilities exceeds the amount currently charged to users due to non-payment. Currently, the City charges \$25.00 to reconnect water once a delinquent bill has been paid in full. Public Works staff has studied this issue and recommends increasing this fee to \$50.00 for reconnection during business hours and \$75.00 for after hours. The proposed increase does not cover the full cost of reconnection but is closer to the actual cost needed. In addition, staff recommends a robo-call system be set up to provide an additional notification to delinquent users prior to shut-off. The cost for these calls is around \$0.08 per call. Currently, there are about 300 delinquent water bills. This is higher than normal because the City chose not to shut-off water in December for reasons of undue hardship and will not be shutting off water in January due to freezing temperatures. Mr. Edwards said many of these delinquent users walk out on their bill and the City is forced to write off this debt. Increasing this cost will help recover some of those losses.

Janice Larsen, Finance Director, said other cities in the state charge upwards of \$150 for a reconnect. She said when fees are too low you often get repeat offenders. She said increasing this cost will change behavior by providing a greater incentive to pay utility bills on time. She also explained this amount of reconnects, and the administrative duties associated with them, takes employees away from other projects.

Council Member Porter made a motion for the City Council to approve an increase in utility reconnect fees to \$50.00 during business hours and \$75.00 after hours. The motion was seconded by Council Member Jacobson and passed by unanimous vote (5-0).

**PRELIMINARY DESIGN PLAN AND FINAL PLAT – Consider the preliminary design plan and the final plat for Foxboro South, Plat 7. Hallmark Homes, applicant.**

Ken Leetham, Community and Economic Development Director, reported the proposed plan is for a fourteen (14) lot subdivision. The Development Review Committee recommends

approval with the condition that the temporary turnaround contain road base and asphalt. The Planning Commission also recommends approval with the same condition. The proposed plan meets all applicable standards.

Barry Edwards, City Manager, explained that both the Police Department and Fire Department requested asphalt on the temporary turnaround for safety. If the turnaround were completed with road base only, then no snow plowing or large emergency vehicles could access the area. The City Engineer will work with the developer to make sure the turnaround is sufficient.

**Council Member Porter made a motion for the City Council to approve the proposed preliminary design plan and final plat for Foxboro South Plat 7 to the City Council with the following condition:**

- 1. A temporary turnaround easement must be recorded with the subdivision plat and the construction plans must include the installation of a temporary turnaround that contains, at a minimum, road base and asphalt as approved by the City Engineer.**

**The motion was seconded by Council Member Harman and passed by unanimous vote (5-0).**

**PLAT AMENDMENT – Consider a plat amendment to Foxboro South, Plat 1, Lot 2. Tom Stuart Construction, applicant.**

Ken Leetham, Assistant City Manager, reported the proposed amendment is for a simple subdivision. This subdivision will divide Foxboro South, Plat 1, Lot 2 into two lots (Lot 2 and Lot 2A) placing an existing commercial building on each lot. This subdivision will facilitate separate ownership of the two buildings. Both the Development Review Committee and the Planning Commission recommend approval.

Mr. Leetham reviewed the site plan explaining both lots meet all applicable standards including lot size, setbacks, parking, etc. However, the only access to Lot 2A is through Lot 2. There is no separate vehicular access to Lot 2A. Therefore, staff recommends a shared access and parking agreement be completed. These agreements will allow vehicles to enter the property and also to use the parking areas on either lot. In addition, staff also recommends a sanitary sewer and storm sewer maintenance agreement be completed since Lot 2 and Lot 2A share utility lines. Both agreements will be recorded with Davis County.

**Council Member Harman made a motion for the City Council to approve the proposed plat amendment for Foxboro South, Plat 1, Lot 2 with the following conditions:**

- 1. A shared access/parking easement agreement must be recorded with Davis County prior to or concurrent with the recordation of the amended plat.**
- 2. A sanitary sewer and storm sewer maintenance agreement must be recorded with Davis County prior to or concurrent with the recordation of the amended plat.**

The motion was seconded by Council Member Jensen and passed by unanimous vote (5-0).

**MEMORANDUM OF UNDERSTANDING & INTERLOCAL AGREEMENT – Consider adoption of a Memorandum of Understanding between South Davis Water District and North Salt Lake and consideration of a three-party Interlocal Agreement between South Davis Water District, Weber Basin Water Conservancy District, and North Salt Lake City for the sale of untreated project water.**

Barry Edwards, City Manager, explained the South Davis Water District (SDWD) has a shortage and is in need of help. The proposed Memorandum of Understanding and the proposed Interlocal Agreement would allow the SDWD to use up to 440 acre feet of North Salt Lake's water rights for the next three (3) years. North Salt Lake is already paying for 800 acre feet, but is only using 370 acre feet because not all infrastructures are in place. He said the 370 acre feet that is currently being used by North Salt Lake is going to the Golf Course. This agreement will allow SDWD to use this water until further infrastructure can be completed.

Council Member Harman made a motion to adopt the Memorandum of Understanding and the Interlocal Agreement regarding untreated project water for municipal use by the South Davis Water District up to 440 acre feet. The motion was seconded by Council Member Horrocks and passed by unanimous vote (5-0).

**AWARD BID – Award project bid for a secondary water connection from Davis Boulevard to the Golf Course.**

Paul Ottoson, City Engineer, reported this project is the first phase for getting a secondary water line from the Weber Basin aqueduct to the Eaglewood golf course. The bid for this first phase of work was opened today. The City received twelve (12) bids ranging from 126,000-191,000. Staff's estimated cost for this first phase was \$125,000. Staff recommends awarding the bid to Cap Construction in the amount of \$126, 223.35. Staff has worked with Cap Construction before and is confident in their abilities.

Council Member Porter made a motion to award the bid for the secondary water connection from the Weber Basin aqueduct to the Eaglewood Golf Course to Cap Construction in the amount of \$126,223.35. The motion was seconded by Council Member Jacobson and passed by unanimous vote (5-0).

**DECLARATION OF SURPLUS EQUIPMENT**

Craig Black, Police Chief, reported there are four (4) vehicles no longer needed for use by City and Police staff. In addition, there are two (2) rifles that are no longer reliable. Chief Black requested these items be declared surplus property. The vehicles will be sold and funds returned to the City's General Fund. The rifles will be disposed of appropriately and any funds collected from the disposal will be returned to the Police Equipment fund.

**Council Member Harman made a motion to declare the four (4) vehicles and two (2) rifles surplus property as discussed. The motion was seconded by Council Member Porter and passed by unanimous vote (5-0).**

**RESOLUTION NO. 2013-01R – A resolution of the City Council of the City of North Salt Lake, Utah authorizing the City Manager to purchase certain real property located within the boundary of the Springhill Landslide as listed on Exhibit A.**

Barry Edwards, City Manager, reported this is the last of the eleven (11) homes within the Springhill Landslide area to be purchased by the City. The proposed agreement is similar to the other ten (10) purchase agreements already completed.

**Council Member Porter made a motion to adopt Resolution No. 2013-01R authorizing the City Manager to purchase certain real property located within the boundary of the Springhill Landslide as listed on Exhibit A. The motion was seconded by Council Member Jacobson and passed by unanimous vote (5-0).**

**APPOINTMENT OF PUBLIC WORKS DIRECTOR AND CITY ENGINEER AND APPROVAL OF PUBLIC WORKS REORGANIZATION.**

Barry Edwards, City Manager, reported with the retirement of Rod Wood as Public Works Director, a vacancy has been left in the organization. He proposed the position of City Engineer and Public Works Director be combined and Paul Ottoson be chosen to fill the position. In addition, he proposed the creation of a new position, Assistant Public Works Director, to be paid a salary of \$65,000 annually. This position will likely be filled on a promotional basis.

**Council Member Jacobson made a motion to approve a combining of the positions of Public Works Director with City Engineer and to appoint Paul Ottoson to that position and increase his salary by 10%. Furthermore, the Council approves the creation of a new position of Assistant Director of Public Works at a salary of \$65,000 annually. The motion was seconded by Council Member Harman and passed by unanimous vote (5-0).**

**DISCUSSION – General Plan Revisions**

Ken Leetham, Assistant City Manager, reported the Planning Commission has spent several meetings and work sessions revising the General Plan. The Commission plans to take final action on the revisions on January 29, 2013. At that time, the General Plan revisions will be forwarded to the City Council for final approval. He recommended the City Council take time to carefully review the revisions and hold a public hearing before approving.

The Council agreed to hold a special work session to review the proposed General Plan revisions and to hold an additional public hearing before final approval.

### MINUTES REVIEW AND APPROVAL

The minutes of the November 6, 2012 Redevelopment Agency meeting were reviewed and amended. **Council Member Horrocks made a motion to approve the minutes as written. The motion was seconded by Commissioner Harman and passed by unanimous vote (5-0).**

The minutes of the November 6, 2012 City Council work session and the City Council regular meeting were reviewed and both amended. **Council Member Porter made a motion to approve both sets of minutes as amended. The motion was seconded by Council Member Harman and passed by unanimous vote (5-0).**

The review and approval of the November 27, 2012 City Council meeting minutes was postponed until further review by Mayor Arave and Barry Edwards.

The minutes of the December 17, 2012 City Council special session were reviewed. **Council Member Porter made a motion to approve the minutes as written. The motion was seconded by Council Member Jensen and passed by unanimous vote (4-0). Council Member Harman abstained from voting as he was not present at that meeting.**

### COUNCIL REPORTS

Council Member Jacobson reported on various upcoming activities including the Youth City Council's participation in Local Officials Day at the State Capital and the Utah State Institute in March, and his planning of the first Senior Lunch Bunch activity in February for senior citizens in the community. He also reported he will need funding for this year's Easter Egg hunt and for bingo equipment for seniors.

Council Member Harman reported on various upcoming Uniting Neighbors activities including a discussion on gangs and crime in February with smaller follow-up discussions on neighborhood watches, a lecture on Super Storm Sandy efforts in March, and the Great Shake Out in April.

Council Member Horrocks reported there is a new State auditor over the Mosquito Abatement Board. This may bring about future changes. He also reported a citizen complaint regarding snow removal in Eagles Landing.

Council Member Jensen reported on the success of the recent Second Sunday Concert at City Hall. He also reported he would like some funding for the first annual North Salt Lake Kite Festival.

### ADJOURNMENT

The meeting was adjourned at 10:40 p.m.

  
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Mayor

  
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Secretary