

CITY OF NORTH SALT LAKE
CITY COUNCIL/PLANNING COMMISSION -JOINT SESSION
JANUARY 17, 2017

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 Matt Jensen
Council Member Ryan Mumford
Council Member James Hood

Commission Chairman Robert Drinkall
Commissioner Ted Knowlton
Commissioner Leslie Mascaro
Commissioner Kent Kirkham
Council Member Ryan Mumford

EXCUSED: Commissioner Lisa Watts Baskin
Commissioner Stephen Garn

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; Janice Larsen, Finance Director; Chief Craig Black, Police Chief; Brent Moyes, Golf Course Director; Sherrie Llewelyn, Community Development Director; Linda Horrocks, Deputy Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Ryan Child, Wood Richards; Dal Wayment, South Davis Sewer District; Brad Rasmussen, Scott Rogers, Aqua Engineering; James Glashoff, architect for South Davis Sewer District; Josh Horrocks, Gavin Tobin, Nathan Jensen, Youth City Council.

1. REVIEW OF ANNUAL AUDIT REPORT-RYAN CHILD, WOOD RICHARDS

Ryan Child reported on the fiscal year audit which ended June 30, 2016 and said it went well. There were two State compliance findings including the recommendation that the approved minutes of recorded meetings need to be posted to the Utah public notice website within three days of approval, and that the Fidelity bond coverage for the City Treasurer needs to be increased to one million dollars. Mr. Child also recommended additional internal controls

relating to payroll. He said that there needs to be a check and balance between the payroll amount and the bank reconciliation. He also said a separation of duties does exist in the payroll process between the upload of payroll remittances to each employee and the online authorization of those remittances.

Ryan Child then reported on the balances in the different City accounts and started with the General Fund unassigned balance, which is available for discretionary use, at \$2,543,425.00 compared to 1,972,137.00 in 2015. This increase was due to a rise in property and sales tax.

Council Member Horrocks asked if the State would be distributing sales tax collected from Amazon. Ken Leetham replied that the League of Cities and Towns was researching this issue and have been requesting that the sales tax be remitted the same as a point of sale transaction.

Mr. Child then said that \$960,305.00 from the Capital Projects fund balance was spent on the Eaglepointe landslide mitigation with a \$562,116.00 contribution from the gas company. The Park Impact Fees were at \$275,695.00 with \$268,000.00 in impact fees and \$80,000.00 in park impact improvements. He then commented that the General and Capital Projects Funds are in good shape. The Enterprise Funds, which include capital assets and long term debt, are divided into three categories: the amount invested in capital assets or bonds, amounts restricted for debt service or impact fees, and unrestricted amounts. There were significant changes in the Water Fund including the improvements on Woodbriar, the 400 East waterline, and the refinancing of the 2006 bonds. The Water and Pressurized Irrigation Funds are doing well and the Storm Water and Solid Waste Funds saw an increase in operating revenue. The Golf Fund received a transfer from the General Fund of \$569,000.00 to pay down long-term debt, and borrowed \$141,551.00 from the Capital Fund to pay for other obligations. The Fleet Fund spent \$388,000.00 on new trucks, vehicles, and other operating costs.

Mayor Arave commented that in 2010 the City was in default on the Water Fund bonds and now there is a surplus in that account, due to better planning and taking recommended actions

Ryan Child then reported on the General Fund, stating there was \$2.9 million in unrestricted assets, and \$1 million in the Capital Projects Fund., The balance from the Golf Fund to the Capital Projects Fund was \$2 million, in the Park Fund there was \$370,000.00 and in the Road Fund there was \$350,000.00. In the Enterprise Funds, the cash balance compared to the operating expenses showed good ratios showing \$1 of cash for \$4 of operating costs in the Solid Waste Fund. The Water and Pressurized Irrigation Funds each have \$1 cash for every \$1 of operating expenses. The Storm Water Fund has \$2 of cash for every \$1 of expenses, and the Internal Service Fund has just less than \$1 for each \$1 of expenses. Mr. Child concluded that financially everything looks good.

2. PLANNING COMMISSION CONSIDERATION OF A CONDITIONAL USE PERMIT, SITE PLAN AND A WAIVER OF BUILDING DESIGN STANDARDS RELATED TO METAL BUILDINGS FOR THE SOUTH DAVIS SEWER DISTRICT RESOURCE RECOVERY PLANT

Ken Leetham reported that during the Planning Commission meeting last week they were unable to arrive at an agreement about compliance with City Code requirements for the proposed South Davis Sewer District Resource Recovery Plant.

Sherrie Llewelyn said that the Planning Commission approved the Conditional Use Permit and any exceptions for the height requirement. The facility is over five acres in size so the Commission would make a recommendation to the City Council on the site plan approval and the issue with metal buildings. The first concern to be addressed is the height of the buildings exceeding 45'. The request for the height exception is due to the need to allow the trucks to drive into the buildings to unload the waste to control odors. The second issue is related to metal buildings and building design standards in the City Code, which states that structures that are not visible from the public right-of-way may be granted an exception to the metal building restrictions with a recommendation from the Development Review Committee (DRC) and approval from Planning Commission. Public buildings may also be reviewed by the Planning Commission and approved by the City Council. The new ordinance allows metal buildings if the metal structure mimics other materials such as wood, tilt-up concrete or stucco and 1/3 of the building must be brick, stone, stucco or wood unless it is waived by the Planning Commission. The applicant has submitted that they will use trees along the perimeter of the east and north property lines to shield the buildings from view. They have requested that if the building must be constructed of more expensive materials they would prefer not to plant the tree buffer.

James Glashoff, who is the architect for the proposed Resource Recovery Plant, then presented a copy of the elevations and examples of the exterior panels to those present. This was done at the request of the Planning Commission. He said the exterior appearance will now be a tilt-up panel look in a neutral tan finish and the roof of the round buildings will be a white canvas membrane.

Scott Rogers, Aqua Engineering, commented that the reason they are using these new membranes is that it has dual layers which allows the inside layer to move with the gas pressure. This type of membrane will provide a 100% seal which keeps all the gas inside.

Commissioner Knowlton arrived at 6:26 p.m. Ken Leetham reported on the water aspect of this project stating that the City stands to benefit from the by-product of this process which is secondary grade water. Mr. Leetham pointed out that some culinary water sources in Woods

Cross are currently at risk which would make this water source important to the City. City staff and Dal Wayment met with Big West Oil regarding using a portion of this water as well which is something Big West will consider.

Mayor Arave clarified that any cost required for this project would end up being paid by the City through an increase in taxes to South Davis Water as they are the tax payers for the district.

Commissioner Mascaro asked for clarification on the proposed buffer from the buildings to the road. Sherrie Llewelyn replied that the buffer is 700' from the boundary of Legacy Highway to the Sewer District. There would be 1000' from the buildings to the property line of the nearest home in Foxboro. The property that surrounds the Sewer District is part of the Legacy Nature Preserve/Nature Conservancy and will remain part of the conservancy going forward.

Commissioner Mascaro commented that with the buffer she would approve of the height of the buildings.

James Glashoff said that he had misspoken at the Planning Commission meeting and that the proposed trees would be 35-40 year trees and not 50 year trees.

Commissioner Drinkall commented that in the Commission meeting the discussion had been that the property owner would replace any trees when necessary and would maintain the area. Dal Wayment replied that due to the nature of their business they make an extra effort to maintain their facilities and landscaping.

Council Member Horrocks asked what height the trees would be initially and if the trees would lose their leaves in the winter. James Glashoff replied that the trees would be 15' tall and would grow to 30' in five years. He said they are planning to plant poplar trees which would lose their leaves so they are painting the buildings a neutral color to be less conspicuous.

Dal Wayment asked if there could be a fir tree alternative that would stay green year round. James Glashoff said most fir trees would take 30-40 years to reach any height and that pine trees have shallow roots which could fall over in a strong wind.

Council Member Jensen said that he has expected an industrial looking building from the inception of this project and that the trees will help to block the view for some residents.

Council Member Hood asked how close the trees would be placed to the driveway and fence line. James Glashoff replied that the trees would run along the driveway and fence and that they would be placed on a slight berm which will also help with screening.

Council Members Horrocks and Porter also said they did not have an issue with the project.

Commissioner Knowlton commented that the applicant has met the concerns from the Planning Commission, including the appearance of the building and additional screening, and while it is a community need with certain inherent building restrictions the applicant has done a good job of mitigating the issues.

Commissioner Kirkham moved that the Planning Commission approve the conditional use permit & recommend to the City Council the approval of a site plan for Wasatch Resource Recovery at 1370 West Center Street with the following findings and conditions:

Findings:

- 1. The proposed use is suitable for the site;**
- 2. The effects of the proposed use can be mitigated to promote the health, safety, convenience and general welfare of the citizens of North Salt Lake;**
- 3. An exception to the building design standards and height regulations can be granted for public utility facilities and potential impacts are mitigated by required conditions.**

Conditions:

- 1. Landscaping shall be installed in accord with the submitted attached site and landscape plans, including poplar trees planted along the east and north property boundary to reduce the visual impacts as viewed from Legacy Highway;**
- 2. Installation of a right hand turn lane from Center Street into the plant shall be completed prior to final occupancy of the facility in accordance with city construction standards;**
- 3. Truck drivers will be notified of drop off/pick up time schedules for the neighboring Academy and will be directed to not deliver during those times;**
- 4. Visual and noise impacts for the Academy will be mitigated via the addition of trees to the school property at the expense of the applicant;**
- 5. Storm water will be utilized using low impact design methods, specifically for onsite landscape watering and offsite habitat improvement to the Legacy Nature Preserve;**
- 6. The site will be secured as demonstrated on the site plan and in accord with any requirements from the South Davis Metro Fire District;**
- 7. Correction of City Engineer redlines.**

8. The exception to building design standards for public buildings be approved with the use of insulated metal panel construction in the pattern and colors presented in the work session of Sierra Tan and Surrey Beige.

Council Member Mumford clarified that on the tree buffer there would be trees planted along the east and north property lines.

Commissioner Kirkham amended his motion to add “north” property boundary to condition one. Commissioner Mascaro seconded the amended motion. The motion was approved by Commissioners Drinkall, Knowlton, Kirkham, Mascaro and Council Member Mumford. Commissioners Baskin and Garn were excused.

3. APPROVE CITY COUNCIL MINUTES

The City Council minutes of January 3, 2017 were reviewed and amended. **Council Member Horrocks moved to approve the City Council minutes of January 3, 2017 as amended. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford, and Hood.**

4. ADJOURN

Mayor Arave adjourned the meeting at 6:53 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
JANUARY 17, 2017

FINAL

Mayor Arave called the meeting to order at 7:04 p.m. Council Member Matt Jensen offered the invocation and Noah Israelsen, BSA Troop 997, led those present in the Pledge of Allegiance.

PRESENT: Mayor Len Arave
Council Member Brian Horrocks
Council Member Stan Porter
Council Member Matt Jensen
Council Member Ryan Mumford
Council Member James Hood

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen, Public Works Director; Jon Rueckert, Assistant Public Works Director; Janice Larsen, Finance Director; Chief Craig Black, Police Chief; Brent Moyes, Golf Course Director; Sherrie Llewelyn, Community Development Director; Linda Horrocks, Deputy Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Cobi Arnett, Ashley Otis, Mindi Israelsen, Josh Horrocks, Gavin Tobin, Nathan Jensen, Youth City Council; Aaron Gulso, BSA Troop 1395; Noah Israelsen, BSA Troop 997; TJ Riley, Jason Boulton, Luke Lantz, Randy Simmons, John Lovet, Ryan Flynn, Josh Taylor, Broc Maxwell, Robert Glass, Danny Rhodes, Sam Christiansen, City staff.

1. CITIZEN COMMENT

There were no citizen comments.

2. RECOGNITION OF CITY EMPLOYEES FOR CHRISTMAS DAY SNOW PLOWING

Ken Leetham reported that during a recent staff Christmas lunch he listened to employees discussing snow plowing and how several of them have been out plowing on Christmas morning. He said the City has received many positive comments from residents on the efficiency and effectiveness of the snow plowing throughout the City. Staff has done an excellent job this year, and the City would like to recognize them.

David Frandsen commented that it is an honor to work with and represent the staff that provides these services. He said this year there have been 12 snow days with 12,000 miles of road plowed, and 600 man hours spent plowing. Luke Lantz was the storm manager this year and has done a great job taking care of requests and complaints during the storms. Jason Boulton has done research and has been able to predict a majority of the storms this year. The fleet department has done a great job of maintaining the trucks and equipment. He said it is difficult that staff is asked to plow on Christmas morning and their efforts are greatly appreciated.

Mayor Arave commented that staff has to plow early in the morning all winter as well and expressed his appreciation for their efforts.

3. PUBLIC HEARING TO CONSIDER RESOLUTION 2017-01R ADOPTING AN AMENDMENT TO INCREASE THE FISCAL YEAR 2016-2017 REDEVELOPMENT FUND, PARKS CAPITAL IMPROVEMENT FUND, ROAD CAPITAL PROJECT FUND, AND GOLF ENTERPRISE FUND BUDGETS

Janice Larsen reported that this amendment includes an increase in the budget in the Redevelopment Agency for the cost of the median realignment in the Foxboro Marketplace at \$4,000.00. There will also be a change in the Parks Capital Projects Fund budget with an increase use of fund balance in the amount of \$252,700.00 and an increase transfer out of expenditures in the amount of \$252,700.00 related to the Local Building Authority. This will be impact fee revenue for the properties that are being demolished to add to Hatch Park.

Council Member Jensen asked if any of the acquired properties around Hatch Park would be rented out. Janice Larsen replied that the City will rent six of the homes and demolish at least two buildings as they are unsuitable for rent.

Janice Larsen then reported that the next two items are for Road Capital Project Funds in the amount of \$4,000.00 and the final item is for the Golf Course Enterprise Fund for an increase in wages to obtain temporary employees and a heated cab for snow plowing in the amount of \$16,000.00. City staff recommends the budget adjustments in Resolution 2017-01R.

Mayor Arave opened the public hearing at 7:15 p.m. There were no comments and he closed the public hearing at 7:16 p.m.

4. CONSIDERATION OF RESOLUTION 2017-01R: A RESOLUTION ADOPTING AN AMENDMENT TO INCREASE THE FISCAL YEAR 2016-2017 REDEVELOPMENT FUND, PARKS CAPITAL IMPROVEMENT FUND, ROAD CAPITAL PROJECT FUND, AND GOLF ENTERPRISE FUND BUDGETS

Council Member Mumford asked which homes would be demolished around the park. He commented that the rental funds are to help pay for the bond that was used to purchase the homes. Ken Leetham replied that the homes would be inspected before demolition but that at least one home on the west end of the park would be torn down.

Council Member Mumford moved to adopt Resolution 2017-01R adopting an amendment to increase the fiscal year 2016-2017 Redevelopment Fund, Parks Capital Improvement Fund, Road Capital Project Fund, and Golf Enterprise Fund Budgets. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.

5. CONSIDERATION OF SITE PLAN FOR SOUTH DAVIS SEWER DISTRICT RESOURCE RECOVERY PLANT INCLUDING AN EXCEPTION TO THE BUILDING DESIGN STANDARDS RELATED TO METAL BUILDINGS

Sherrie Llewelyn reported that this is a site plan request for the Wasatch Recovery project. The Planning Commission has recommended approval to the City Council for the height exception.

Council Member Porter moved to approve the site plan for Wasatch Resource Recovery at 1370 West Center Street with the following findings and conditions:

Findings:

- 1. The proposed use is suitable for the site;**
- 2. The effects of the proposed use can be mitigated to promote the health, safety, convenience and general welfare of the citizens of North Salt Lake;**
- 3. An exception to the building design standards and height regulations can be granted for public utility facilities and potential impacts are mitigated by required conditions.**

Conditions:

- 1. Landscaping shall be installed in accord with the submitted attached site and landscape plans, including poplar trees planted along the east and north property boundary to reduce the visual impacts as viewed from Legacy Highway;**
- 2. Installation of a right hand turn lane from Center Street into the plant shall be completed prior to final occupancy of the facility in accordance with city construction standards;**
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- 4. Visual and noise impacts for the Academy will be mitigated via the addition of trees to the school property at the expense of the applicant;**
- 5. Storm water will be utilized using low impact design methods, specifically for onsite landscape watering and offsite habitat improvement to the Legacy Nature Preserve;**
- 6. The site will be secured as demonstrated on the site plan and in accord with any requirements from the South Davis Metro Fire District;**
- 7. Correction of City Engineer redlines.**
- 8. The exception to building design standards for public buildings be approved with the use of insulated metal panel construction in the pattern and colors presented in the work session of Sierra Tan and Surrey Beige.**

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

6. REVIEW OF PARKING ISSUES AT THE SOUTHWEST CORNER OF 2600 SOUTH AND US HIGHWAY 89

Ken Leetham recommended continuing this item for a future meeting.

Council Member Mumford moved to continue the review of the parking issues at the Southwest corner of 2600 South and US Highway 89. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.

7. CONSIDERATION OF A GENERAL DEVELOPMENT PLAN FOR FOXBORO MARKETPLACE SOUTH LOCATED GENERALLY AT 555 NORTH REDWOOD ROAD

Ken Leetham recommended continuing this item for a future meeting.

Council Member Mumford moved to continue the consideration of a General Development Plan for Foxboro Marketplace South located generally at 555 North Redwood Road. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.

8. APPOINTMENT OF SHERRIE LLEWELYN AS COMMUNITY DEVELOPMENT DIRECTOR

Ken Leetham reported that he would like to appoint Sherrie Llewelyn as Community Development Director He provided some background on her experience and said she has worked in planning for 20 years and has worked for the City for a year and a half. Mrs. Llewelyn has a Bachelor's degree in Urban Planning for the University of Utah and has just earned a Master's in Public Administration. She has worked with the DRC, on the Town Center Development Plan, and on code amendments.

Council Member Mumford reported that the Planning Commission is also very supportive of this appointment and would give their recommendation as well.

Council Member Mumford moved to approve the appointment of Sherrie Llewelyn as Community Development Director. Council Member Jensen seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.

9. CONSIDERATION OF MAYOR ARAVE'S APPOINTMENT AND SWEARING IN OF LINDA HORROCKS, CITY RECORDER

Mayor Arave reported that Linda Horrocks has completed courses and other certification for the position of city recorder and has been a great asset to the City.

Ken Leetham said that Linda would be his recommendation as well as she is invaluable with her experience and education and has completed the Certified Municipal Clerk (CMC) training and earned that designation, which takes years to achieve.

Council Member Jensen moved to ratify the Mayor's appointment of Linda Horrocks as City Recorder for the City of North Salt Lake. Council Member Mumford seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.

Mayor Arave performed the swearing in of Linda Horrocks as City Recorder.

10. ACTION ITEMS

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

Sherrie Llewelyn reported on action item four in the old items regarding the review of City code for vape/smoke shops and tattoo parlors. The State code has several restrictions on where these types of businesses can be located. They must be 1,000 feet from a community property such as a school or park. They must also be 600 feet from any residence and/or any property zoned or used as agriculture. She then presented a map which shows the areas in the City which may be used for tobacco stores. The City code allows these types of stores as permitted uses in the General Commercial Zone but due to the State restrictions there are limited available areas. The State code also allows the City to be more restrictive and/or probative of these uses.

In regards to tattoo and piercing businesses they may be a permitted use under personal services and allowed in Commercial Shopping (CS) and Manufacturing Distribution (MD) Zones. The only other regulations include a body art permit be obtained from the Davis County Health department, and the prohibition of tattoos given to minors without permission.

Chief Black commented that there are currently no vape or tattoo parlors in the city. He said he was unsure if Bountiful had issues with their smoke shops and tattoo parlors as our City has not responded to assist with those types of calls. He said there may be surrounding problems so the police department would want to review the business if there was an application.

Council Member Jensen commented that there was a smoke shop in a location in the City that would not be allowed per the map. He said it has since gone out of business. Chief Black replied that the new State requirements were just passed within the last few years due to schools expressing concerns.

Mayor Arave asked about item five on the old action item list for the 100' setbacks for the gravel pit. Ken Leetham replied that City staff is still reviewing the ordinance and City codes.

Council Member Mumford asked why the gun club property was purple (an allowed location) and then red (not allowed) on the map for tobacco store locations. Sherrie Llewelyn replied that after redevelopment the area would change zoning.

11. COUNCIL REPORTS

Council Member Hood reported that he would like to run for the President of the Utah Youth City Councils in March and wanted to make sure there were no issues. He then said the Youth City Council (YCC) is preparing for the biggest food collection day of the year and will be participating in a nationwide competition. The YCC will be located at the new Lee's Market and Smiths Food on February 4th with all donations going to the Bountiful Food Pantry.

Council Member Mumford reported that there would be an open house for Lee's Market on January 18th and the ribbon cutting on January 19th at 10 a.m.

Council Member Jensen commented that the NSL Live Committee had a few questions regarding the Polynesian Cultural Festival. As the City will not hold the 3 Kings Race this year, there are additional funds that could be allocated to the Polynesian Festival. The Polynesian Festival has been fairly successful the last two years so the question is whether organizers should take home profits from the event due to food and merchandise sales, and extra funds from the City.

Mayor Arave commented that this has been a free event for residents and is sponsored by the City. Council Member Jensen said that the organizers spend a lot of time organizing and paying for entertainment, etc. so he did not see an issue in the organizers keeping some of the funds.

Council Member Horrocks commented that he is supportive of the event and that if it becomes a success the City may want to look at the amount that is contributed in the future. He also asked if the applicants would be required to pay a security deposit for park cleanup after the event. Council Member Jensen replied that as this is a City sponsored event they would not have to pay for cleanup. He said the issues in the past were the large costs for lighting and extra security.

Council Member Mumford asked how/if the food trucks at these types of events pay taxes. Ken Leatham replied that the City issues a temporary license and the applicants are required to pay taxes.

Council Member Jensen commented that he would let the NSL Live Committee know that the City supports this event but that the profit versus expenses needs to be tracked.

Council Member Hood said his concern was that NSL Live did not have much oversight or control over the festival and that the funds should be capped as well.

Chief Black commented that there were not any problems either year and that temporary security could be obtained for the event.

12. MAYOR'S REPORT

Mayor Arave reported that the South Davis Fire Agency is looking to renovate the Centerville Fire Station and the proposed budget is \$5.5 million. The city managers will be involved in the process and planning.

13. CITY ATTORNEY'S REPORT

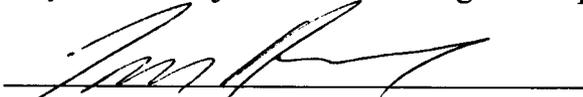
David Church was not present.

14. CITY MANAGER'S REPORT

Ken Leetham reported that the Lee's Market open house would be Wednesday night and the City Council was invited to attend.

15. ADJOURN

Mayor Arave adjourned the meeting at 7:55 p.m.



Mayor



Secretary