

1 CITY OF NORTH SALT LAKE
2 CITY COUNCIL MEETING-WORK SESSION
3 OCTOBER 17, 2017
4

5 **DRAFT**
6

7 Mayor Arave called the meeting to order at 6:04 p.m. He welcomed the scout group and Youth
8 City Council that were in attendance at the meeting.
9

10
11 PRESENT: Mayor Len Arave
12 Council Member Brian Horrocks
13 Council Member Stan Porter
14 Council Member Matt Jensen
15 Council Member Ryan Mumford
16 Council Member James Hood
17

18 STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen,
19 Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; David
20 Church, City Attorney; Brent Moyes, Golf Course Director; Sherrie Llewelyn, Community
21 Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.
22

23 OTHERS PRESENT: Annabelle Ballard, Katelyn Ballard, Youth City Council; Aidan Nance,
24 Joshua Richardson, Mitchell Sterner, Triston Avila, Maxwell Platt, Lowe Rudd, BSA Troop 997.
25

26 1. DEPARTMENT REPORT-PUBLIC WORKS
27

28 David Frandsen reported on the Fall Cleanup which was held October 13th-15th at the Public
29 Works Building. He explained how signage, layout, overflow traffic, and gatekeeper
30 responsibilities were set up to allow for maximum efficiency. As this service was only available
31 to City residents the gatekeeper was responsible for viewing proof of residency, recording what
32 was being dumped, and directing residents. Mr. Frandsen said that the change in location
33 allowed staff to use equipment for unloading, reduced cross-contamination of green waste, and
34 ensured that only residents were using the service. The feedback from residents included the
35 need for more signage next year, and appreciation for the organization of the event and the
36 unloading help provided by staff.
37

38 David Frandsen reviewed the snow removal plan and said the changes for 2017 included route
39 changes, utilization of smaller trucks, daily communication, the use of brine equipment, and a
40 focus on the trouble areas. He said every morning the department would review the weather,

41 trouble areas, and which staff members were available to plow. Mr. Frandsen said the brine
42 equipment installation was completed that day and would be used as an anti-icing tool which will
43 help to save money and time.

44

45 Mr. Frandsen said that staff strived for a high level of service which would be snow removal
46 down to the bare pavement and the minimum service level would be to keep major roads clear.
47 He said other methods for increased service included distributing snow removal warnings and
48 parking violations, snow removal at City Hall, and a storm completion checklist which detailed
49 supplies, equipment cleaned, storm reports, and a complaint/request log.

50

51 The Public Works Department held a snow removal training day and dry run on October 9th
52 which included new zone assignments, updated storm reports, tree trimming and removal, safety,
53 operating procedures, and calibration and walk around.

54

55 Council Member Mumford asked if more tree pruning was needed. David Frandsen replied that
56 staff tried to prune the trees on major roads but that there was more to do.

57

58 Mayor Arave asked if the department was able to perform crack sealing this year. He also asked
59 that staff apply the sealant to Eaglewood Drive. David Frandsen replied that they generally
60 applied crack sealing until the funding was depleted.

61

62 Council Member Jensen asked that staff include an ash tree located at 985 Manchester in the
63 Foxboro area tree spraying next year.

64

65 2. DEPARTMENT ORDINANCE REVIEW

66

67 Sherrie Llewelyn reported on the mining ordinance draft she handed out which combined
68 regulations in Title 7, clarified the approval process, and buffered the distances of mining
69 activities such as 200 feet from a residential property line, crushing at 400 feet from a property
70 line, and 100 feet from a public road.

71

72 Mayor Arave requested that staff provide David Church, Hughes (Lakeview Rock Products), and
73 Granite Construction with a copy of the draft mining ordinance for review and input.

74

75 Sherrie Llewelyn said that the ordinance detailed the natural resources extractions permit which
76 included a pre-application and a meeting with the Development Review Committee (DRC), as
77 well as a public hearing and recommendations from the Planning Commission, and approval by
78 the City Council. Other issues addressed in the ordinance included excavations, restrictions,
79 fencing, berming, mining operation hours, buffer landscaping requirements, the timeframe for

80 landscaping, a landscaping bond, the technical aspects of blasting including recordkeeping,
81 monitoring and vibrations, visible survey monuments for excavation, inspections by the City
82 Engineer, reclamation standards, mine site operations related to sand, rock or gravel, site
83 restrictions including on-site buildings and parking, and prohibiting concrete or asphalt plants.
84

85 Council Member Horrocks commented on potentially allowing a variance for batch plants and
86 Mayor Arave asked why these operations would be restricted. Sherrie Llewelyn replied that
87 batch plants were currently not listed in any zone and could be restricted as residents were
88 concerned these plants may affect air quality.
89

90 The Council discussed rezoning, who would be completing the reclamation of the property, and
91 permitted and non-permitted uses regarding mining.
92

93 Council Member Jensen asked for information on how the blasting plan would work. Sherrie
94 Llewelyn replied that there would be a conceptual plan for the property and then individual
95 blasting plans for each blast day which would require 72 hour notification for residents.
96

97 Mayor Arave commented that the City needed to determine the process for implementing this
98 ordinance. David Church responded that he had reviewed prior lawsuits and said the City would
99 need to prove the need for certain requirements and regulation if they were challenged. An
100 example would be that a buffer was necessary to protect public health and neighboring properties
101 but the City would need to justify how they determined that 300 feet was the acceptable distance
102 for the buffer.
103

104 Mayor Arave asked staff to gather justification for the buffer requirements. David Church said
105 that the justifications for the requirements would need to enhance health and safety and also be
106 defensible per measurable levels.
107

108 3. ADJOURN

109

110 Mayor Arave adjourned the meeting at 7:04 p.m. to begin the regular session.
111

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

DRAFT

Mayor Arave called the meeting to order at 7:10 p.m. Council Member Ryan Mumford offered the invocation and Triston Avila, 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; Janice Larsen, Finance Director; Craig Black, Police Chief; David Church, City Attorney; Brent Moyes, Golf Course Director; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Andy Kukta, Aimee Kukta, Catherine Kukta, Sarah Drinkall, Rachel Drinkall, Rulon Crosby, Alisa Van Langeveld, residents; Weston Ence, Matthew Cannon, Rees Christensen, Cole Geisler, Mike Rummins, BSA Troop 1916; Trent Wright, BSA Troop 1626; and Ben Thompson, Christopher Robinson, Foxboro Marketplace Development.

1. CITIZEN COMMENT

There were no citizen comments.

2. EMPLOYEE RECOGNITION

This item was cancelled.

3. PUBLIC HEARING REGARDING RAP TAX BALLOT PROPOSITION (PER UTAH CODE 59-I-1604)

Ken Leetham reported that the City is required to hold a public meeting for the reauthorization of the RAP Tax.

151 **Mayor Arave opened the public hearing at 7:14 p.m. for the Rap Tax ballot proposition.**
152 **There were no public comments and he closed the public hearing at 7:14 p.m.**

153

154 4. CONSIDERATION OF APPROVAL OF CITY OF NORTH SALT LAKE 2017
155 GENERAL ELECTION POLL WORKERS WITH ADDITIONAL APPROVAL TO
156 FILL ANY VACANCIES THAT MAY ARISE BEFORE ELECTION DAY,
157 NOVEMBER 7, 2017

158

159 Ken Leetham reported that this item is for approval of the list of poll workers per a contractual
160 agreement with Davis County to handle the City's municipal election. He said there would be
161 on-site voting for the November election at City Hall (for those who choose not to use the vote
162 by mail option) and would require the use of the listed poll workers.

163

164 **Council Member Porter moved to approve the City of North Salt Lake 2017 General**
165 **Election poll workers with additional approval to fill any vacancies that may arise before**
166 **Election Day, November 7, 2017. Council Member Hood seconded the motion. The motion**
167 **was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

168

169 5. REQUEST BY MR. RULON CROSBY TO PURCHASE CITY PROPERTY AT 510
170 LACEY WAY

171

172 Ken Leetham reported that Mr. Crosby contacted the City requesting to purchase some city
173 property at 510 Lacey Way. City staff then reviewed the property to evaluate the request.
174 Although the City had previously sold property at this location to an adjacent property owner,
175 staff recommended against the sale of the property at this time. The sale of City property to
176 residents was generally to improve or control the property, and in some cases due to
177 encroachments. Mr. Leetham recommended that guidelines be put into place to determine future
178 City-owned property sales and suggested that this policy be implemented before considering the
179 sale of 1,800 square feet of property to Mr. Crosby.

180

181 Mayor Arave asked how long it would take for staff to prepare this policy. Ken Leetham replied
182 that it would take three to four months.

183

184 Council Member Horrocks asked that the policy also address the reasons why the City owns
185 property. Ken Leetham replied that Staff would be creating a comprehensive inventory of all
186 City-owned properties and would categorize what should be done with each property.

187

188 Council Member Mumford said that the policy should detail required notification of the
189 neighbors, the process for the sale of the property, and a review of potential uses which could
190 include review by the NSL Live Committee.

191

192 Council Member Jensen commented that overall he was against selling public land and that
193 potential future uses should be determined before any property was sold. He suggested that the
194 proposed property could potentially be used for water storage.

195

196 Rulon Crosby said that as he purchased property from the City in the past that precedence had
197 been set. He said that the City would not want to put water storage or a line at the top portion of
198 the proposed property as the area was very steep and that there was also no room for a trail or
199 park. Mr. Crosby would like to build a home and needed the proposed piece to help meet the
200 setback requirements of the home.

201

202 Mayor Arave asked what the proposed construction timeline for the home would be. Rulon
203 Crosby replied that he would like to start construction on Lot 1 in the spring and that the current
204 configuration of the lot would make it difficult to place the home on the property as setback
205 requirements must be met.

206

207 Mayor Arave clarified that City staff recommended adopting a land-purchase policy before any
208 additional property would be sold. Rulon Crosby responded that the infrastructure was already in
209 place so any additional homes would help to pay those costs.

210

211 The City Council then discussed having a set City policy which included the notification of
212 neighboring property owners, a bidding process, a required checklist, donated land, and surplus
213 property.

214

215 Council Member Horrocks asked if the setback requirements could be waived in this situation.
216 David Church commented that the property would not qualify for a variance as it was a self-
217 imposed issue in that the property was currently buildable as is, and Mr. Crosby could reduce the
218 size of the home to meet the setback requirements.

219

220 Mayor Arave stated that the City Council could sell the property, table the matter until policy
221 could be created, or deny the sale.

222

223 **Council Member Hood moved to table the discussion until the City established a policy**
224 **regarding the sale of City property. Council Member Mumford seconded the motion. The**
225 **motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

226

227 6. CONSIDERATION OF A SITE PLAN APPROVAL FOR CIMARRON AT
228 FOXBORO, PART OF THE FOXBORO MARKETPLACE GENERAL
229 DEVELOPMENT PLAN, GENERALLY LOCATED AT 761 NORTH CUTLER
230 DRIVE
231

232 Sherrie Llewelyn reported that the proposed site plan was for a residential development, located
233 at 790 North Cutler Drive, as part of the Foxboro Marketplace General Development Plan. The
234 apartment buildings would be oriented around a common courtyard containing a pool, dog park,
235 tot lot, barbeque area, etc. Additional amenities onsite included a clubhouse, bocce ball and
236 pickle ball courts, exercise facilities, a dog wash, and leasing offices. The trail section along
237 Redwood Road would consist of decorative crushed gravel and street trees while the landscaping
238 along Cutler Drive would contain trees and grass. The site would also utilize storm drainage for
239 the landscaping and solar panels for exterior lighting of the property.
240

241 The residential property would consist of two multi-family structures with a total of 102
242 apartments on 5.124 acres. The two apartment buildings have been divided into 44 one bedroom
243 units, 54 two bedroom units, and 4 three bedroom units with the total parking provided onsite at
244 204 spaces. Mrs. Llewelyn stated that the parking consisted of 62 tuck under garages, 62 tandem
245 driveway spaces, 30 detached garages, 10 carports, 40 open parking spaces with seven ADA
246 spaces. There would also be four stalls with charging stations for electric cars.
247

248 The Planning Commission reviewed the site plan and recommended approval with the following
249 three conditions including xeriscape landscaping along Redwood Road with additional plant
250 material and varied rock mulch, parking table and engineering redlines, and the potential
251 addition of a pedestrian gate along Redwood Road.
252

253 Council Member Hood asked how many units would be ADA accessible. Sherrie Llewelyn
254 replied that all the main floor units including three units with attached garages were ADA
255 compliant as well as the seven ADA parking spaces.
256

257 **Council Member Porter moved that the City Council approve the requested site plan for**
258 **Cimarron at Foxboro, Lot 7 of Foxboro Marketplace, at 790 North Cutler Drive with the**
259 **following conditions:**
260

- 261 **1) Landscaping along Redwood Road is permitted to use xeriscape, with the**
262 **additional plant material or varied rock mulch size and color to soften the**
263 **streetscape appearance;**
- 264 **2) Correction of minor redlines (parking table and engineering); and**

265 **3) The developer consider adding a pedestrian gate to the fence along Redwood Road**
266 **for trail access.**

267
268 **Council Member Hood seconded the motion. The motion was approved by Council**
269 **Members Horrocks, Porter, Jensen, Mumford and Hood.**

270
271 Council Member Jensen asked about new commercial development in the remaining parcels.
272 Christopher Robinson summarized that the south parcel of Lot 1, also known as Foxboro
273 Marketplace South, would become a Holiday Oil/Chevron gas station. An Autozone, Del Taco,
274 and Spectrum Academy High School, with a dedicated ten-foot queuing lane for traffic, were
275 also planned. He said the Foxboro Marketplace North Lot 1 was still available, Lot 2 would be a
276 Burger King, Lot 3 would become a Little Caesars Pizza, Cricket Wireless, Empire Chinese
277 Gourmet, and an H&R Block. Lot 4 was Lee's Marketplace, Lot 5 would be retail, and Lot 6
278 would be an Ace Hardware. He said by the end of May everything would be built or under
279 construction minus Lot 1.

280
281 **7. CONSIDERATION OF ORDINANCE NO. 2017-05 AMENDING THE CITY OF**
282 **NORTH SALT LAKE COMPREHENSIVE FEE SCHEDULE**

283
284 Sherrie Llewelyn reported that the Council had reviewed the comprehensive fee schedule during
285 the October 3rd meeting. This schedule included fees for planning, engineering, business
286 licensing, connections and development, police and court, animal licensing, miscellaneous,
287 building, recreation, and events.

288
289 Mayor Arave suggested clarifying and keeping the outdated business type such as pay inside gas
290 stations and also including secondary water impact fees.

291
292 Council Member Jensen asked how the fees would be determined for projects such as public
293 notice, staff time, etc. Ken Leetham replied that the City was not charging for certain services
294 now which take staff time to complete.

295
296 Sherrie Llewelyn commented that the subdivision and development review fees would not
297 increase and the current zone change application or site plan review fees would not cover all
298 associated costs incurred by staff. She said the proposed fees were less than neighboring
299 jurisdictions and would defray some costs which residents are currently paying.

300
301 Ken Leetham explained that the City was just trying to collect fees to help cover the cost of time
302 spent by staff on commercial and multifamily development and that these fees were nominal.

303

304 Council Member Porter commented on excessive or standardized plan check fees that could lead
305 to litigation. David Church replied that the State law limits the plan check fee to 65% or actual
306 cost.

307 Sherrie Llewelyn said that staff could reevaluate fees for stacked units versus individual units
308 with separate connections, infrastructure, and price per unit. Council Member Mumford
309 expressed concern that this would incentivize stacked units.

310

311 David Church commented that the State Development Code for plan check fees detailed that the
312 amount could not exceed responsible costs for review or inspection. A developer could appeal to
313 a hearing officer if they felt the fees were too high. The municipality may also be required to
314 provide an itemized fee schedule to justify fees.

315

316 Ken Leetham said that a waiver or exception could be authorized by the City Manager or
317 designee on a case-by-case basis and that there should be a review of the fees to ensure they were
318 not unintentional or excessive before they were approved.

319

320 David Church recommended that the fee schedule incorporated language from State code
321 regarding the itemized fee statement and the ability for the fee to be adjusted or excess fees
322 refunded.

323

324 Council Member Mumford also commented that there could potentially be a provision to waive
325 fees for projects that contributed to the public good such as a food pantry. Ken Leetham replied
326 that it this could be done per City Council review.

327

328 **Council Member Horrocks moved to approve Ordinance No. 2017-05, amending the**
329 **Comprehensive Fee Schedule for the City of North Salt Lake with the exception of Section**
330 **2.1, commercial site plan fees, multifamily site plan review, and outdated business types**
331 **such as pay inside gas stations. Council Member Mumford seconded the motion. The**
332 **motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

333

334 8. APPROVE CITY COUNCIL MINUTES

335

336 The City Council minutes of October 3, 2017 were reviewed and approved. **Council Member**
337 **Mumford moved to approve the City Council meeting minutes from October 3, 2017.**
338 **Council Member Hood seconded the motion. The motion was approved by Council**
339 **Members Horrocks, Porter, Jensen, Mumford and Hood.**

340

341

342

343 9. ACTION ITEMS

344

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

346

347 Mayor Arave asked staff to revise the backflow letter and also to provide a map showing the
348 areas that received the crack sealing treatment in 2017.

349

350 10. COUNCIL REPORTS

351

352 Council Member Hood thanked NSL Live for the recent NSL Reads event that was well
353 attended.

354

355 Council Member Mumford reported that he had viewed the Odell Lane development and
356 anticipated further development on the opposite side of the street. Ken Leetham replied that if the
357 developer approached the City with a similar land use that the City should encourage owner
358 occupied units with more amenities and better parking.

359

360 Council Member Horrocks reported from the Mosquito Abatement Board that in 2017 there were
361 52 cases of West Nile Virus in Utah with 3 deaths. He said there were 67 total deaths due to
362 West Nile across the United States.

363

364 Council Member Jensen reported that the NSL Reads event was a chaotic but fun event that
365 featured a magician and local author along with a writing contest. Council Member Mumford
366 said that the feedback from residents included scheduling the children's events earlier in the
367 evening.

368

369 Council Member Jensen then reported that the Halloween 3K would be held October 21st. He
370 said he was approached by a resident who would like to get a pet pig and was told that was not
371 allowed on lots less than .50 of an acre. He asked if the current ordinance was too restrictive for
372 certain pets such as goats, pigs, etc.

373

374 David Church commented that he had also seen residential requests for miniature horses or
375 different types of animals to be used as service animals. He said the ordinance could be written
376 to allow certain types of animals per the City Council.

377

378 Council Member Mumford commented that the State law regulated animal ordinances and that
379 there would be complaints regardless. He asked what other cities implemented in their
380 ordinances. Ken Leetham replied that the City had established how many and what type of
381 animals were allowed on residential property and that staff could review additional information.

382 11. MAYOR'S REPORT

383
384 Mayor Arave reported that staff met with Hughes (Lakeview Rock Products) and the Thomas
385 family to discuss the Monte Thomas Pit. He said that Lakeview Rock Products would most likely
386 complete the reclamation of the Monte Thomas Pit. He then reported that the South Davis
387 Recreation District is considering a price increase which will either be one large fee or several
388 smaller fees. Mayor Arave also said the sale of the old Centerville Fire Station property may not
389 go through.

390
391 12. CITY MANAGER'S REPORT

392
393 Ken Leetham reported that the Council should meet with the County Commissioners to discuss
394 the site of a future library. He said he spoke with the library director who would speak with the
395 City and Bountiful about library options.

396
397 Council Member Mumford said he spoke with one of the County Commissioners, Randy Elliot,
398 multiple times about the library location and the potential for either two smaller library sites or
399 one larger library site.

400
401 Ken Leetham then said that he would like to compile a letter addressing Davis County's budget
402 proposal issue, particularly the request for 26 new deputies for the County Sherriff's office.

403
404 13. CITY ATTORNEY'S REPORT

405
406 David Church had nothing to report.

407
408 14. ADJOURN

409
410 Mayor Arave adjourned the meeting at 9:06 p.m.

411
412
413
414
415

Mayor Recorder