

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-WORK SESSION  
JULY 17, 2018

**FINAL**

Mayor Arave called the meeting to order at 6:07 p.m.

PRESENT: Mayor Len Arave  
Council Member Brian Horrocks  
Council Member Stan Porter  
Council Member Ryan Mumford  
Council Member James Hood  
Council Member Lisa Watts Baskin

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; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Deeann Evans, Administrative Assistant; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Jason Groberg, resident.

1. INTRODUCTION OF NEW EMPLOYEE

Ken Leetham introduced Deeann Evans as the new administrative assistant supporting the City Manager and City Recorder, the finance department, and the front desk. He reported that she had a bachelor's degree in English and had previously worked for Bountiful City in the Utility department.

2. DISCUSSION OF 5-YEAR TRANSPORTATION PLAN

Ken Leetham reported on the transportation needs of the City with a focus on a recent study completed by the Local Technical Assistance Program (LTAP). This plan indicated that the average remaining surface life (RSL) for City roads was 9.34 years versus the Wasatch Front average RSL of 10.89 years with the standard RSL being 10 years.

The report detailed North Salt Lake road conditions with 0.53% of the roads as failing, 24.25% of the roads were in poor condition, 19.18% were in fair condition, 43.63% were in good condition, 8.41% were in very good condition, and 3.98% of the roads were in excellent condition. The report also showed that the roads were continually degrading from excellent

condition to very good condition and so on. If a preventative maintenance plan was not implemented then the roads would begin to cost more to replace than the cost would have been to maintain the roads. The goal was to rehabilitate the roads around the ten year mark as this was halfway through the road's lifecycle and would help to avoid the need for total replacement.

Mr. Leetham explained that staff had formed a working group which included many of the department heads including management in the Streets and Storm Water departments to help determine a course of action. This group evaluated the LTAP plan in conjunction with the water and storm drain needs and divided these recommendations into the two categories of rehabilitation and reconstruction. A five year plan was created which consisted of putting \$398,000 annually into rehabilitation of the roads and \$1,437,000 into road construction. The rehabilitation would include sealing activities such as crack, slurry, and chip seals.

Council Member Horrocks asked what the failure level designation meant. Ken Leetham replied that if a road was designated as failing it would need to be reconstructed as it was too deteriorated to fix at that level.

Ken Leetham then presented a map detailing the five year plan for street replacement in conjunction with the water line replacement needs per the LTAP report. He also showed a list of the streets reflected on the map and the estimated cost for road reconstruction at a total of \$7,184,000.

Mayor Arave asked about 1100 North as it was listed as failing but was not shown on the map for replacement. Paul Ottoson replied that this was due to the fact that a 500 foot section of 1100 North was on the schedule to be fixed this year.

Ken Leetham reported on different funding options for these transportation needs based on the five year plan at a cost of \$1,835,000 annually. These funding options included the use of \$900,000 in Class C Road Funds and fuel tax, the use of \$900,000 each year from existing unrestricted fund balance, a proposed property tax increase to match inflation, the use of SB136 funds with the option for the City to enact a \$.25 sales tax at approximately \$527,500 annually to be split with UTA, or delaying the construction for several years to accumulate funds. He then showed the breakdown of funding options including restricted fuel/sales tax, funds from current budget, under spent general fund expenditures, and funds from the capital projects and fund balance accounts for two years starting in FY2019 for a total of \$1,800,000 in FY2019 and \$1,800,000 in FY2020.

Mr. Leetham then spoke on a potential property tax increase and showed a graph comparing the 2018 property tax rate for the City as well as 17 surrounding cities with North Salt Lake on the

lower end of the spectrum. He explained that even if the City's tax rate was increased to match inflation the City would still be in the middle of the scale in relation to the other cities shown.

Council Member Horrocks commented on the water line replacement per the map and asked if water funds could be used to fix the roads when the water line replacement was done. Paul Ottoson replied that instead of doing a street patch during the water line replacement that funding could potentially go towards the repair or replacement of the road instead of just a patch.

Ken Leetham reported that the "Our Schools Now" initiative could potentially generate \$163,397 which could be used for City transportation projects. He also said that if the City increased their road rehabilitation efforts they would see a real impact in the future.

Mayor Arave commented that the City was behind on road maintenance and in three years the percentage of failed roads would continue to increase if nothing was done. He asked if the City would need to adjust the budget to accommodate the proposed five year plan. Ken Leetham replied that if the City Council wanted to implement the road maintenance plan that the budget would need to be adjusted. He explained that for the first two years the City could use funding from several of the proposed sources including the restricted fuel/sales tax at the cost of \$1,800,000 per year in 2019 and 2020.

City staff was directed to bring back a budget adjustment to accommodate the five year road maintenance plan for the City Council to review.

Council Member Hood asked why the proposal was for asphalt streets versus concrete especially on the heavily used roads such as Orchard Drive and 1100 North. Ken Leetham replied that concrete was extraordinarily more expensive but had a 50 year life. He suggested that the City Council review concrete versus asphalt roads, what would be the more cost effective investment, and consider bonding for concrete roads if that was determined to be the better option.

The Council also discussed other ways to help pay for road maintenance such as creating a special district, a disproportionate fee, or adding a cost per vehicle fee for businesses that had more daily trips or big trucks.

### 3. APPROVE CITY COUNCIL MINUTES

The City Council minutes of June 19, 2018 were reviewed and approved. **Council Member Horrocks moved to approve the minutes of June 19, 2018. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

#### 4. ACTION ITEMS

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

Ken Leetham reported that several items could be removed from the list such as the recycling item as it had already been presented to the Council.

Council Member Baskin asked about the status of the PCE plume remediation action item. Ken Leetham replied that he would setup another meeting with the DEQ and the State lobbyists.

Council Member Baskin also asked for an update on the Eaglewood Dock item. Ken Leetham replied that staff had a meeting with G Brown Design to review the new design plan.

#### 5. CITY ATTORNEY'S REPORT

David Church had nothing to report.

#### 6. CITY COUNCIL REPORTS

Council Member Mumford thanked staff for the recent City events including the 5K, Liberty Fest, Festival of Speed, etc. he said these events were well attended by residents.

Council Member Mumford asked if UTOPIA had prepared a contract for the Council to review. Ken Leetham replied that he would reach out to UTOPIA and would add the review of the contract as a City Council agenda item.

Council Member Horrocks reported on the recent Mosquito Abatement Board meeting and said that there was one positive West Nile pool at the South Davis Sewer plant. He also said that he received a lot of positive feedback on the recent City events and noted that there was increase in the number of cars displayed at this year's Festival of Speed.

The Council also reported that there had been a lot of feedback regarding the City's sewer rate increase from \$60 a year to \$120 annually. Mayor Arave commented that this amount was still lower than many cities but suggested that an open house could be held to answer any questions.

Council Member Porter reported on the Jordan River Commission and said that there would be a focus on improving several areas and implementing several ways to keep homeless camps away

from the Jordan River. He also said that the “Get into the River” event would be held in September.

7. ADJOURN

Mayor Arave adjourned the meeting at 7:02 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-REGULAR SESSION  
JULY 17, 2018

**FINAL**

Mayor Arave called the meeting to order at 7:09 p.m. Council Member Lisa Baskin offered the invocation and led those present in the Pledge of Allegiance.

PRESENT: Mayor Len Arave  
Council Member Brian Horrocks  
Council Member Stan Porter  
Council Member Ryan Mumford  
Council Member James Hood  
Council Member Lisa Watts Baskin

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; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Jarom Smith, Tom Stuart Construction; Robert Gerlach, Mike Hamblin, Kelly Peterson, Kelly Engleman, Utah Foster Care; Charles Hall, Bountiful; Rob Baskin, Brian Hamilton, Lisa Hamilton, Mary Kay Porter, residents; Greg Day, Parker McGarvey, CW Land; Dustin Pennington, Stantec.

1. CITIZEN COMMENT

There were no citizen comments.

2. UTAH FOSTER CARE PRESENTATION

Kelly Peterson, CEO of Utah Foster Care, explained that Utah Foster Care was established in 1999 to recruit and train families for foster child care. She then told the story of her experience as a young girl in foster care and that her foster family helped lead her towards her career as a therapist as well as to release the hate she harbored from her previous abusive situation.

Ms. Peterson said that this meeting was to help provide community awareness about the opioid epidemic which contributed to the need for more foster care families.

Mike Hamblin, Director of Recruitment, said that he used to work for the Department of Child and Family Services before coming to Utah Foster Care. He told the story of five siblings that were taken into State custody and separated and how they had to cope with being removed from their home, family, and community. Mr. Hamblin explained that they needed foster families in every community to allow children to stay in their own schools as well as families that would be willing to take sibling groups. He said that the the number of younger children in care has grown and over 70% of the cases were attributed to substance abuse.

Mike Hamblin also said that every year 40% of the foster families left the system for many reasons such as the adoption of their foster children or a change in circumstance and that this resulted in the need for 500 new families each year.

Kelly Peterson spoke on the required foster parent training and explained how to help children learn to cope with trauma and shared an example that illustrated how abused children might cope and how to help them.

Kelly Engleman, Director of Development, talked about retention in regards to foster families and how Utah Foster Care was able to provide support through nonprofit grants fundraisers, cluster support groups, training, and the Wishing Well program.

Robert Gerlach, Board of Directors, related his personal experience with foster care including the adoption of his six children. He talked about some of the things that foster parents must deal with including anger towards the birth parents and abused children. Mr. Gerlach explained that Utah Foster Care was unique in how it finds, trains, and supports foster families.

Council Member Baskin, who was the former chair on the Board of Directors for Utah Foster Care, thanked Utah Foster Care for coming to share their message.

Council Member Horrocks commented that DCFS was open all day every day 365 days of the year to provide this service. He expressed his admiration for DCFS and Utah Foster Care for their services.

Mayor Arave, Council Member Porter, and Ryan Mumford thanked Utah Foster Care and asked how to share their message with the public. Mike Hamblin replied that the message would be that there is an ongoing need for both foster families statewide and community support of these families.

Council Member Baskin asked for an explanation on how DCFS interacts with Utah Foster Care. Mike Hamblin responded that Utah Foster Care recruited and trained the foster families while the State provided the licensing and made the placements.

3. CONSIDERATION OF A CONCEPT PLAN FOR A PUD SUBDIVISION,  
WINEGAR'S TOWNHOMES, LOCATED APPROXIMATELY 3400 SOUTH  
ORCHARD DRIVE, GREG DAY, CW LAND, APPLICANT

Sherrie Llewelyn presented a zoning map showing the zoning adjacent to the proposed PUD subdivision as well as Bountiful City boundary lines. She explained that after hearing feedback from the Planning Commission and residents that the developer withdrew their original request for a general development plan and P District rezone. They have since returned with a proposal for 53 townhome units on 2.5 acres with the remaining one acre to be reserved for future commercial or mixed use. The proposed townhomes would be 3 story buildings that were 30 feet high.

The Planning Commission recommended approval of the concept plan with two findings that the proposed development met the minimum standards for a PUD subdivision and any authorization to the standards and requirements such as lot area, width, yard, height, and coverage. The Planning Commission also recommended three conditions including allowing a maximum number of 3 stories and a height of 30 feet on the townhome and mixed use sites, the maximum density of the townhome site would be limited to 22 dwelling units per acre, and the maximum density of the mixed use site would be determined by the Commission at site plan approval dependent on meeting the minimum requirements for setback, landscaping, coverage, and parking.

Mrs. Llewelyn explained that there were no proposed amenities on the site. She then showed concept elevations for the front, side, and rear of the townhome buildings.

Mayor Arave expressed displeasure with the number of units and the quality of the presented plan compared to the previously presented plan for the property.

Council Member Mumford commented on the elevation drawing that showed a driveway entering onto 3400 South. Sherrie Llewelyn replied that this was not accurate as there would only be one entrance from Orchard Drive. She also explained that the fire department required the lot to be reconfigured to allow for a turnaround, due to only having one exit, which forced the developer to lose one unit to accommodate this request.

The Council discussed other options such as adding more units to the development, requiring the entire lot to be developed now rather than developed in phases, and the ability to require that lot 1 become mixed use or retail.

Council Member Horrocks commented that the Council had just received an email from a resident with concerns about the development of this property.

Greg Day, CW Land, commented that they felt this was an acceptable plan but could reconsider other options especially in regard to amenities. He explained that they had to balance profit with the needs of the community and needed a clear path from the Council.

Mayor Arave said that Winegars invested a lot into the community and the family deserved to sell the property but he felt like there could be a better plan for the parcel.

Council Member Horrocks commented that the proposed townhomes would easily sell but that he was open to exploring other possibilities for the property.

Council Member Porter explained that with the current zoning the applicant could build the development with the proposed density. He also asked if the developer held an open house to receive more community feedback. Greg Day replied that after hearing the public feedback at the Planning Commission meeting they did not end up having an open house.

Council Member Hood asked why the applicant was not open about how lot 1 would be developed. Greg Day replied that they were unsure about the future development for the lot as retail was not very successful in that area. He said that a credit union had expressed some interest in the property but the parcel was an awkward shape and the city code restrictions made many aspects of development including parking and landscaping difficult.

Council Member Mumford commented on the current Commercial Shopping (CS) zoning and if the allowed uses needed to be revised as a majority of the Council had expressed concern with the development.

Mayor Arave asked if the Council would consider changing some of the parameters to help the developer build something nicer on the property.

Council Member Mumford commented that there was no current application on lot 1 and asked if the City could change the zoning on lot 1 to prohibit the developer from placing apartments there. David Church replied that under State code it was permissible to subdivide a property for future development. He said that the rights to develop the property would vest when the

developer submitted an application and paid the fees. He said if the developer had not submitted an application for lot 1 there would be no vested rights and the City could change the permitted use in that zone which would then apply to the property. Mr. Church explained that the downside of waiting to develop would be the risk that the City code might change.

Council Member Baskin asked how the P District application disappeared and the application became a request for a Planned Unit Development (PUD) subdivision. Sherrie Llewelyn replied that during the Planning Commission meeting residents were allowed to give their opinions on the general development plan. Approximately 60 residents expressed concern with the height, traffic, etc. of the previously proposed development. The developer then asked the Planning Commission to table the item and returned with the proposed concept plan for a PUD subdivision.

Council Member Baskin commented that even though the Council may not like the proposed development that the developer owned the land and had every right to develop the land particularly as they had complied with the requirements. She said the Planning Commission had made the recommendations they could to ensure a better project which inclined the Council to approve the project.

**Council Member Baskin moved that the City Council approve the concept plan for Winegar's Townhomes, located at approximately 3400 South Orchard Drive with the following findings and conditions:**

**Findings:**

- 1) **The proposed development meets the minimum standards for a PUD subdivision in the CS Zone including lot size, height, landscaping, parking, and building coverage;**
- 2) **The Planning Commission has the authority to authorize standards and requirements for PUD subdivisions which may include lot area, width, yard, height and coverage.**

**Conditions:**

- 1) **A maximum number of 3 stories shall be permitted in the PUD on both the townhome site and the mixed use site;**
- 2) **The maximum density of the townhome site shall be limited to no more than 22 dwelling units per acre;**
- 3) **The maximum density of the mixed use site shall be determined by the Planning Commission at site plan approval and shall be dependent on meeting the minimum requirements for setback, landscaping, and parking.**

Council Member Porter asked if condition three should be altered or removed to avoid obligating the City or the developer to mixed use on lot 1. David Church suggested that the condition could be changed to say that any development on lot 1 meet the ordinances in affect at the time that the application for development occurred.

**Council Member Baskin amended her motion to change condition three to state that whatever the existing law is at the time of application for lot 1, that the law will govern at that time. Council Member Porter seconded the amended motion.**

Greg Day asked if the intention of the City was to remove multi-family as a conditional use in the CS zone the future. Mayor Arave replied that the City may change the CS zone requirements in the future which could affect lot 1.

**The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

4. CONSIDERATION OF ORD 2018-07: AN ORDINANCE RE-ZONING PROPERTY LOCATED AT APPROXIMATELY 150 EAST 350 NORTH FROM RESIDENTIAL, R1-7 TO HIGHWAY COMMERCIAL (CH) FOR ARROWHEAD APARTMENTS, A PLANNED DISTRICT (P), LIBERATION DEVELOPMENT INVESTMENTS, APPLICANT

Sherrie Llewelyn reported that the applicant had asked for the item to be withdrawn as they would be revisiting their previous proposal. Any new applications would go before the Planning Commission for review.

David Church recommended that as the applicant had asked for the application to be withdrawn that the item did not need to be tabled.

5. CONSIDERATION OF A PROPOSED SUBDIVISION PLAT AMENDMENT TO FOXBORO MARKETPLACE SOUTH, LOTS 3 & 4, LOCATED AT 552 NORTH CUTLER DRIVE, SPECTRUM ACADEMY, APPLICANT

Sherrie Llewelyn reported that this application was related to a lot line adjustment due to the need for a 13'6" building clearance per the fire code. The lot line adjustment would be between the Del Taco on lot 3 and Spectrum Academy on lot 4 with Spectrum Academy to purchase 172 square feet of property from Del Taco. The proposed amendment would mean a reduction of the landscape buffer for Del Taco from 8' to 6'6". The Planning Commission recommended

approval with one condition for final revisions to the owner's dedication and easement per City Engineer redlines.

**Council Member Horrocks moved that the City Council approve the plat amendment for Foxboro Marketplace South Subdivisions, lots 3 & 4 at 552 North Cutler Drive with the following conditions:**

- 1) Final revisions to owner's dedication and easements, per City Engineer redlines.**

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

6. CONSIDERATION OF A PROPOSED SUBDIVISION PLAT AMENDMENT TO I-215 PARKWAY COMMERCIAL CONDOMINIUMS, LOTS 18, LOCATED AT 259 SOUTH RIVERBEND WAY, VERONA INVESTMENTS, APPLICANT

Sherrie Llewelyn reported that this was a Tom Stuart project and that the site plan approval for four buildings was done within the last two years. An amendment was required because during construction Tom Stuart Construction modified the footprint of the building by adding a more attractive roofline which improved the appearance of the building. She explained that after viewing the site she was pleased with the architectural upgrades that were made to the building.

**Council Member Porter moved that the City Council approve the plat amendment for I-215 Parkway Commercial Condominiums Subdivision at 259 South River Bend Way with no conditions. Council Member Mumford seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

7. CONSIDERATION OF A PROPOSED SITE PLAN FOR FEDEX AT 750 NORTH FRANKLIN PARKWAY

Sherrie Llewelyn reported on the proposed site plan amendment which would be an expansion onto the former Gramoll Construction property on 1100 North. The proposed expansion would provide additional parking for FedEx trailers. She explained that two accesses onto 1100 North would be eliminated due to security reasons. The applicant proposed a 10' decorative wall with landscaping consisting of trees, shrubs, and decorative rock mulch for outdoor storage screening along 1100 North. The Planning Commission made a favorable recommendation with two conditions.

Mayor Arave asked if an anti graffiti treatment could added to the 10' decorative wall.

Ken Leetham commented on the 10' wall elevation and asked if the proposed barbed wire was permitted in the zone. Sherrie Llewelyn replied that the three strand barbed wire was permitted.

Council Member Hood recused himself based on potential future employment.

**Council Member Porter moved that the City Council approve the site plan amendment for FedEx located at 750 North Franklin Parkway between the existing facility and 1100 North with the following conditions:**

- 1) Resolution of hydrology redlines from the City Engineer;**
- 2) Payment of the required storm water impact fees;**
- 3) The addition of a graffiti treatment on the 10' decorative wall.**

**Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Baskin. Council Member Hood abstained from voting.**

**8. CONSIDERATION OF SURPLUS OF TWO POLICE DEPARTMENT LYRIC PERSONAL TRANSPORT VEHICLES (PTVs)**

Chief Black reported on the Lyric Personal Transport Vehicles (PTV) and said that they were purchased to more easily navigate the neighborhoods. He explained that the company had closed all of its U.S. locations which made repairs more difficult and there were other more functional options. The two 2010 Lyric PTVs would most likely be sold at auction.

The two vehicles requested to be declared surplus and disposed of included two 2010 Lyric CRZ3R with the serial numbers 2165 and 1699.

Council Member Baskin asked if the department would purchase additional e-bikes to replace the PTVs. Chief Black replied that the two the department already owned would be sufficient.

**Council Member Porter moved that the City Council approve the above listed electrical personal transport vehicles to be declared surplus and direct the police department to dispose of them through public auction or other means that would be found to be of most value to the City of North Salt Lake. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

9. MAYOR'S REPORT

Mayor Arave reported that Wasatch Integrated Waste was considering borrowing funds to process recyclable material at the landfill.

10. CITY MANAGER'S REPORT

Ken Leetham reported that Center Street would be closed as part of the Redwood Road project. The road will be closed on Friday and Saturday from 10 p.m. to 6 a.m. with resident notification and a detour map published on the City's social media.

11. ADJOURN

Mayor Arave adjourned the meeting at 8:58 p.m.



Mayor



Recorder