



CITY OF NORTH SALT LAKE

CITY COUNCIL MEETING NOTICE & AGENDA February 19, 2019

Posted February 14, 2019

Notice is given that the North Salt Lake City Council will hold a regular meeting on **FEBRUARY 19, 2019** at City Hall, 10 East Center Street, North Salt Lake, Utah. A work session will be held at 6:00 pm in the Council Conference Room followed by the regular session at 7:00 pm in the Council Chambers. Some members may participate electronically. The following items of business will be discussed; the order of business may be changed as time permits.

WORK SESSION –6:00 p.m.

1. Discussion of Misty River Annexation Proposal
2. Approve City Council Minutes – February 5, 2019
3. Action Items
4. City Council Reports
5. Adjourn

REGULAR SESSION - 7:00 p.m.

1. Introduction by Mayor Len Arave
2. Invocation and Pledge of Allegiance ~ Council Member Horrocks
3. Citizen Comment
4. Consideration of a General Development Plan for Clint Thomas apartments at 3511 South Orchard Drive, Clint Thomas, applicant.
5. Consideration of final plat approval for The Winnie (Winegar's Townhomes) at 620 North Orchard Drive, CW Land, applicant.
6. Consideration of **Resolution 2019-11R**: A resolution amending the franchise agreement with Echo Broadband to permit yard signage advertising the installation of fiber.
7. Public Hearing and Consideration of **Resolution 2019-09R**: A resolution amending the Fiscal Year 2018-2019 General Fund Budget.
8. Overview and discussion of the City's financial ordinances, policies and procedures.
9. Consideration of **Resolution 2019-08R**: a Resolution Approving Amendment No. 3 to an Interlocal Agreement with Davis County for Animal Control Services (**Agreement 2019-07A**).
10. Mayor's Report
11. City Attorney Report
12. City Manager Report
13. Adjourn to Closed Session

CLOSED SESSION

1. Closed Session to discuss existing or potential litigation.

The public is invited to attend all City Council meetings. If you need special accommodations to participate in the City Council meeting, please call the City office at 801-335-8709. Please provide at least 24 hours' notice for adequate arrangements to be made.

Notice of Posting:

I, the duly appointed City Recorder for the City of North Salt Lake, hereby certify that the foregoing agenda was posted on the Utah Public Notice website, at city hall, and sent to the required newspapers this 14th day of February, 2019.

Dated this 14th day of February, 2019.

1 CITY OF NORTH SALT LAKE
2 CITY COUNCIL MEETING-WORK SESSION
3 FEBRUARY 5, 2019

4
5 **DRAFT**

- 6
7 1. The City Council and staff members visited offsite projects in surrounding communities
8 during the work session.
9 2. Return to City Hall for Regular Session

10

11 CITY OF NORTH SALT LAKE
12 CITY COUNCIL MEETING-REGULAR SESSION
13 FEBRUARY 5, 2019
14

15 **DRAFT**

16
17 Mayor Arave called the meeting to order at 7:07 p.m. Council Member Stan Porter offered the
18 invocation and Lewis White, BSA Troop 4630, led those present in the Pledge of Allegiance.
19

20 PRESENT: Mayor Len Arave
21 Council Member Brian Horrocks
22 Council Member Stan Porter
23 Council Member Ryan Mumford
24 Council Member James Hood
25 Council Member Lisa Watts Baskin
26

27 STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen,
28 Public Works Director; Troy Johnson, Assistant Police Chief; David Church, City Attorney;
29 Brent Moyes, Golf Course Director; Sherrie Llewelyn, Community Development Director; Linda
30 Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.
31

32 OTHERS PRESENT: Marly Ferrin, Woods Cross resident; Dee Lalliss, Julie Thayne, residents;
33 Boston Stamford, Benson Lindeman, Aedan Carlson, Lewis White, Matt Caupert, BSA Troop
34 4630.
35

36 1. CITIZEN COMMENT
37

38 There were no citizen comments.
39

40 2. PRESENTATION TO NOLA LUCKE, OUTGOING MEMBER OF PARKS TRAILS
41 ARTS AND RECREATION ADVISORY BOARD
42

43 This item has been postponed as Nola Lucke was unable to attend this meeting.

44 3. CONSIDERATION OF PARKS TRAILS ARTS AND RECREATION ADVISORY
45 BOARD APPOINTMENTS

46
47 Council Member Horrocks proposed the appointment of Rachel Conway to the Parks and Arts
48 Board. He said Ms. Conway previously helped with the City newsletter and had asked how she
49 could be more involved.

50
51 **Council Member Horrocks moved to appoint Rachel Conway to the Parks and Arts Board.**
52 **Council Member Baskin seconded the motion. The motion was approved by Council**
53 **Members Horrocks, Porter, Mumford, Hood and Baskin.**

54
55 Council Member Mumford commented that Rachel Conway had already attended her first Parks
56 and Arts Board meeting and would be a great addition.

57
58 4. PUBLIC HEARING AND CONSIDERATION OF RESOLUTION 2019-07R: A
59 RESOLUTION ADOPTING AN AMENDMENT TO ADJUST THE FISCAL YEAR
60 2018-2019 GENERAL FUND BUDGET

61
62 Ken Leetham reported that the first two budget amendments were related to police services. He
63 said Big West Oil and Sundt Construction requested extra police services which were performed
64 at an overtime rate of \$72,000. The revenue received from the two companies was \$88,380
65 which would cover the personnel overtime costs.

66
67 The third budget amendment was related to unexpected HVAC issues at City Hall. There were
68 mechanical and technical issues with repairs amounting to \$18,000. These funds would be taken
69 from the fund balance. There was no net change in the General Fund budget.

70
71 **Mayor Arave opened the public hearing at 7:13 p.m.**

72
73 Dee Lalliss asked if this was a positive increase to the budget. Mayor Arave replied that the City
74 received \$90,000 from the two entities with overtime costs of \$72,000 and the HVAC work cost
75 \$18,000. He said the budget was still balanced at this time.

76
77 Micah Stamford, 1019 Newham Court, asked if the HVAC equipment was still under warranty.
78 Ken Leetham replied that the equipment was eight years old and that staff found it was no longer
79 covered under the warranty.

80

81 **At 7:16 p.m. Council Member Horrocks moved to close the public hearing. Council**
82 **Member Porter seconded the motion. The motion was approved by Council Members**
83 **Horrocks, Porter, Mumford, Hood and Baskin.**

84
85 **Council Member Horrocks moved to adopt Resolution 2019-07R a resolution adopting an**
86 **adjustment to adjust the fiscal year 2018-2019 General Fund budget. Council Member**
87 **Mumford seconded the motion. The motion was approved by Council Members Horrocks,**
88 **Porter, Mumford, Hood and Baskin.**

89
90 5. CONSIDERATION OF A CLASS E BEER LICENSE AT EAGLEWOOD GOLF
91 COURSE FOR GEORGE'S GRILL, CONCESSIONER

92
93 Sherrie Llewelyn reported that the new concessionaire at Eaglewood Golf Course would need to
94 obtain a Class E Beer License. The Alcoholic Beverage Control Commission grants licenses for
95 "on-premise beer retailer-recreational" with local consent. Staff recommends approval of the
96 Class E license for George's Grill with five conditions including no persons under the age of 21
97 may sell or serve beer, all sales and deliveries must be made directly to the consumer, beer may
98 only be sold by the operator, manager, food service licensee or employee, no beer dispensed may
99 be removed from the premises, and submission of the Health Department permit is required.

100
101 Council Member Horrocks commented that the State Beer Laws may be changing to allow beer
102 with higher alcohol content to be sold. Sherrie Llewelyn said that the City's code for the Class E
103 license did not specify the alcohol content so beer with higher alcohol content could be sold. She
104 said the Class E License did not allow for hard liquor to be sold.

105
106 Council Member Baskin asked about the "on-premise" language in the code and what this
107 entailed. Sherrie Llewelyn replied that this meant "on-premise" consumption of beer anywhere
108 on the golf course property. She said customers would not be able to take beer off the property
109 for consumption.

110
111 **Council Member Porter moved that the City Council approve a Class E Beer License for**
112 **George's Grill at 1110 East Egelwood Drive with the following conditions:**

- 113
114 1) **No person under the age of 21 may sell or serve beer;**
115 2) **All sales and deliveries shall be made directly to the consumer;**
116 3) **Beer may only be sold by the operator, manager, food service licensee or employee;**
117 4) **No beer dispensed by the licensee may be removed from the premise of the**
118 **recreational facility; and**
119 5) **The submission of a Health Department permit.**

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Council Member Hood seconded the motion.

Council Member Baskin moved to include the condition that a faithful observance bond of \$2,000 be posted and payable to the City if the applicant violated City ordinances related to beer sales.

Sherrie Llewelyn commented that this condition had already been completed by the applicant.

Council Member Baskin withdrew her motion.

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

6. DISCUSSION ITEM: POSSIBLE CDBG FUNDING APPLICATION FOR THE BURIAL OF OVERHEAD POWER LINES ALONG HIGHWAY 89 BETWEEN MAIN STREET AND 200 SOUTH

Sherrie Llewelyn reported that during the redevelopment of the Bountiful Point Apartments the developer discovered that the overhead power lines would be too close to the new building to be built next to Highway 89. The developer approached the City about using Redevelopment Area (RDA) funds to bury the power lines. Staff found that Community Development Block Grant (CDBG) funds would likely be available for this project provided that residents in the area met the income guidelines of low to moderate income. She said that staff believed it would also be valuable to apply for an additional 250 feet and bury the power lines all the way to Main Street. The Williamsburg project would also be required to bury the power lines south of City's Edge.

Council Member Mumford asked if there would be cost savings to burying all of the power lines, including those at Williamsburg, at the same time. Sherrie Llewelyn replied that staff could work with Rocky Mountain Power but was focusing on working with the County on CDBG funds for the Bountiful Point Apartment project.

Council Member Porter asked what the rental rates were for City's Edge to qualify for low to moderate income. Sherrie Llewelyn replied that the rental rates were \$900 for the existing units to \$1,200 for the new units which met moderate income guidelines.

Council Member Baskin asked what the yellow markers indicated on the map entitled "Highway 89-Underground Power Project Aerial" which was presented to those in attendance. Sherrie Llewelyn replied that the yellow markers showed the power lines which would remain above

159 ground after this project was completed. She explained that staff could apply for more funding in
160 the future to bury those remaining lines.

161
162 Mayor Arave commented that the City Council was supportive of staff pursuing CDBG funds for
163 this project.

164
165 Council Member Mumford asked what would happen if the City did not receive the CDBG
166 grants for the project. Sherrie Llewelyn replied that the City would not bury the lines and the
167 developer would be responsible for burying their section. She said that the County seemed very
168 encouraging of the CDBG funds for the project.

169
170 7. DISCUSSION ITEM: TUNNEL SPRINGS PARK LIGHTING PLAN AND COST
171 ESTIMATE

172
173 David Frandsen reported that there had been several incidences of individuals driving vehicles
174 on the grass at Tunnel Springs Park. He said that additional surveillance cameras at the entrance
175 to the park would capture vehicles coming and going to provide another level of security. After
176 reviewing the current system the following suggestions were made: multi-head camera to capture
177 larger areas of the park, fixed camera, Public Works to install 600 feet for a second 110 watt
178 conduit, and seven light locations.

179
180 Ken Leetham said that staff was asking whether the Council would like to pursue this project. He
181 said that the City would receive some revenue for the sale of property at the park by the three
182 adjacent residents and this revenue could go towards purchasing additional lighting at the park.

183
184 David Frandsen said that the lights would cost approximately \$3,200 each and would match the
185 City's lighting style. He showed the proposed light coverage on the trail.

186
187 Mayor Arave asked if there had been additional issues at Tunnel Springs Park. Assistant Chief
188 Johnson commented that there had been other safety issues and suggested the installation of the
189 camera at the entrance to the park.

190
191 Council Member Mumford asked if the proposed multi-directional camera was new or existing.
192 David Frandsen replied that there was a fixed camera at the entrance and would be replaced with
193 a multi-directional camera at the cost of \$2,400. He said this camera would capture things at the
194 entrance and on the field.

195
196 Council Member Mumford asked if other areas of the park needed more lighting. David
197 Frandsen replied that the first step was to add the multi-directional camera at the entrance. He

198 suggested that additional lighting could be placed in the parking lot, at the tennis courts, etc. but
199 would cost more.

200
201 Council Member Baskin asked about the type of lighting especially in consideration of the recent
202 Dark Skies presentation. David Frandsen replied that the proposed lighting would shine down so
203 as not to be invasive to the neighboring residents.

204
205 Ken Leetham commented that the parks close at or near sundown and this lighting plan may
206 encourage residents to use the park/trails after hours. He said that the park had issues at night and
207 that the camera and lighting would help to capture vandals.

208
209 Mayor Arave asked if the proposed plan showed adequate or optimal lighting. David Frandsen
210 said that the plan showed optimal lighting.

211
212 The Council discussed extending the hours of the park if additional lighting was added. They
213 also discussed additional lighting along the trail, in the parking lot, at the tennis courts, and at the
214 pavilion.

215
216 Council Member Mumford suggested that staff prepare a more comprehensive lighting plan
217 including the tennis courts, trails, etc. with cost options.

218
219 Ken Leetham clarified the lighting requests made by the Council including a light at the
220 entrance, near the circle, and a more comprehensive look at the entire park.

221
222 Mayor Arave asked that the Parks and Arts Board also review the lighting plan and provide
223 suggestions to staff.

224
225 Council Member Baskin suggested extending the park hours, adding lighting at the cul-de-sac, at
226 the park entrance, and at least one on the trail.

227
228 Assistant Chief Johnson said that anything that could be done to maximize the effectiveness of
229 the cameras as well as adding the three lights that Council Member Baskin suggested would
230 improve safety in the park.

231
232 David Church commented that signage needed to be placed at the park to notify users that they
233 were on camera. He also said that staff needed to ensure that the cameras did not film into
234 residential backyards, etc.

235

236 David Church also suggested that staff or the Parks and Arts Board reach out to the neighboring
237 residents and obtain their feedback about the proposed lighting.

238
239 Dee Laalliss said that the City should look into newer technology like solar powered lighting or
240 LEDs. He suggested that a cost comparison could be made to see what type of lighting would be
241 more cost effective.

242

243 8. APPROVE CITY COUNCIL MINUTES

244

245 The City Council minutes of January 15, 2019 were reviewed and approved. **Council Member**
246 **Baskin moved to approve the minutes for the work session for January 15, 2019 as**
247 **amended. Council Member Porter seconded the motion. The motion was approved by**
248 **Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

249

250 **Council Member Horrocks moved to approve the regular session for January 15, 2019.**
251 **Council Member Mumford seconded the motion. The motion was approved by Council**
252 **Members Horrocks, Porter, Mumford, Hood and Baskin.**

253

254 9. ACTION ITEMS

255

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

257

258 10. CITY COUNCIL REPORTS

259

260 Council Member Hood reported that the Youth City Council (YCC) was working with local
261 businesses to obtain coupons to place in the Easter eggs for the Annual Easter Egg Dash. He said
262 the Easter Egg Dash would be held at 9 a.m. on April 20th at Hatch Park.

263

264 Council Member Horrocks asked if the League of Cities and Towns noticed that the City Council
265 and Youth City Council did not attend the Day at the Legislature. Council Member Hood said
266 that he did receive a phone call and made the recommendation that there be a better keynote
267 speaker for next year.

268

269 Council Member Mumford reported that the Parks and Arts Board met and declined to
270 participate in the Golden Spike event as there were no other Davis County events taking place.
271 He said there was a request from a resident to review the safety of the crosswalk near Spectrum
272 Academy. He asked that the Safety Committee review the crosswalk to determine if lighting is
273 necessary.

274

275 Council Member Porter reported that he interviewed several people for the Parks and Arts Board
276 position and said that those who were not appointed to the board could serve on the history
277 committee.

278
279 Council Member Horrocks commented that residents were signing a petition related to UTOPIA
280 and recommended that staff reach out to internet provider Keystone Solutions.

281
282 Council Member Hood commented that the City had approved a franchise agreement with Echo
283 Broadband who would be expanding the existing fiber optic network.

284
285 Ken Leetham said that Roger Timmerman with UTOPIA had reached out to staff and the City
286 declined their offer.

287
288 Sherrie Llewelyn reported that Echo Broadband would be installing fiber at the end of March.
289 They also submitted a request to amend their franchise agreement to allow property owners to
290 advertise for Echo which would be on the City Council agenda within two weeks.

291
292 Council Member Baskin said she received an inquiry from a resident about the installation of
293 sidewalk on the south side of 3800 South. Ken Leetham replied that there is a sidewalk in front
294 of the Brighton Homes project. He commented further that the issue is that there is no sidewalk
295 on the corner or in the section in front of the car lot.

296
297 Paul Ottoson said that the street was in unincorporated Davis County. Ken Leetham said staff
298 would reach out to the car wash property owner and the resident who had made the complaint.

299
300 Council Member Baskin said she attended the Mayan exhibit at the Utah Museum of Natural
301 History. She said there were several legislators in attendance as well.

302
303 Council Member Baskin also reported that several residents had complained on social media
304 about multi-family housing in Foxboro as well as the open house being held for the Foxboro
305 Marketplace apartments. She said that residents told her that there was not enough notice for the
306 open house event. Staff reminded the Council that the City announced the open house on its
307 social media outlets, but that the open house was a developer-sponsored event and not a City
308 event.

309
310 11. CITY MANAGER'S REPORT

311

312 Ken Leetham reported that the open house for the Wasatch Resource Recovery project would be
313 held February 7th from 10 a.m. to 2 p.m. The Foxboro Marketplace apartments open house would
314 be held February 7th at 6 p.m.

315

316 Mr. Leetham then reported on a potential mixed use project on the south end of Eaglewood
317 Village. This project would be approximately ten acres and included Orchard Drive. The plan
318 would have single family housing and apartments, retail along Highway 89, and several office
319 buildings. He showed several examples of the architecture.

320

321 Ken Leetham said that these parcels have gone through three groups of realtors/brokers as the
322 office concept was not selling as well now. He asked the Council how they felt about adjusting
323 the land use plan.

324

325 Mayor Arave said he had a potential conflict as one of his business partners was potentially
326 interested in the project.

327

328 Mayor Arave also said that he was disappointed that the Community Development Area (CDA)
329 for this property was not utilized correctly. He made several suggestions including that multi-
330 family housing would not qualify for the CDA on that property.

331

332 Council Member Porter expressed concern with having residential that close to an operating
333 gravel pit.

334

335 Mayor Arave asked staff to check on the progress of the Monte Thomas parcel and report back in
336 a future Council meeting.

337

338 Council Member Hood asked in regards to the progress of the Quick Quack Car Wash. Sherrie
339 Llewelyn replied that they had a building permit and would begin construction soon.

340

341 Council Member Horrocks commented on the Eaglewood Village project and said it seemed like
342 a nice project but felt that there had been too many apartment projects recently. He also felt that
343 the traffic circle on Eagleridge Drive would make this project problematic.

344

345 Council Member Mumford said that as it would be a high end apartment building next to other
346 apartment buildings and a bus rapid transit station in an area that was not useable for other uses
347 that he would be inclined to vote yes for this development.

348

349 Council Member Hood commented that he would vote no for another apartment complex
350 especially due to potential public safety issues with no safe walking route for students.

351

352 12. MAYOR'S REPORT

353

354 Mayor Arave had nothing to report.

355 13. ADJOURN INTO CLOSED SESSION TO DISCUSS

356

357 **At 8:18 p.m. Council Member Hood moved to go into closed session to discuss imminent or**
358 **pending litigation. Council Member Baskin seconded the motion. The motion was**
359 **approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

360

361 14. RECONVENE INTO REGULAR SESSION

362

363 **At 9:06 p.m. Council Member Horrocks moved to go out of closed session and into the**
364 **regular session. Council Member Porter seconded the motion. The motion was approved by**
365 **Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

366

367 15. ADJOURN

368

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

370

371

372

373

374

Mayor

Recorder

Action Items (for February 19, 2019)

Item	Staff	Description
New		
1	David	Staff to look at adding lighting at Tunnel Springs Park. Staff to prepare a more comprehensive review of the entire park lighting with input from the Parks and Arts Board and residents adjacent to the park. Also look at alternate technology such as solar powered or LED lighting and a cost comparison. Ensure that cameras that are added do not have view of private residences.
2		Council Member Mumford asked that the safety committee review the potential to add street lighting at the crosswalk near Spectrum Academy.
3		Staff to report back on the progress of mining on Monte Thomas parcel.
4		Look at sidewalk on 3800 south and US89 where residents are walking in the street in order to get to a bus stop on US89.
Current		
1	Craig Ken	Staff to review City codes on predatory towing and make a recommendation as needed to the City Council.
2	Sherrie	Staff to review current lighting ordinances/regulations related to light pollution and report back to City Council. <i>Staff has received model lighting ordinances from Utah Dark Skies and is preparing report on current regulations. (1/30)</i>
3	Paul	Mayor recommended that City's safety committee work with Jessica Dunn on the 1100 North and Main Street intersection. <i>DRC discussed the issue and is evaluating the data on the traffic accidents and traffic counts. Staff to gather additional data on north/south trips.</i>
4	Sherrie	Staff to work with Alex Guzman, Utah Hispanic Chamber, on the number of Hispanic businesses in the City and ways on how they could help that community. <i>Staff has created a list of Hispanic community businesses and has reached out to Mr. Guzman for a meeting to discuss ways to assist his efforts. (1/30)</i>
5	Ken	Staff to follow up with City attorney on Media One issue. <i>City Attorney assisting staff to create next enforcement steps.</i>
6	Ken	Invite UTA to make a presentation to the city council on SLC/Connector in early 2019. <i>Ken has reached out to UTA staff.</i>
7	Ken	Staff to contact Dominion Energy regarding sponsorship of city events. <i>Dominion Energy will be included in fundraising efforts.</i>
8	Craig, Ken David	Staff to look at a variety of monitoring options including DVR system and other technology, police access of camera feeds, motion sensors, public access, etc. <i>Staff is proceeding with enhanced camera system at Tunnel Springs Park .</i>
9	Paul David	Staff to look at solution to drainage issues/standing water Deer Hollow Park. <i>Staff has inspected the drainage system and will be preparing options to eliminate standing water.</i>
10	Sherrie Ken	Meet with Tim Stanley, Global 1, on potential help/funding (CIB) for Center Street rail projects. <i>Staff has reached out for update from Global 1 on terminal project, awaiting response. (9/25)</i>
11	David	Add trees to park strips on Foxhollow and at Foxboro roundabout. <i>Staff reviewing costs.</i>
12	Paul David Sherrie	Staff to prepare several options for repair or replacement of the dock at Eaglewood pond to make it more secure/useable. Staff to also look at potentially placing trees around the Eaglewood Village pond or adding this area to the Arbor Day planting area for the next year. <i>Draft concept plan was presented to Parks and Arts Board. Concept plan was cost prohibitive - will look at a simpler design.</i>
13	David	Council review the parks & trails brochures before printed. <i>Parks & Arts comm. to review draft.</i>



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Sherrie Llewelyn, Community Development Director
DATE: February 19, 2019
SUBJECT: Consideration of a General Development Plan for Clint Thomas Apartments at 3511 South Orchard Drive (521 North Orchard Drive)

RECOMMENDATION

The Planning Commission recommends to the City Council approval of the general development plan for Clint Thomas Apartments located at 3511 South Orchard Drive with the following conditions to be incorporated within the final zone change and development agreement approval:

1. The property address will be reassigned to a North Salt Lake address of 521 North Orchard Drive;
2. The existing buildings wood siding will be painted to match the finishes/colors of the new building;
3. The proposed building will be of brick construction with either stucco, composite or hardie siding;
4. The existing chain link fencing be upgraded to a site obscuring material and the fence on the north be repair/restored;
5. Parking approved at a ratio of 2.25 spaces/unit;
6. The lighting plan is included to add additional exterior lighting to the parking lot and buildings;
7. A continuing maintenance plan is included to address regular maintenance schedule of the property, including snow removal, ensuring snow storage areas other than existing parking areas;
8. A plan for the upgrades of the exterior of the existing buildings, including the stairs and railings, mansard roof, and T11 siding and trim.
9. Final architecture, design, materials, and colors.

BACKGROUND

The proposed general development plan is located at 3511 South Orchard Drive. The site currently houses 2 apartment buildings built in 1974, each containing 4 units. Mr. Thomas had previously applied for and received an amendment to his conditional use permit to construct an additional 4 unit building in 2008. The additional building was never built and the conditional use permit expired. The property is zoned CS, which previously allowed multi-family residential as a conditional use. Last year the ordinance was changed to require any new multi-family residential to be processed as a P-District. The applicant's proposal is to raze the existing carports west of the two apartment buildings and construct the new building and new carports. The site is 0.7 acres and the requested density is 17 dwelling units per acre.

According to the newly amended Planned (P) District regulations in Chapter 13 of the City's Land Use Ordinance, a general development plan must be accompanied by a P-District Rezone application. The Planning Commission holds a public hearing on the rezone request prior to approval of the General Development Plan, with final approval of the zone change including the successful negotiation of a development agreement and final site plan. The Planning Commission held a public hearing on February 12, 2019, where public comment was received related to the current conditions on the property. The Planning Commission recommended the approval of the General Development Plan with several conditions related to improvements to be made to the existing buildings on the property and to be included in the development agreement and zone change.

REVIEW

The proposed site plan for the Clint Thomas Apartments will retain the existing entrance from Orchard drive, and will be repaved as part of the construction including a concrete retaining wall on the south property line adjacent to the commercial business. The new layout will include a hammer head turn around to accommodate fire code requirements. The apartments are all 2 bedroom units and the new building will have 2 of its 4 units be ADA accessible.

The exterior of the existing buildings are brick and wood siding and the Planning Commission has conditioned approval upon the remodel of the exterior of the existing buildings. Remodel plans to be included in the development agreement must address the following issues: repair of stairs and railings; repair/replacement of the mansard roof/siding; additional exterior lighting; repair/replacement of the T11 siding and trim; and the utilization of matching colors and materials to the new building. The building proposed will be brick and either composite/Hardie siding or stucco.

Proposed parking for the 12 units includes 12 covered carports and 14 additional uncovered parking spaces, including one ADA space. Parking meets the minimum standard of 2.25 spaces per unit. New sidewalks are being added adjacent to the existing buildings to provide pedestrian access from the parking to the buildings.

The landscaping and proposed additional landscaping area are a total of 6,571 sq. ft. equivalent to 21.6% of the site. A central dumpster location and enclosure has been added to the site. The entry to the property is between an existing car was and office/retail building. The retaining wall between the existing business to the west will be replaced and a new site obscuring fence will be placed along that wall to buffer the impact of headlights from the adjacent parking to the rear windows of the apartments.

The existing units and the new units do meet the goals of the City's Moderate Income Housing Plan with an average rent around \$800 per month. Given the topography and location of the property the visual impact of the redevelopment is minimal, but the upgrades and new construction will improve the visual aesthetic of the neighborhood.

Currently the city is requiring all properties with a Bountiful address be required to be re-assigned a North Salt Lake Address with any application for redevelopment. Thus the new assigned address will be 521 North Orchard Drive. The owner may number the units and buildings as desired, either consecutively or with a building letter and unit number. Staff will work with the owner to coordinate the change to make it as seamless as possible for the tenants and the postal service. Eventually all properties in North Salt Lake with Bountiful addresses will be changed.

POSSIBLE MOTION

I move that the City Council approve the general development plan for Clint Thomas Apartments located at 3511 South Orchard Drive with the following conditions to be incorporated within the final zone change and development agreement approval:

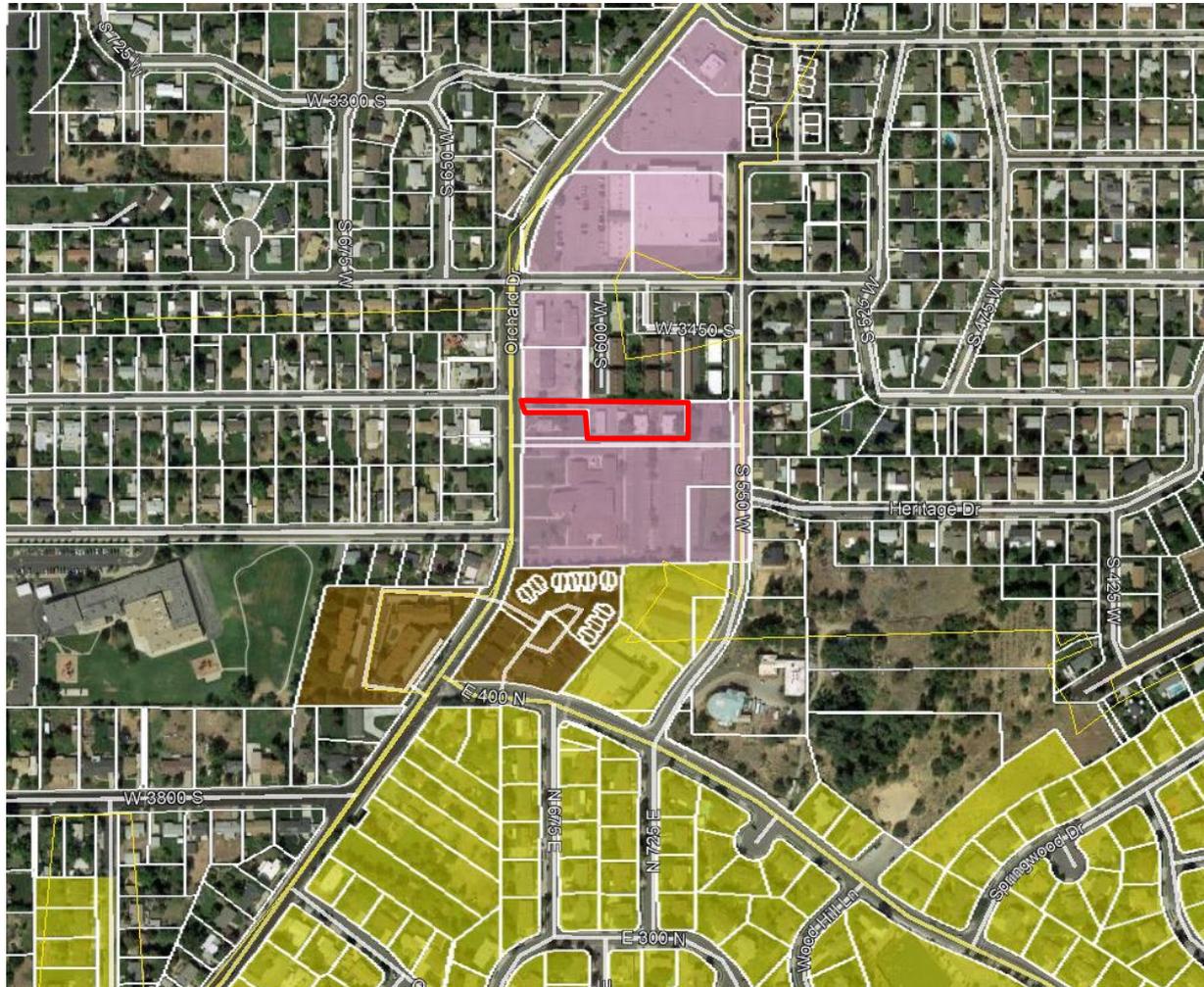
1. The property address will be reassigned to a North Salt Lake address of 521 North Orchard Drive;
2. The existing buildings wood siding will be painted to match the finishes/colors of the new building;
3. The proposed building will be of brick construction with either stucco, composite or hardie siding;
4. The existing chain link fencing be upgraded to a site obscuring material and the fence on the north be repair/restored;
5. Parking approved at a ratio of 2.25 spaces/unit;
6. The lighting plan is included to add additional exterior lighting to the parking lot and buildings;
7. A continuing maintenance plan is included to address regular maintenance schedule of the property, including snow removal, ensuring snow storage areas other than existing parking areas;
8. A plan for the upgrades of the exterior of the existing buildings, including the stairs and railings, mansard roof, and T11 siding and trim.
9. Final architecture, design, materials, and colors.

Attachments

- 1) Zone Map
- 2) Aerial Map
- 3) Proposed Elevation
- 4) Site Plan
- 5) Landscape Plan



General Development Plan Clint Thomas Apartments Zoning



- Special Use Restricted (SR)
- Residential (RM-7)
- Residential (RM-20)
- Residential (R1-7)
- Residential (R1-12)
- Residential (R1-10)
- Natural Open Space (NOS)
- General Industrial (MG)
- Manufacturing-Distribution (MD)
- Existing Uses Overlay (EUO)
- Commercial Shopping (CS)
- Highway Commercial (CH)
- General Commercial (CG)
- Planned District (P)



General Development Plan Clint Thomas Apartments Aerial



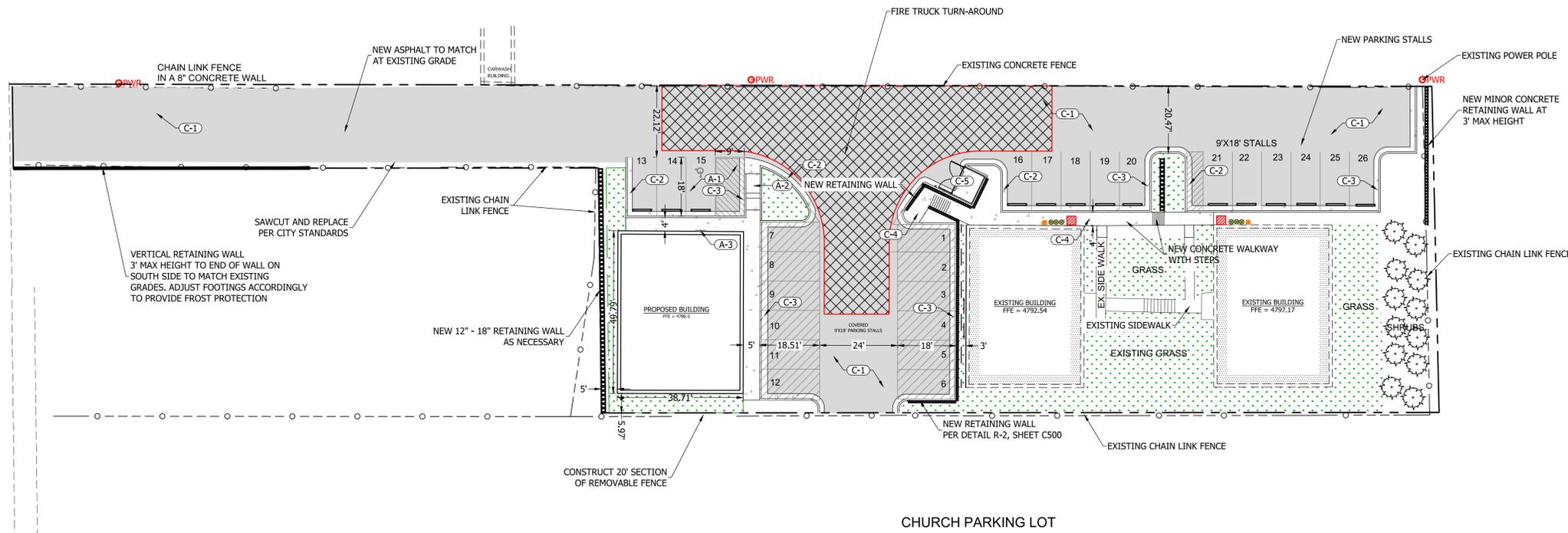
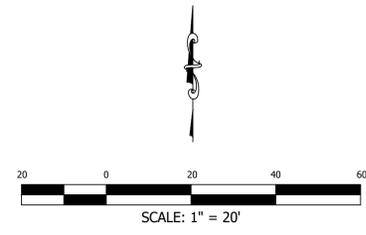


CLINT THOMAS

3511 SOUTH ORCHARD DRIVE
 LOCATED IN THE SE 1/4 OF SECTION 1, T.1N., R.1W., S.L.R.&M.
 NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

DRAWN: SJT 11/05/18
 APPROVED: STA 11/13/18
 PROJECT: 1730001
 1730001 SITE.dwg

C400
 SITE PLAN



SYMBOL LEGEND

- (C-1) ASPHALT & BASE PER DETAIL A, SHEET C900
- (C-2) 24" CONCRETE HIGH-BACK CATCH CURB & GUTTER PER DETAIL B, SHEET C900
- (C-3) 34" CONCRETE HIGH-BACK RELEASE CURB & GUTTER PER DETAIL C, SHEET C900
- (C-4) CONCRETE SIDEWALK PER DETAIL D, SHEET C900
- (C-5) DUMPSTER PAD AND APRON PER DETAIL J, SHEET C900
- (A-1) ADA SIDEWALK RAMP AND PARKING AREA PER DETAIL G, SHEET C900
- (A-2) ADA VAN ACCESSIBLE PARKING SIGN PER DETAIL H, SHEET C900
- (A-3) ADA ACCESSIBLE PARKING SIGN PER DETAIL H, SHEET C900
- (P-1) CONCRETE SIDEWALK REPLACEMENT PER NORTH SALT LAKE CITY STANDARDS
- (P-2) CONCRETE DRIVE APPROACH PER NORTH SALT LAKE CITY STANDARDS
- (P-3) CONCRETE CURB & GUTTER REPLACEMENT PER NORTH SALT LAKE CITY STANDARDS
- (P-4) ASPHALT REPLACEMENT PER NORTH SALT LAKE CITY STANDARDS

ALL ITEMS WITHIN THE PUBLIC RIGHT-OF-WAY TO CONFORM TO THE RIGHT-OF-WAY OWNER'S STANDARDS & SPECIFICATIONS.

AREA BREAKDOWN

DESCRIPTION	ACREAGE	SQ. FT.	%
LOT AREA	0.7	30361	-
LANDSCAPE AREA	0.15	6571	21.6
BUILDING AREA	0.12	5416	17.8
ASPHALT/CONCRETE AREA	0.421	18374	60.5
EXISTING IMPERVIOUS SURFACE AREA	0.482	21017	-
PROPOSED IMPERVIOUS SURFACE	0.47	20484	-

PARKING TABULATION:

12 UNITS X 2 STALLS REQ'D PER UNIT = 24 STALLS REQ'D
 1 ADA STALL PER 25 STALLS = 1 ADA REQ'D
 TOTAL STALLS PROVIDED = 25
 ADA STALLS PROVIDED = 1



ACCESSIBLE AREA CONSTRAINTS

ALL ACCESSIBLE AREAS ARE TO MAINTAIN THE FOLLOWING MAXIMUM SLOPES AND TOLERANCES:

ACCESSIBLE PARKING:
 MAXIMUM SLOPE OF 1:48 (2%) THROUGHOUT.

ACCESSIBLE ROUTE:
 MINIMUM WIDTH OF 48". MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).

ACCESS ROUTE TURNAROUNDS:
 A CLEAR 60" TURNING DIAMETER. MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.

LEVEL LANDING / EXTERIOR DOOR LANDING:
 MINIMUM SIZE OF 60"x60". MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.

ACCESSIBLE EGRESS TO PUBLIC WAY:
 MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).

ADA ACCESS RAMPS:
 MAXIMUM SLOPE OF 1:12 (8.33%), WITH A MAXIMUM CROSS-SLOPE OF 2%. THE TRANSITION BETWEEN ASPHALT AND CONCRETE IS NOT TO EXCEED 1/2" VERTICAL (1/4" IF BEVELED).

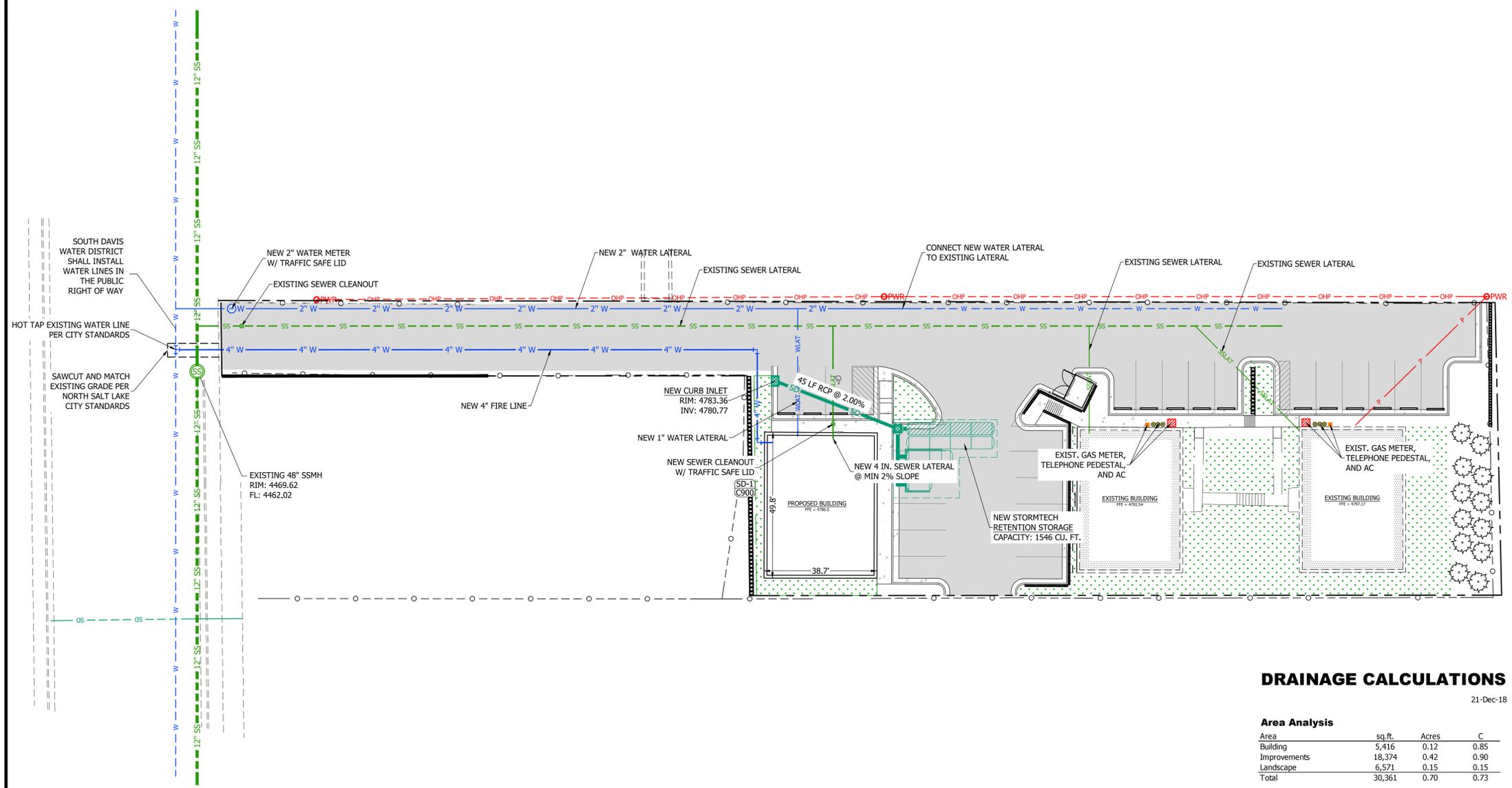
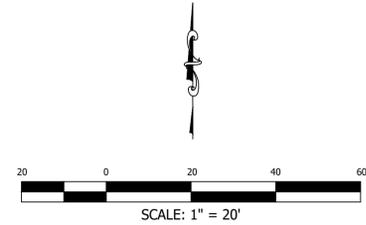


CLINT THOMAS

3511 SOUTH ORCHARD DRIVE
 LOCATED IN THE SE 1/4 OF SECTION 1, T.1N., R.1W., S.L.R.&M.
 NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

DRAWN: SJT 11/05/18
 APPROVED: STA [DATE]
 PROJECT: 1730001
 1730001 SITE.dwg

C600
 UTILITY PLAN



DRAINAGE CALCULATIONS

21-Dec-18

Area Analysis

Area	sq.ft.	Acres	C
Building	5,416	0.12	0.85
Improvements	18,374	0.42	0.90
Landscape	6,571	0.15	0.15
Total	30,361	0.70	0.73

10 Year Detention Analysis

NOAA Precipitation Frequency Data Server
 Latitude: 40.8513° Longitude: -111.8952°
 Allowable Runoff 0.08 cfs/acre

Time (min.)	I in./hr	Runoff ft ³	Runoff ft ³	Storage ft ³
5	3.370	514	17	497
10	2.560	780	33	747
15	2.120	969	50	919
30	1.430	1,307	100	1,207
60	0.882	1,613	201	1,412
120	0.526	1,924	401	1,522
180	0.384	2,107	602	1,504
360	0.237	2,600	1,204	1,396
720	0.148	3,248	2,409	839
1440	0.095	4,169	4,818	0

Required Detention **1,522**



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Sherrie Llewelyn, Community Development Director
DATE: February 19, 2019
SUBJECT: Consideration of a Final Plat for The Winnie (Winegars Townhomes) at 620 North Orchard Drive

RECOMMENDATION

The Planning Commission recommends to the City Council approval of the Final Plat for The Winnie located at approximately 620 North Orchard Drive with the following:

1. Amend plat to show cross easement access, across the entire width of the south driveway.

BACKGROUND

The Winnie is development with 54 townhomes lots (2.5 acres) and one lot proposed for future development (1.0 acre). The Winnie is located on the property currently occupied by the now closed Winegar's Grocery Store. The property is zoned CS, which at the time conceptual application was made allowed multi-family housing as a conditional use. The current code will require any additional residential to apply for a P-District Rezone.

REVIEW

The Final Plat has been reviewed for compliance with the city code and is in compliance. The only correction needed is for the plat to be amended to show the cross easement access on the south driveway across the entire width of the drive. Upon recording of the plat the development addressing will be converted to a North Salt Lake address, rather than the existing Bountiful address.

POSSIBLE MOTION

I move that the City Council approve the proposed Final Plat for the Winnie located at approximately 620 North Orchard Drive with the following:

1. Amend plat to show cross easement access, across the entire width of the south driveway.

Attachments

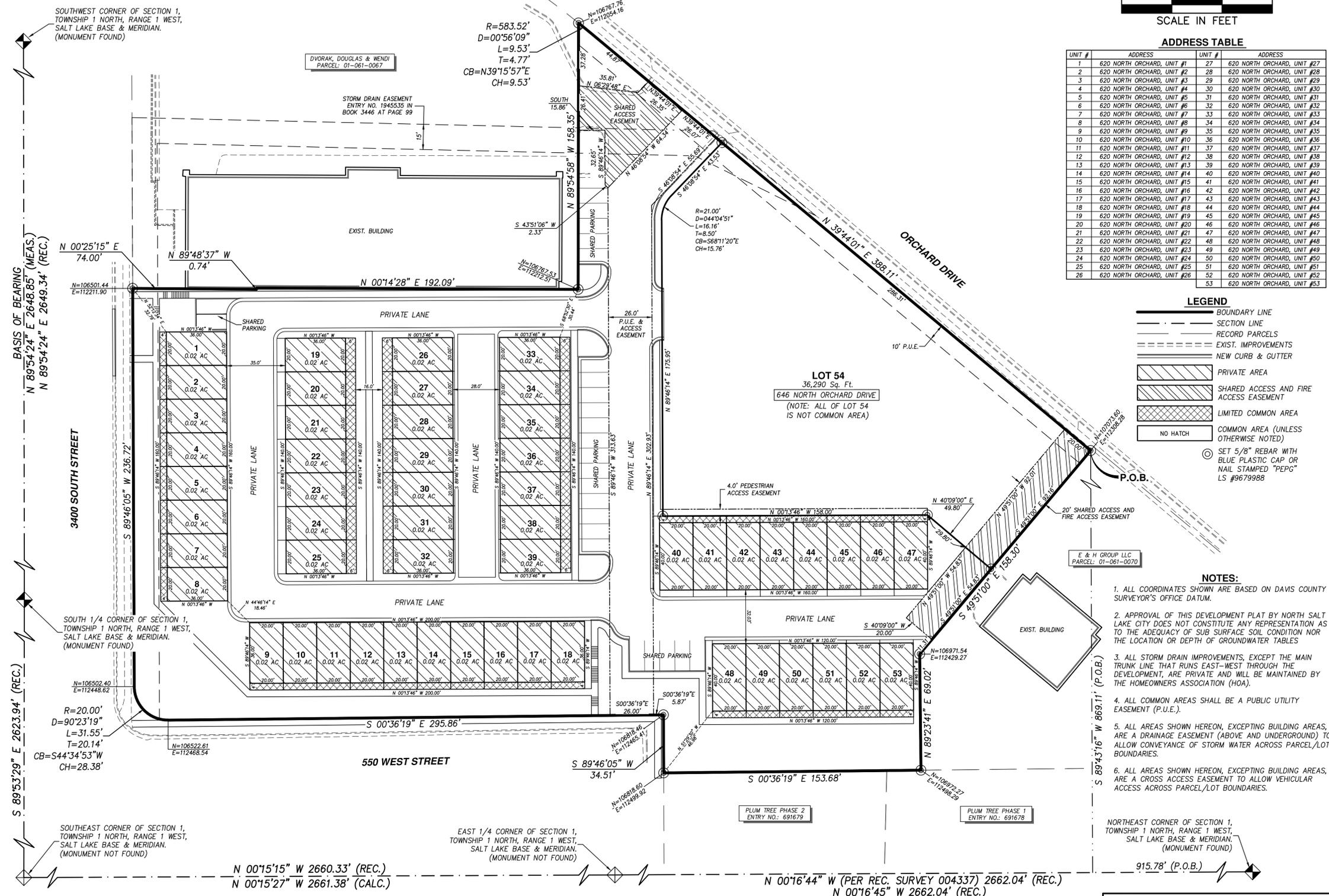
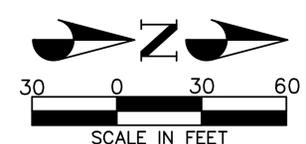
- 1) Zone Map
- 2) Aerial Map
- 3) Final Plat
- 4) Final Site Plan



Final Plat The Winnie Aerial



THE WINNIE - P.U.D. A PLANNED UNIT DEVELOPMENT



UNIT #	ADDRESS	UNIT #	ADDRESS
1	620 NORTH ORCHARD, UNIT #1	27	620 NORTH ORCHARD, UNIT #27
2	620 NORTH ORCHARD, UNIT #2	28	620 NORTH ORCHARD, UNIT #28
3	620 NORTH ORCHARD, UNIT #3	29	620 NORTH ORCHARD, UNIT #29
4	620 NORTH ORCHARD, UNIT #4	30	620 NORTH ORCHARD, UNIT #30
5	620 NORTH ORCHARD, UNIT #5	31	620 NORTH ORCHARD, UNIT #31
6	620 NORTH ORCHARD, UNIT #6	32	620 NORTH ORCHARD, UNIT #32
7	620 NORTH ORCHARD, UNIT #7	33	620 NORTH ORCHARD, UNIT #33
8	620 NORTH ORCHARD, UNIT #8	34	620 NORTH ORCHARD, UNIT #34
9	620 NORTH ORCHARD, UNIT #9	35	620 NORTH ORCHARD, UNIT #35
10	620 NORTH ORCHARD, UNIT #10	36	620 NORTH ORCHARD, UNIT #36
11	620 NORTH ORCHARD, UNIT #11	37	620 NORTH ORCHARD, UNIT #37
12	620 NORTH ORCHARD, UNIT #12	38	620 NORTH ORCHARD, UNIT #38
13	620 NORTH ORCHARD, UNIT #13	39	620 NORTH ORCHARD, UNIT #39
14	620 NORTH ORCHARD, UNIT #14	40	620 NORTH ORCHARD, UNIT #40
15	620 NORTH ORCHARD, UNIT #15	41	620 NORTH ORCHARD, UNIT #41
16	620 NORTH ORCHARD, UNIT #16	42	620 NORTH ORCHARD, UNIT #42
17	620 NORTH ORCHARD, UNIT #17	43	620 NORTH ORCHARD, UNIT #43
18	620 NORTH ORCHARD, UNIT #18	44	620 NORTH ORCHARD, UNIT #44
19	620 NORTH ORCHARD, UNIT #19	45	620 NORTH ORCHARD, UNIT #45
20	620 NORTH ORCHARD, UNIT #20	46	620 NORTH ORCHARD, UNIT #46
21	620 NORTH ORCHARD, UNIT #21	47	620 NORTH ORCHARD, UNIT #47
22	620 NORTH ORCHARD, UNIT #22	48	620 NORTH ORCHARD, UNIT #48
23	620 NORTH ORCHARD, UNIT #23	49	620 NORTH ORCHARD, UNIT #49
24	620 NORTH ORCHARD, UNIT #24	50	620 NORTH ORCHARD, UNIT #50
25	620 NORTH ORCHARD, UNIT #25	51	620 NORTH ORCHARD, UNIT #51
26	620 NORTH ORCHARD, UNIT #26	52	620 NORTH ORCHARD, UNIT #52
		53	620 NORTH ORCHARD, UNIT #53

- LEGEND**
- BOUNDARY LINE
 - SECTION LINE
 - RECORD PARCELS
 - EXIST. IMPROVEMENTS
 - NEW CURB & GUTTER
 - PRIVATE AREA
 - SHARED ACCESS AND FIRE ACCESS EASEMENT
 - LIMITED COMMON AREA
 - COMMON AREA (UNLESS OTHERWISE NOTED)
 - SET 5/8" REBAR WITH BLUE PLASTIC CAP OR NAIL STAMPED "PEPG" LS #9679988

- NOTES:**
- ALL COORDINATES SHOWN ARE BASED ON DAVIS COUNTY SURVEYOR'S OFFICE DATUM.
 - APPROVAL OF THIS DEVELOPMENT PLAT BY NORTH SALT LAKE CITY DOES NOT CONSTITUTE ANY REPRESENTATION AS TO THE ADEQUACY OF SUB SURFACE SOIL CONDITION NOR THE LOCATION OR DEPTH OF GROUNDWATER TABLES.
 - ALL STORM DRAIN IMPROVEMENTS, EXCEPT THE MAIN TRUNK LINE THAT RUNS EAST-WEST THROUGH THE DEVELOPMENT, ARE PRIVATE AND WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION (HOA).
 - ALL COMMON AREAS SHALL BE A PUBLIC UTILITY EASEMENT (P.U.E.).
 - ALL AREAS SHOWN HEREON, EXCEPTING BUILDING AREAS, ARE A DRAINAGE EASEMENT (ABOVE AND UNDERGROUND) TO ALLOW CONVEYANCE OF STORM WATER ACROSS PARCEL/LOT BOUNDARIES.
 - ALL AREAS SHOWN HEREON, EXCEPTING BUILDING AREAS, ARE A CROSS ACCESS EASEMENT TO ALLOW VEHICULAR ACCESS ACROSS PARCEL/LOT BOUNDARIES.

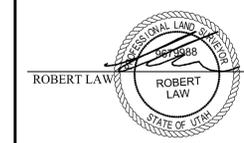
SURVEYOR'S CERTIFICATE

I, ROBERT LAW, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR WITH PEPG CONSULTING, LLC, AND THAT I HOLD CERTIFICATE NO. 9679988 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS TO BE KNOWN AS THE WINNIE - P.U.D., AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN AND THAT THIS PLAT IS TRUE, CORRECT AND ACCURATE.

BOUNDARY DESCRIPTION

Beginning at a point on the southeasterly right-of-way line of Orchard Drive; said point being South 00°16'44" East along the section line, 915.78 feet and South 89°43'16" West, 869.11 feet from the Northeast corner of Section 1, Township 1 North, Range 1 West, Salt Lake Base and Meridian; and running thence South 49°51'00" East, 158.30 feet; thence North 89°23'41" East, 69.02 feet to a point on the Plum Tree Condominium Phase 1 and Phase 2 westerly boundary line; thence South 00°36'19" East, along said westerly boundary line, 153.68 feet; thence South 89°46'05" West, 34.51 feet; thence South 00°36'19" East, 295.86 feet to a point on a 20.00 foot radius curve to the right; thence 31.55 feet along said curve through a central angle of 90°23'19" (chord bears South 44°34'53" West, 28.38 feet) to a point of tangency on the northerly right-of-way line of 3400 South Street; thence South 89°46'05" West, along said northerly right-of-way line, 236.72 feet to a point on the easterly edge of an existing building and the projection thereof; thence along said existing building easterly edge and projection thereof the following three (3) courses: North 00°25'15" East, 74.00 feet; thence North 89°48'37" West, 0.74 feet; thence North 00°14'28" East, 192.09 feet; thence North 89°54'58" West, 158.35 feet to a point on the southeasterly right-of-way line of Orchard Drive; thence along said southeasterly right-of-way line the following two (2) courses: said point also being on a 583.52 foot radius curve to the right; thence 9.53 feet along said curve through a central angle of 00°56'09" (chord bears North 39°15'57" East, 9.53 feet); thence North 39°44'01" East, 388.11 feet to the point of beginning.

Contains: 3.44 Acres



ROBERT LAW DATE 1-28-2019

OWNER'S DEDICATION

CW The Winnie, LLC, a Utah limited liability company, the owner of the described tract of land to be hereafter known as THE WINNIE - P.U.D., hereby consents and give approval to the recording of this plat for all purposes shown herein. There are no streets or other property reflected on this plat to be dedicated to the public.

In witness whereof, I have hereunto set my hand this _____ day of _____, 20____.

CW The Winnie, LLC, a Utah limited liability company

By: _____
Print Name: Colin Wright
Title: Manager

NOTARY ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF _____ }
On this _____ day of _____, in the year 20____, before me _____ a notary public, personally appeared Colin Wright the manager of CW The Winnie, LLC, a Utah limited liability company, proved on the basis of satisfactory evidence to be the person whose name is subscribed to in the foregoing Owner's Dedication and Consent regarding THE WINNIE and was signed by him/her on behalf of said CW The Winnie, LLC, a Utah limited liability company and acknowledged that he/she executed the same.

Commission Number _____
My Commission Expires _____ Print Name: _____
A Notary Public Commissioned in Utah

PREPARED BY:
PEPG CONSULTING LLC
9270 SOUTH 300 WEST • SANDY, UT 84070
PHONE: (801) 562-2521 • FAX: (801) 562-2551
DATE: JANUARY 29, 2019 FILE: 1330.1810\dwg\p101-ph1

THE WINNIE - P.U.D.
LOCATED IN THE NORTHEAST QUARTER OF SECTION 1,
TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN,
CITY OF NORTH SALT LAKE, DAVIS COUNTY, UTAH

CITY ATTORNEY'S APPROVAL
RECOMMENDED FOR APPROVAL THIS _____ DAY
OF _____ 20____.

PLANNING COMMISSION APPROVAL
RECOMMENDED FOR APPROVAL THIS _____ DAY
OF _____ 20____, BY THE CITY OF NORTH
SALT LAKE PLANNING COMMISSION.

CITY ENGINEER'S APPROVAL
RECOMMENDED FOR APPROVAL THIS _____ DAY
OF _____ 20____, BY THE CITY OF NORTH
SALT LAKE ENGINEER.

CITY COUNCIL APPROVAL
APPROVED THIS _____ DAY OF _____ 20____,
BY THE NORTH SALT LAKE CITY COUNCIL.

CITY OF NORTH SALT LAKE MAYOR _____

ATTEST:
CITY OF NORTH SALT LAKE RECORDER _____

DAVIS COUNTY RECORDER
ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD & RECORDED THIS _____ DAY OF _____ 20____, AT
TIME _____ IN BOOK _____ OF OFFICIAL RECORDS PAGE _____
DAVIS COUNTY RECORDER _____



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Sherrie Llewelyn, Community Development Director
DATE: February 19, 2019
SUBJECT: Consideration of an amendment to a franchise agreement with Echo Broadband for the purposes of allowing marketing signs during the installation of fiber within the City

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the resolution authorizing the proposed amendment to the franchise agreement with Echo Broadband.

BACKGROUND

The City received a request from Echo Broadband to allow some informational marketing signs at the entrances of neighborhoods where fiber lines will be installed. The purpose of the signs is to inform the neighborhood of the installation and to direct residential customers to the company if they wish to contract with Echo for service.

The proposed signage would be limited to 3'x5' signs within City owned right of way or easements, or upon private property with written authorization from the owner. The signs cannot be located in any location that will be a traffic hazard or block a clear view area. The locations must be pre-approved by the City staff and is limited to 2 years in time. The amendment would also allow individual yard signs (18"x24") for 90 days after installation at a home. All signs must be maintained and a procedure for removal upon notification from the City has been added to the agreement.

POSSIBLE MOTION

I move that the City Council approve Resolution 2019R-11 amending the franchise agreement with Echo Broadband as proposed.

Attachments

- 1) Resolution 2019R-11
- 2) Proposed Addendum

RESOLUTION NO. 2019-11R

**A RESOLUTION OF THE CITY OF NORTH SALT LAKE
CITY COUNCIL AMENDING A FRANCHISE AGREEMENT (2018-28R) BETWEEN
CITY OF NORTH SALT LAKE AND ECHO BROADBAND INC.**

BE IT HEREBY RESOLVED that the City Council of the City of North Salt Lake authorizes the Mayor to execute, in behalf of the City of North Salt Lake, an amendment to the Franchise Agreement with Echo Broadband, Inc. (Resolution 2018-28R), a copy of which amendment is attached.

APPROVED by the City Council of the City of North Salt Lake, Utah, this 19th day of February, 2019.

BY THE CITY COUNCIL:

Brian Horrocks, Mayor pro tem

City Council Vote as Recorded:

<u>Name</u>	<u>vote</u>
Lisa Baskin	_____
James Hood	_____
Brian Horrocks	_____
Ryan Mumford	_____
Stan Porter	_____

ATTEST:

Linda Horrocks, City Recorder

[Seal]

AMENDMENT 1
FRANCHISE AGREEMENT
BETWEEN
CITY OF NORTH SALT LAKE, UTAH
AND
ECHO BROADBAND INC. D/B/A ECHO BROADBAND

Background

- A. The City of North Salt Lake, Utah (hereinafter “City”), a municipal corporation and political subdivision of the State of Utah, and Echo Broadband Inc. d/b/a Echo Broadband, a Utah Corporation (hereinafter “Provider”) (known together as the “Parties”) entered into the contract (the “Contract”) dated November 14, 2018, for the purpose of establishing a Telecommunications Franchise Agreement which provided and conferred upon the PROVIDER the nonexclusive right, privilege, and Franchise (as such term is defined in Telecommunications Rights of Way Ordinance) to construct and maintain a telecommunications network in, under, above and across the present and future public Rights-of-Way in the City of North Salt Lake.
- B. The Parties desire to amend the Contract on the terms and conditions set forth in this Contract Addendum (the “Agreement”).
- C. This Agreement is the first amendment to the Contract.
- D. References in this Agreement to the Contract are to the Contract as previously amended or varied.

IN CONSIDERATION OF the Parties agreeing to amend their obligations in the existing Contract, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to keep, perform, and fulfill the promises, conditions and agreements below:

Amendments

- 1. The Contract is amended as follows and the following provision is hereby added immediately after Section 1.4 of the Agreement:
 - 1.4.1 The Provider is permitted to place signs, no larger than of 5 feet wide and 3 feet in height (hereinafter “Welcome Signs”), at key entrances of the area or neighborhood in which they are installing fiber optic service. The Provider will obtain approval of the placement of each of the signs from the City Community Development Director and

Public Works Director. Prior to placement of these signs, the Provider shall also obtain all written approvals necessary by any applicable homeowner's associations (HOA's) who may or may not deny proposed signs. The Provider further agrees that if HOA approval cannot be obtained, this amendment does not give the right to Provider to violate HOA rules, guidelines, standards, procedures or any other requirements in effect and enforceable by HOA's who have jurisdiction over these matters. If approved, these signs will remain, at Provider's discretion, during the course of the fiber installation project in that area, not to exceed two (2) years from the date of this addendum. An extension of one (1) year may be granted by the City upon demonstration of continued installation activities in the area.

1.4.2 Provider is permitted to place Welcome Signs in the easement (if one exists) next to the street and before the sidewalk (if one exists). If no easement exists or it is impractical for placing a Welcome Sign on the easement, Provider will be permitted to place the Welcome Sign on private property after receiving written permission from the landowner.

1.4.3 Provider agrees to cooperate with City in Welcome Sign placement in order to comply with safety and other considerations, including any clear view areas.

1.4.4 Provider is permitted to place one traditional marketing yard signs (maximum size 18"x24") on the premise of their customers with their consent for a duration of no longer than 90 days. Signs may be located in the front yard within the first five (5') feet behind the sidewalk. After 90 day time period, the property owner may place a smaller (8.5"x8.5") sign adjacent to the front of the home.

1.4.5 The Provider agrees to maintain the quality and condition of all of its signs. In the event a sign is found to be in disrepair, poses a hazard to traffic, or is outside an approved easement or approval area, the City will notify the Provider in writing and the Provider will repair, replace, or remove said sign within ten (10) days of notification.

No Other Change

2. Except as otherwise expressly provided in this Agreement, all other terms and conditions of the Contract remain unchanged and in full force and effect.

Miscellaneous Terms

3. Capitalized terms not otherwise defined in this Agreement will have the meanings ascribed to them in the Contract. Headings are inserted for the convenience of the parties only and are not to be considered when interpreting this Agreement. Words in the

singular mean and include the plural and vice versa.

Governing Law

4. Subject to the terms of the Contract, it is the intention of the Parties that this Agreement, and all suits and special proceedings under this Agreement, be construed in accordance with and governed, to the exclusion of the law and any other forum, by the laws of the State of Utah, without regard to the jurisdiction in which any action or special proceeding may be instituted.

IN WITNESS WHEREOF the Parties have duly affixed their signatures under hand and seal on this _____ day of _____, 2019.

CITY OF NORTH SALT LAKE

By:

Leonard K. Arave, Mayor

ATTEST:

Linda Horrocks, City Recorder

APPROVED AS TO FORM:

City Attorney

ECHO BROADBAND INC, d/b/a Echo Broadband

By:

Michael Whitaker, Managing Member

RESOLUTION NO. 2019-09R

**A RESOLUTION ADOPTING AN AMENDMENT TO ADJUST
THE FISCAL YEAR 2018~2019 ROAD CAPITAL PROJECT FUND AND CULINARY WATER
FUND BUDGETS**

WHEREAS, the City of North Salt Lake has considered the adoption of an amendment to increase the 2018~2019 budget for Road Capital Project Fund and Culinary Water Enterprise Fund, and finds that it is in the best interest of the citizens and the City as a whole to adopt the aforesaid budget; and

WHEREAS, a public hearing was properly noticed and held on Tuesday February 19th, 2019 for public comment concerning the adoption of said budgets; and

WHEREAS, such action is authorized by statute; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF NORTH SALT LAKE AS FOLLOWS:

A change in the Capital Road Project Fund budget is hereby adopted for the 2018~2019 fiscal year in the following amounts:

Increase grant revenues in the amount of (\$299,828)
Increase use of fund balance in the amount of (\$85,172)
Increase expenditures in the amount of \$385,000

The increase will be used to fund a capital project installing sidewalk on Orchard Drive from 89 South to 183 South. The \$385,000 project will be funded with a grant from UDOT in the amount of \$299,828.

A change in the Culinary Water Fund budget is hereby adopted for the 2018~2019 fiscal year in the following amounts:

Increase use of fund balance in the amount of (\$25,000)
Increase expenditures in the amount of \$25,000

The increase will be used to fund a capital project installing a new culinary water line along US-89 at NSL City Center.

Immediately after its adoption, this resolution shall be signed by the appropriate officers of the City of North Salt Lake, shall be recorded in the official records of the City of North Salt Lake and shall take immediate effect.

Passed and approved by the City Council of North Salt Lake this 19th day of February, 2019.

CITY OF NORTH SALT LAKE

By:

Len Arave, Mayor

Attest:

By:

Linda Horrocks, City Recorder

City Council Vote as Recorded

Council Member Baskin _____
Council Member Hood _____
Council Member Horrocks _____
Council Member Mumford _____
Council Member Porter _____



CITY OF NORTH SALT LAKE

10 East Center Street
North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

Len Arave
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: February 19, 2019

SUBJECT: Overview and discussion of the City's financial ordinances, policies and procedures

There is no backup material for this item prior to the Council meeting. As we discussed a few days ago, Janice Larsen and I will go over the City's ordinances, policies and procedures related to purchasing, handling of cash, use and oversight of City credit cards and other policies that may pose a risk of fraud and other unethical conduct. We look forward to good discussion on this item and if you have any questions that you'd like us to consider, please let me know.



CITY OF NORTH SALT LAKE

10 East Center Street
North Salt Lake, Utah 84054
(801) 335-8700
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Len Arave
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: February 19, 2019

SUBJECT: Consideration of 2019 Agreement with Davis County for animal services

RECOMMENDATION

I recommend approval of Amendment No. 3 to Interlocal Cooperation Agreement for Animal Services between the City of North Salt Lake and Davis County.

BACKGROUND

As you know, the City contracts with Davis County for animal services. The attached agreement contains our obligation for 2019 together with a detailed description of how our fees and charges are assessed. Put simply, our obligation is made up of three elements: 1) an assessment for our share of billable calls; 2) an assessment for actual calls related to wild nuisance animal pick up or euthanasia services; and, 3) a share of the capital costs for the animal shelter.

According to the proposed agreement, North Salt Lake makes up 4.82% of the total billable call volume of all participating agencies. This percentage share is used to calculate the actual amount due for general animal calls and our share of the capital costs. Calls for wild nuisance animals are based upon actual calls from the previous year multiplied by the cost per call (\$25.75).

For this calendar year, the City's costs are as follows:

Billable Calls:	\$46,015.52
Wild Nuisance Animal Calls:	\$ 1,493.50
Capital Projects Share:	<u>\$ 2,709.13</u>
Total	\$50,218.15

For your information, charges for 2018 were \$44,498.65. The 13% increase this year appears to be related mostly to staffing increases approved by the County that have added nearly \$200,000 to the cities' combined portion of the contract. Costs rose last year by 6% and these increases are mostly due

to the County making improvements to the service and allocating the true costs of these service to our respective communities.

Davis Commission Chair Randy Elliott recently held a meeting with the 15 city managers of Davis County on animal control services. It was an informative meeting, but the real purpose was to discuss a different way of funding animal control services going forward. As you know, the County is currently funding this with individual contracts with each of the cities. Also, soon the County needs to build a new shelter facility and it will be very difficult to add that to everyone's charges doing it by contract. Most of the managers in the room also felt like paying for this by contract is very disruptive, we never seem to know when big increases are coming up and our fiscal years are on opposite cycles (County is a calendar fiscal year). Managing 15 contracts is also an administrative complexity and inefficiency that County staff would like to remedy. The general consensus is that the County should look at a model where they enact a countywide tax and the cities would reduce their property tax rates correspondingly. For example, in North Salt Lake under this model, we would reduce our property tax rate such that we would receive approximately \$50,000 less property tax annually or the equivalent of our contract amount. I know that this has some inherent risks of simply having another countywide levy that we don't control, but the costs for those services are going to increase anyway and the County seems absolutely committed to collecting the true cost of the service whether by property tax or by individual contract with each city. The County will do some work on that model and we have a sub-group of city managers working on that effort too (I'm not on that sub-group, but we communicate monthly as a group of managers). I am supportive of this new model, particularly since our county is made up of several small communities which would have a difficult time each providing their own animal control services. Finally, the governance of this service will not change, just how the revenues are collected from residents receiving the services.

**RESOLUTION NO. 2019-08R
CITY OF NORTH SALT LAKE, UTAH**

**A RESOLUTION AUTHORIZING EXECUTION OF
AMENDMENT NO. 3 TO INTERLOCAL COOPERATION AGREEMENT
(2019-07A) FOR ANIMAL SERVICES WITH DAVIS COUNTY**

WHEREAS, Davis County provides animal control services to unincorporated portions of Davis County and by contract to other municipalities located in Davis County; and

WHEREAS, the City of North Salt Lake is in need of such animal control services and Davis County is willing to provide these services pursuant to the terms and conditions of this Agreement; and

WHEREAS, pursuant to the authority granted in Utah Code 11-13-1 et seq. (“Interlocal Cooperation Act”), the City desires to continue the service contract with Davis County for animal control services; and

WHEREAS, the City Council hereby finds that entering into Amendment No. 3 to Interlocal Agreement for Animal Control Services with Davis County will further the public health, safety, and welfare;

THEREFORE, BE IT RESOLVED BY THE CITY OF NORTH SALT LAKE CITY COUNCIL AS FOLLOWS:

Section 1. Authorization to Execute Amendment No. 3 to Interlocal Cooperation Agreement for Animal Services. The City Council hereby authorizes and directs the Mayor to execute Amendment No. 3 to Interlocal Cooperation Agreement for Animal Control services in substantially the same or similar form attached hereto. The effective date of the agreement is January 1, 2019.

Section 2. Effective Date. This Resolution shall become effective immediately upon passage.

APPROVED AND ADOPTED by the City of North Salt Lake, Utah, on this 19th day of March, 2019.

BY THE CITY COUNCIL:

Len Arave, Mayor

City Council Vote as Recorded:

<u>Name</u>	<u>vote</u>
Lisa Baskin	_____
James Hood	_____
Brian Horrocks	_____
Ryan Mumford	_____
Stan Porter	_____

ATTEST:

Linda Horrocks, City Recorder

AMENDMENT NO. 3 TO INTERLOCAL COOPERATION AGREEMENT FOR ANIMAL SERVICES

This Amendment No. 3 to Interlocal Cooperation Agreement for Animal Services (this “Amendment No. 3”) is made and entered into as of January 1, 2019, by and between Davis County, a political subdivision of the state of Utah (the “County”), and North Salt Lake City, a municipal corporation of the state of Utah (the “City”). The County and the City may be collectively referred to as the “Parties” herein.

RECITALS

This Amendment No. 3 is made and entered into by and between the Parties based, in part, upon the following recitals:

- A. In 2016, the Parties entered into an *Interlocal Cooperation Agreement for Animal Services*, which is labeled by the County as Contract No. 2016-255 (the “Agreement”); and
- B. The Parties, through this Amendment No. 3, desire to modify certain terms and/or provisions of the Agreement.

Now, based upon the foregoing, and in consideration of the terms set forth in this Amendment No. 3, the Parties do hereby agree as follows:

- 1. **Exhibit A of the Agreement is replaced in its entirety with the Exhibit A below:**

EXHIBIT A

The City’s 2019 calendar year obligation to the County for service calls, excluding calls for wild nuisance animal pick up and/or euthanization:

<u>Title/Category</u>	<u>Subtitle/Subcategory</u>	<u>Amount</u>
Budgeted 2019 Expenditures by Davis County for Animal Care and Control:	Personnel:	\$1,915,670.01
	Operating:	\$312,275.00
	Capital Equipment:	\$58,100.00
	Allocations:	+ \$135,000.71
	Total Expenditures:	\$2,421,045.72
Projected 2019 Revenues of Davis County Animal Care and Control:	Licenses:	\$220,000.00
	Shelter Fees:	\$180,500.00
	Surgical Fees:	\$42,750.00
	Wildlife Fees:	\$57,139.25
	Donations:	+ \$11,500.00
	Total Revenues:	\$511,889.25
Projected 2019 Expenditures Less Projected 2019 Revenues:		\$2,421,045.72
		- \$511,889.25
		\$1,909,156.47
Combined Cities’ 50% Obligation:		\$1,909,156.47
		x 50%
		954,578.24
Average of the City’s Total Billable Calls for 2017 and 2018:		519.00
Average of Combined Cities’ Total Billable Calls for 2017 and 2018:		10,766.50
The City’s 2018 Usage Rate:		519.00
		/ 10,766.50
		4.82%
The City’s 2019 Calendar Year Obligation to the County:		\$46,015.52

The City shall pay the foregoing calendar year obligation to the County on a monthly basis and within thirty calendar days of receipt of a monthly invoice from the County.

The City's 2019 calendar year obligation to the County for wild nuisance animal pick up and/or euthanization calls or services:

Title/Category	Frequency/Amount
The City's Wildlife Calls for 2018:	58
Cost to City for Each Wildlife Call in 2018:	\$25.75
The City's 2019 Calendar Year Obligation to County for Wildlife Calls:	\$1,493.50

The City shall pay its calendar year obligation to the County for wild nuisance animal pick up and/or euthanization calls or services on a monthly basis and within thirty calendar days of receipt of a monthly invoice from the County.

The City's 2019 calendar year obligation to the County for the capital projects fund regarding the Shelter:

Title/Category	Amount
Total of Capital Projects Fund Regarding the Shelter:	\$562,000.00
Combined Cities' Portion of the Capital Projects Fund Regarding the Shelter:	\$281,000.00
2019 Obligation of the Combined Cities:	\$56,200.00
The City's 2018 Usage Rate:	4.82%
The City's 2019 Calendar Year Obligation to the County:	\$2,709.13

8The City shall pay the foregoing calendar year obligation to the County on a monthly basis and within thirty calendar days of receipt of a monthly invoice from the County.

2. **Continuing Effect of the Agreement.** Except to the extent specifically modified by this Amendment No. 3, the terms and conditions of the Agreement shall remain in full force and effect.
3. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed an original, and all such counterparts shall have the same force and effect as original signatures.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment No. 3 to be signed by their duly authorized representatives on the dates indicated below.

DAVIS COUNTY	NORTH SALT LAKE CITY
By: _____ Chair, Board of Davis County Commissioners Date: _____	By: _____ Mayor Date: _____
ATTEST: _____	ATTEST: _____
Davis County Clerk/Auditor Date: _____	City Recorder Date: _____
Reviewed and Approved as to Proper Form and Compliance with Applicable Law: _____	Reviewed and Approved as to Proper Form and Compliance with Applicable Law: _____
Davis County Attorney's Office Date: _____	City Attorney Date: _____



Animal Care & Control

1422 East 600 North – Fruit Heights, Utah 84037
Telephone: (801) 444-2200 – TDD: (801) 451-3228 – Fax: (801) 444-2212

Date: January 21, 2019

To: Ken Leetham, City Manager City of North Salt Lake
From: Rhett Nicks, Director Davis County Animal Care and Control
RE: 2019 Animal Care and Control Contracts

Mr. Leetham,

Enclosed you will find your city's statistics for 2018, two (2) contracts for 2019, and a self-addressed envelope. If you would like to have an original signed contract returned to you please see to it both contracts are signed by your designated executive and returned to the shelter. Contracts will be presented to the Davis County Commission during the last regularly scheduled May 2019 Commission meeting. Contracts received after this date will be presented to the Commission at the convenience of the Director.

This year, 2018, saw an overall 9.42% increase in total calls for service and a 14.14% increase in total wildlife calls. Four (4) jurisdictions saw an average decrease in calls of 4.12%, eleven (11) jurisdictions saw an average increase in calls of 12.43%, and two (2) jurisdictions saw no change in the number of calls. The department investigated four (4) major animal cruelty/neglect cases. Two (2) of which resulted in the surrender of 27 animals (22 livestock, 4 foxes, 1 dog). The department has also:

- investigated 3,213 stray animals
- investigated 1,083 nuisance barking complaints
- investigated 737 bites
- investigated 738 wellness/cruelty complaints
- answered 2,200 wildlife calls

The goals for 2019 are centered on continued improvement in efficiencies and service including a move to 7 day a week field operation and shelter hours of 10AM to 6PM, increased participation in the community starting with a volunteer and foster program, an increase in the communication of metrics with stakeholders, and a continued discussion of the shelter's need to grow and role in the community.

If you have any questions please do not hesitate to contact me.

Rhett Nicks
Director, Animal Care and Control
rnicks@co.davis.ut.us
801-444-2204



Animal Care & Control

1422 East 600 North - Fruit Heights, Utah 84037
 Telephone: (801) 444-2200 - TDD: (801) 451-3228 - Fax: (801) 444-2212

Activity Report for NORTH SALT LAKE

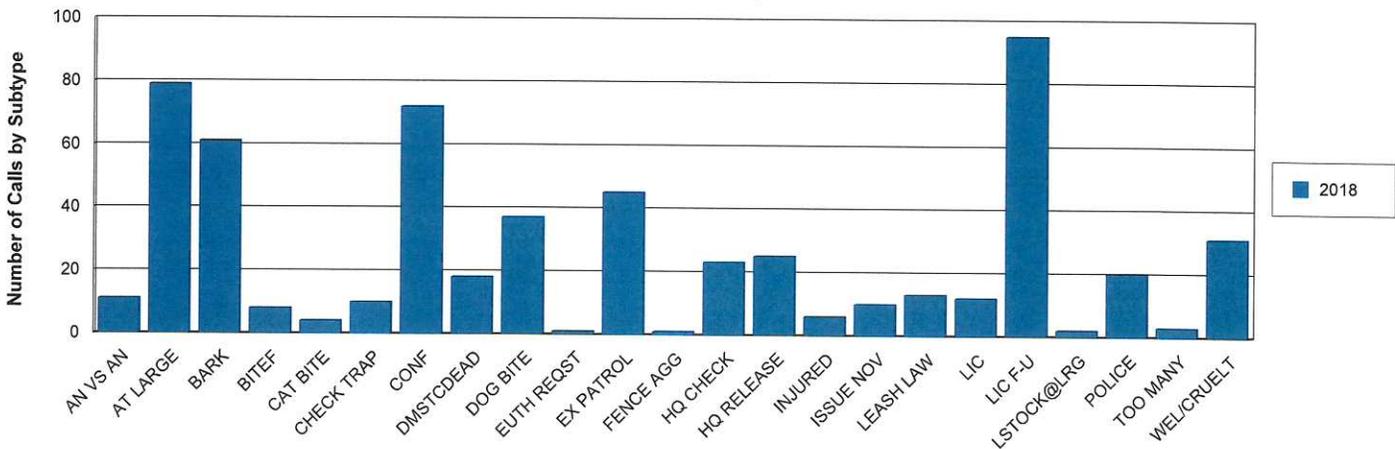
From January 01 to December 31, 2018 compared to 2018

	2018
AN VS AN	11
AT LARGE	79
BARK	61
BITEF	8
CAT BITE	4
CHECK TRAP	10
CONF	72
DMSTCDEAD	18
DOG BITE	37
EUTH REQST	1
EX PATROL	45
FENCE AGG	1
HQ CHECK	23
HQ RELEASE	25
INJURED	6
ISSUE NOV	10
LEASH LAW	13
LIC	12
LIC F-U	95
LSTOCK@LRG	2
POLICE	20
TOO MANY	3
WEL/CRUELTY	31
Total	587

	2017	2018
CITATION	5	7

Activity Subtype

Year to Year Comparison





Animal Care & Control

1422 East 600 North - Fruit Heights, Utah 84037
Telephone: (801) 444-2200 - TDD: (801) 451-3228 - Fax: (801) 444-2212

WILDLIFE LOG FOR NORTH SALT LAKE

From 01/01/2018 to 12/31/2018

Total	58
BAT	3
BIRD	3
DUCK/GEESE	1
OTHER	5
RACCOON	31
RODENT	1
SKUNK	13
SNAKE	1