

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
APRIL 2, 2019

FINAL

Mayor Pro Tem Mumford called the meeting to order at 6:02 p.m.

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

EXCUSED: Mayor Len Arave

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

1. PROPOSED CAPITAL FACILITIES PLANS FOR FY 2020 BUDGET

Ken Leetham reported on the Capital Facilities plans for fiscal year 2020 related to water, roads, storm water, and parks. He first focused on water and a plan for delivering a cost effective and sustainable water service. There were several new factors affecting the water including the impact of the potential annexation, which would require both culinary and secondary water. Staff had completed a study and model of the needs of that property as this annexation would significantly impact the City's water plan. The second factor was the impact of Big West Oil potentially leaving the City's water system with the short-term effect of a revenue decrease of \$600,000 to \$700,000 annually, but a long-term effect of freeing up approximately 20% of the City's culinary water. Mr. Leetham explained that Big West Oil had built a well and storage tank and planned to leave the City's water system but had asked that the city provide a backstop to their system which could be difficult.

Council Member Mumford asked if this would cause an issue with the City's aquifer level or the PCE plume. Paul Ottoson replied that the City's wells would not be affected.

Ken Leetham then spoke about long-term conservation efforts and identifying an appropriate balance between requiring extreme xeriscaping to simply educating the public on how to water their lawns. He explained that the process included combining a long-range water plan, that staff has prepared, with analysis from the Weber Basin Water Conservancy District (WCWCD). The

City would also be asking WBWCD for assistance in obtaining water rights for reuse water. He explained that staff would not propose any large capital projects in the Water Fund at this time due to the above mentioned items. The secondary water projects which would be placed on hold included the secondary water at Eaglewood Loop phases 1 and 2, secondary water services on Elk Hollow and Rosewood, reuse water infrastructure phases 1, 2 and 3, and secondary water services for Woodcrest, Tanglewood and Sunflower Circle. Mr. Leetham said that this capital facilities plan could be amended once the study was completed with WBWCD. Projects that were suggested to be completed per the Water Capital Facilities Plan for fiscal years 2019 until 2024 included the 150 North water line, tank repairs, PRV vault and valve replacement in 2019, 2020, 2021, 2022 and 2023, North Park Village water line, Lacey Way waterline replacement, 200 North, 250 North and 300 North water lines, and 75 East, 125 East, 175 East, 475 North and Cloverdale.

Council Member Baskin asked for clarification on the difference between secondary and reuse water. Ken Leetham replied that reuse water was a source of secondary water so it would be considered the same thing.

Ken Leetham referred to Road Capital Projects for fiscal year 2020 and explained that there were several road projects planned which would be put on hold as well including Eaglewood Loop, Rockwood Drive and South Tanglewood Loop, Eaglewood Loop from Rockwood to Clubhouse, and Elk Hollow.

Council Member Mumford asked if the Eaglewood Cove development was completed if this would require a change to the plan to provide secondary water to that area. Paul Ottoson replied that staff was waiting to see if the geotechnical issues were resolved before that development would even be approved. He added that secondary water may not be provided to that area based on the topography of the hillside.

Ken Leetham then reported on the Streets Capital Facilities Plan projects for fiscal years 2019 through 2024 including a portion of Orchard Drive and the roundabout, a portion of Eagleridge Drive, US-89 power pole removal, the Jordan River Trail from Center Street to I-215, Main Street from Center to 350 North (via grant funds), a portion of Eaglewood Drive, Lacey Way, Coventry, Cynthia Way, and 400 West from 500 North to 1100 North as well as Center to 500 North. He mentioned the increase of \$400,000 to the street preservation allocations per the LTAP recommendation and the Council's concern with crack sealing. Mr. Leetham also explained that the US-89 power pole relocation and the Jordan River Trail expansion would be funded through grants. The total proposed capital expenditures would be \$1,573,000.

Ken Leetham spoke on finding funding for projects and said that staff would work on becoming more aggressive with grant programs. Mr. Leetham congratulated staff, particularly Ali Avery and Paul Ottoson, on obtaining a \$2 million grant for Main Street reconstruction. He also said

that funding might be obtained through the Davis County third quarter cent sales tax distribution of funds or through bonding.

Council Member Mumford commented on the five year recommendations and asked how many years were fully funded. Ken Leetham replied that the plan was fully funded for this year and next year. He explained that the shortfall for the following three years was based on the maintenance suggested in the LTAP study.

Ken Leetham then reported on the Storm Water Capital Improvements for fiscal year 2020 with a total budgeted amount of \$2,420,000. These projects included Freedom Lane storm drain, Eaglewood Village Detention Basin improvements, miscellaneous camera inspections in 2019, 2020, 2021 and 2022, Center Street box culvert, David/Raygene Canyon improvements, the storm drain along I-25 on-ramp, and Constitution Way Canyon improvements phases 1 and 2.

Ken Leetham then reported on Parks Capital Projects for fiscal year 2020. He said there was approximately \$400,000 available in the Parks Capital improvement fund. Staff and the Parks and Arts Board prepared a recommended list of repairs and improvements for all City parks.

David Frandsen reported that the Parks and Arts Committee prepared this plan based on personally viewing each park. The first recommendation was for replacement of the soft fall playground surface with turf at Legacy Park. He explained the pour-in-place/soft fall was \$75,000 plus yearly maintenance costs while the synthetic turf was \$36,000.

The second recommendation was for improvements to Palmquist Park including the removal of a retaining wall and parking lot reconstruction. The Parks and Arts Board suggested a zipline or other ways to utilize the hillside and the addition of trees. Pricing would be based on what direction the Council wanted to go with this park.

Council Member Mumford commented on the removal of the parking lot and said that it was rarely used now. He also said that lowering the slope of the hill would make the park safer and more connected to the neighborhood.

David Frandsen also said that the nearby reservoir needed to be fenced off from the park.

David Frandsen then said that the third suggestion was for Mathis Park which needed fence replacement, tree removal, and new playground equipment. He said there were several options that could be incorporated into this park including different playground equipment designs, workout options, shade elements, etc.

Council Member Mumford said that due to the demographics of the area and the redevelopment of Highway 89 that the City needed to look at long-term amenities that could be used for adults as well.

Council Member Porter said that people did not really use the exercise equipment in parks like this and suggested adding pickleball courts. Council Member Mumford said that pickleball courts were expensive but the improvements to that park had not yet been decided.

Council Member Baskin commented that there were only three full-time and three seasonal Parks employees and suggested that staffing might need to be reviewed. Council Member Porter said that a lot of the maintenance for lawn mowing was shifted to a contractor.

Ken Leetham stated that major park projects were important and if the City did not reinvest in the parks the problems would get worse. He said the Hatch Park redevelopment was a good place to spend new impact funds as well as the Foxboro Wetlands Park. Mr. Leetham also said that impact fee funds could be used towards the bond payment for Tunnel Springs and Legacy Parks. He suggested that a committee be setup to prepare a strategy for the design of Hatch Park.

Council Member Mumford asked about the amount of anticipated impact fee revenue with the potential annexation. Ken Leetham replied that an impact fee analysis would need to be done.

Ken Leetham asked the Council to make a decision, before the budget was adopted, on the new surface for Legacy Park and the investment into Palmquist and Mathis Parks for repairs and reconstruction.

Council Member Horrocks asked if the soft fall issues at Legacy Park were just cosmetic or safety related. David Frandsen replied that it was a safety issue as it was a trip hazard, etc.

Council Member Mumford commented that Bountiful had a new park with pour in place and that it had already been destroyed by vandalism. He said that Sugar House Park just replaced their playground surfaces with the synthetic turf material.

2. ADJOURN

Mayor Pro Tem Mumford adjourned the meeting at 6:56 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
APRIL 2, 2019

FINAL

Mayor Pro Tem Mumford called the meeting to order at 7:07 p.m. He offered the invocation and led those present in the Pledge of Allegiance.

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

EXCUSED: Mayor Len Arave

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

OTHERS PRESENT: Milt Buhrman, Dee Lalliss, Karen Faddis, Conrad Jacobson, Carolyn Jacobson, Wendy Mele, Brian Freeman, Jarom Smith, Barry Bryson, Mark Lee, Cameron Marx, residents; Taylor Spendlove, Brighton Homes; Ed Graupp, CW Land.

1. CITIZEN COMMENT

Karen Faddis, 280 Woodhill Lane, said that her backyard was adjacent to the retaining pond and Deer Hollow Park on Eaglewood Drive. She requested that the trees be replanted around the pond as the previous trees had died. Ken Leetham replied that staff would review this.

Barry Bryson, 349 Odell Lane, spoke about the Orchard Grove development which was on the agenda. He said he felt like the Council voting on the revised plan without review by the Planning Commission was procedural error. Mr. Bryson also said that none of the neighbors wanted this development at double the density of other developments in the area and they were against the zone change.

Mark Lee, 450 East 100 North, also spoke on the Odell Lane development and said that livability was important for residents. He felt like the proposed development did not fit and should complement the existing homes.

Wendy Mele, 390 Odell Lane, said that the project was too dense and had many drawbacks. She said that the doors which opened onto Orchard Drive was bad planning.

2. YOUTH CITY COUNCIL MAYOR'S REPORT

Youth City Council Service Chair Cameron Marx reported that the Youth City Council (YCC) recently attended a leadership conference in Logan. He said they heard from several inspiring speakers including one who was born with a facial deformity, another with ADHD, and a former scam artist and felt like it was a great experience.

The Council commended Cameron Marx for his service and noted that he was serving his fourth year on the YCC and was also a State high school debate champion.

3. CONSIDERATION OF COUNCIL MEMBER HOOD'S APPOINTMENT TO THE PARKS TRAILS ARTS AND RECREATION ADVISORY BOARD

Council Member Hood introduced Brian Freeman and said he had an extensive background in Parks and Arts.

Brian Freeman said that his degree was in Parks and Recreation and he did an internship at the Community Operations Center in Cache Valley. He said he wanted to give back to the community and felt this board would be a good fit as he had a passion for Parks and Recreation.

Council Member Hood moved to appoint Brian Freeman to the Parks Trails Arts and Recreation Advisory Board. Council Member Baskin seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

4. CONSIDERATION OF A PLAT AMENDMENT TO THE I-215 PARKWAY COMMERCIAL CONDO SUBDIVISION LOCATED AT APPROXIMATELY 255 SOUTH RIVERBEND WAY, TOM STUART CONSTRUCTION, APPLICANT

Sherrie Llewelyn reported that the property was located in the industrial park area and would be part of the condominium lot owned by Tom Stuart. She explained that the proposed parcel was purchased from UDOT and would be used for the construction of Building 5 of the existing development. The Planning Commission held a public hearing on the amendment and the site plan was approved pending approval of the plat amendment. The plat amendment met all the requirements of the ordinance for minimum lot size, frontage, and parking, etc.

Mrs. Llewelyn presented an example of the exterior of the building and explained that the bottom floor of the building would be a parking garage with office space on the second floor.

Council Member Porter commented that there was an existing access road which was most likely owned by Salt Lake City. He asked if the grass strip could be turned into a maintenance road. Paul Ottoson replied that staff was working on the Jordan River Trail design and would ask Salt Lake City about an easement for the use of City vehicles.

Sherrie Llewelyn commented that staff could also work with Tom Stuart on a potential easement but said this could not be a requirement for approval.

Council Member Mumford commented that Tom Stuart built great products but sometimes built things differently than what was approved. Sherrie Llewelyn replied that they were proposing the same plan as what they had built. She said she was impressed with the architecture shown on the application.

Council Member Baskin asked about the plan for the first floor to be used as a garage and if the exterior appearance would be a regular building with windows. Sherrie Llewelyn replied affirmatively.

Council Member Horrocks moved that the City Council approve the plat amendment to the I-215 Parkway Commercial Condo Subdivision located at 255 South Riverbend Way with no conditions. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

5. RE-CONSIDERATION OF A GENERAL DEVELOPMENT PLAN FOR ORCHARD GROVE LOCATED AT 378 EAST ODELL LANE, BRIGHTON DEVELOPMENT, APPLICANT

Sherrie Llewelyn reported that during the last City Council meeting that there was a motion to approve the proposed General Development Plan for Orchard Grove. She explained that there was a motion to approve and a second but the motion failed with no subsequent motion for denial, approval or tabling. Her understanding was that the applicant was instructed by Council Member Mumford to come back with an alternative design.

Mrs. Llewelyn said that the building layouts were the same; however, due to the new style of the building the spacing was slightly different and allowed for rear yards and larger setbacks on some of the buildings. She said that the setbacks were negotiated as part of the Planned (P) District rezone. The changes that were made from the previous meeting was the building style with the front doors adjacent to the garages, rear yards on some of the units, and the addition of a tot lot. Mrs. Llewelyn then showed the architecture for the three proposed styles- The Wyndam, Hemingway, and the Clifton.

Taylor Spendlove, Brighton Homes, reported that they tried to address all of the concerns. He said that the Hemingway units would be the same color scheme as Chesham Village and would

have gables with the same pitch and materials and colors in the same palette. The buildings would not have any stucco.

Council Member Porter asked if there were any concerns with marketability. Taylor Spendlove replied that the only issue was that the model home would only showcase one design but he said they had built the Hemingway and Clifton design before and all the units would be approximately the same size.

Council Member Mumford said that the previous plan showed 30% open space and asked what the percentage would be with the redesign. Taylor Spendlove replied that it would be 35% now with the inclusion of the backyard spaces. He also said the concern with the neighboring property owner had been resolved.

Council Member Porter commented that he wanted the public to know that the Council had listened to their concerns. He asked staff to review what could happen if the development was built in the current RM-7 zone.

Sherrie Llewelyn replied that in the proposed P District Zone the density would be 12.9 dwelling units per acre for a total of 16 units and the maximum density in the RM-7 Zone would be 10.3 dwelling units per acre. The building type in the P-District would be “for sale” townhomes and in the RM-7 Zone there would be no requirement so they could build multi-family rentals. The required landscaping in the P-District would be 35% and in the RM-7 Zone, only 10% is a required minimum. The architecture in the P-District would be per the development agreement with the proposed style of craftsman with Hardie board, stone and brick versus no requirement in the RM-7 Zone. Parking in the P-District would be 4.25 spaces per unit while the RM-7 Zoning would only require a minimum of 2.25 spaces per unit. The fencing in the P-District would include the replacement of the existing chain link and wood fencing with composite fencing while there would be no requirement in the RM-7 Zone. The amenities in the P-District included a tot lot and dog park with no requirement in the RM-7 Zone. Street improvements would be required in the P-District with a dedication of additional right of way with improvements to the sidewalk and park strip while any improvements in the RM-7 Zoning would be dependent on land use. Setbacks would also be established per the development agreement in the P-District.

Council Member Baskin asked about the proposed setback of ten feet from Orchard Drive under the P-District and asked if this was a violation of the City ordinance of 25 feet. Sherrie Llewelyn replied that the P-District allowed for the negotiation of setbacks, height, materials, landscaping, etc.

Council Member Baskin also asked if there was a bus stop nearby this development. Sherrie Llewelyn replied, based on a comment from the audience, that there was a bus stop on the northwest corner of Orchard and Odell.

Council Member Hood shared his thoughts on the revision and said he did like the change to the front porches on the Hemingway and questioned why the entire project was not the Hemingway design so that there was more inclusion. He also felt that the setback off Orchard Drive should be increased. Taylor Spendlove replied that they would be adding a park strip and that the project would be elevated off the road which would create a buffer. He also said that the Planning Commission preferred the doors facing the street per design aesthetics.

Council Member Mumford commented that some of the residents had hoped the unit count would decrease to 12 or 14 units but said that losing units would make the HOA cost increase. Taylor Spendlove said that the original proposal had 24 units so they had already made some concessions per the Planning Commission and public comment.

Council Member Baskin stated that per the last City Council meeting that Council Member Porter moved to approve the plan and she had seconded the motion; however, as the other three members of the Council voted in opposition to the motion it did not pass. Taylor Spendlove then asked what the next step would be and Ken Leetham replied that he did not believe the City code would restrict Brighton Homes from working with staff to adjust their proposal and bring it back before the City Council. She then said that Ken Leetham would verify whether the application would need to go back for the Planning Commission or the City Council. Council Member Baskin asked the City attorney if the Council was procedurally in compliance and could vote on the application today.

David Church stated that the Council could vote on the application as there was not an official denial of the project previously. He said as the plan was consistent with what the Planning Commission reviewed, with the same number of units.

Ken Leetham explained that the reason this application came back before the City Council was that the only change was the reconfiguration of four units (one building) to provide rear and front yards. The Development Review Committee (DRC) felt like there was not a substantial change which would require Planning Commission to re-review unless the City Council required it.

Council Member Horrocks commented that he had been on the City Council for 11 years and that this was one of the most conflicting applications he had reviewed. He looked at the advantages and disadvantages to the General Development Plan and felt that the biggest advantage of the rezone was being able to have control over what the finished project would look like, that they would be for-sale units instead of rentals, as well as the benefit to the property owner. Other advantages include more parking, new upgraded fencing, amenities, street improvements. He also noted respect for the process that the Planning Commission went through to approve the project. He said that the biggest concerns were the opposition in the neighborhood and the setback on Orchard. Council Member Horrocks said that he appreciated the neighborhood involvement and the Planning Commission's efforts.

Council Member Mumford said that he was divided on this issue due to the advantages and disadvantages. He said the neighbors needed less density and he did not know how the Council could face them if this was approved as is.

Council Member Porter moved to approve the General Development Plan for Orchard Grove located at 378 East Odell Lane with the following conditions:

- 1) The proposed building will be of brick, stucco, and Hardie board trim construction with a neutral color palette;**
- 2) The existing wood fencing will be upgraded to a composite material;**
- 3) The total density of the project allowed will be 16 units;**
- 4) Parking approve at a ratio of 4.25 spaces per unit; and**
- 5) Final architecture, design, materials, and colors, with the elevations as proposed will be included in the development agreement at final zone change;**
- 6) Alleviation of the dispute with the neighboring property owner.**

Taylor Spendlove referred to the sixth condition and asked if the City really wanted to be involved in a property dispute between neighbors.

David Church asked if the dispute was regarding a boundary line. Taylor Spendlove replied that there were two disputes with one involving the property boundary and the other was a verbal agreement for the purchase of property.

David Church commented that if the dispute was found in favor of the neighbor if the applicant would then not be able to comply with the City's ordinance. He said the approval of this application should not be used as leverage to resolve the dispute.

Council Member Porter amended his motion to remove condition six related to the property dispute. Council Member Baskin seconded the amended motion. The motion was approved by Council Members Baskin, Horrocks, and Porter. Council Members Mumford and Hood voted in opposition to the motion.

6. CONSIDERATION OF A REQUEST FOR A P-DISTRICT REZONE AND DEVELOPMENT AGREEMENT (2019-19A) FOR THE RIDGE LOCATED AT APROXIMATELY 650 EAST EDGECREST LANE, CW LAND, APPLICANT

Sherrie Llewelyn reported that this request was for the Granite Parcel located at 650 South Edgcrest Lane. The applicant filed a zone change from Special Use Restricted (SR) to P District. The current SR Zone allowed gravel pit mining as a permitted use so Granite decided to sell the property instead of pursuing additional mining of the site. The City Council approved the General Development Plan on November 20, 2018 and since that time the applicant has been working with the City's geotechnical consultant on a slope stability plan to ensure the project is

in compliance with the City's geotechnical ordinance. The proposed development would be for 103 single family lots and 51 townhome units on 49.26 acres. She showed the general layout of the development including the elevation for the townhome units and the floorplans with side-by-side two-car garages.

Originally the developer had the units which were facing the two main streets with individual driveways; however, staff had concerns with the close proximity of the driveways and snow storage so the applicant came back with a revised design showing all the units with rear entry from an alley and the front doors facing the main street and the front doors of the single family homes. Additional guest parking spaces would be provided within the townhome area.

The Planning Commission reviewed this application on March 26, 2019, held a public hearing, and recommended approval to the City Council. The applicant modified the application in accordance with the Planning Commission recommendations.

Sherrie Llewelyn then spoke on the single family lots and said that the internal streets in the townhome area would be private streets maintained by the homeowners association (HOA) and the remaining streets would be public streets with five-foot park strips and four-foot sidewalks. The single family lots range in size from 5,000 square feet to 31,000 square feet. These lots vary from a minimum width of 50 feet wide to 80 feet wide. The majority of the homes are anticipated to be built by a production or semi-custom builder with the remaining lots to be sold to custom builders. The homes on the 50-foot wide lots will be 40 feet in width and the homes on the 80-foot lots would be a maximum of 65 feet in width. Any lots sold to custom homebuilders would be required to meet the same setback standards of the 50 and 80-foot lots. The single family lots would all be required to have a minimum of a two car garage and a two car driveway. The required setback from the garage would be 20 feet to accommodate larger vehicles.

The site would contain sidewalks throughout the development. A trail system would also be constructed including a public trail within the pipeline easement. The City would participate in the construction of a portion of the trail with funds obtained from the development of Edgewood and Bella Vida. The remainder of the interior trail system would be maintained by the HOA. Four parking spots would be provided at the entry of the trail.

Sherrie Llewelyn commented that there were several areas in the agreement that needed to be addressed by the City Council including the shared cost of the trail and the proposed fencing along the south property line to keep individuals from trespassing into the gravel pit area. She clarified that Lakeview Rock Products had requested that a regular six-foot fence be constructed in each residential back yard. Lakeview would be responsible for placing the required signage.

Ken Leatham asked about the uniform perimeter fencing referenced per Figures C-5 and C-6 in the agreement. Sherrie Llewelyn clarified that a six-foot fence would be constructed along the perimeter.

Council Member Baskin commented that the fencing had changed from the original agreement. Sherrie Llewelyn said that originally the applicant had proposed textured vinyl but after discussion with the homebuilders it was determined that the custom homeowners may want wrought iron around their properties to maintain the view. She said that lots 109 to 127 would have a uniform fence along the back side which would be installed prior to the certificate of occupancy.

Sherrie Llewelyn also said that developer had requested that the lots in Phase 2 allow the homeowners to have the ability to select individual fence styles. She said that the boundary line could have a universal fence which would be specified in the development agreement.

Council Member Baskin said that there were several issues with that request including that the fencing would not be consistent and that the agreement stated that “the rear lot fencing in Phase 2 and other south facing lots shall be completed by the individual builder or homeowner within 12 months of the certificate of occupancy.” This was a concern as this allowed occupancy of the property without a back fence with a grade greater than 25%.

Council Member Baskin also asked if there would be any provisions on the deed that were recorded with the County regarding potential blasting, noise, and ground disturbance. Sherrie Llewelyn replied that these items were addressed in Item O.

Sherrie Llewelyn said that originally the DRC recommended the perimeter fencing. The developer has since made the request to allow the homeowner to put in the fence based on the slopes of the lots and the significant grading which would occur.

Council Member Porter asked about the potential to require a temporary fence until the builder or homeowner installed a permanent fence. Council Member Baskin agreed that this would help to address the safety issue.

Council Member Porter addressed the steep grade of the property and the need for a fence. He said his concern was to keep individuals out of the gravel pit.

The Council discussed the native open space, the need for emergency access, and which areas should be fenced for public safety. Ken Leetham commented that there were other locations in the City similar to this area with public walking access as well as the steep cliff wall to the west of this property. He said that while it was extremely steep that there were other areas in the City which were not fenced.

Sherrie Llewelyn suggested that in Phase 2 that there would be no requirement for fencing along lots 211 to 218 through 244 but there would be a fencing requirement for lots 127 to the boundary such as a chain link fence.

Ken Leetham said that when identifying a hazard that a solid fence may not be the best solution but the boundary did need to be identified with some type of fence and signage.

Council Member Baskin recommended that every south facing individual lot should be fenced with a six-foot fence and each property owner should be aware of that requirement.

The Council discussed a potential requirement for the HOA to place a uniform fence on the property line.

David Church said that it would be difficult to require residents to build uniform backyard fences as people had different wants and needs. He asked if the property owner could change out the fence if desired and commented that perimeter fences were common, but requiring a certain type was not.

Council Member Baskin said that while the City may not be able to require that each fence be the same type, her concern was that the home should not be occupied without a fence. David Church replied that his concern was delineating the boundary line between the residential project and the gravel pit with an appropriate fence.

Council Member Porter recommended that the trail be built by the City so that the grade, slope, runoff, etc. would be constructed correctly. Sherrie Llewelyn replied that this trail was on the Master Trails Plan so the City already collected funding from other developments. She said the City could work with the developer on whether they would be agreeable to having the City construct the trail.

Ed Graupp, CW Land, commented that they were flexible in respect to the trail. He added that trails were the number one amenity in a master planned community, and they also wanted it done correctly.

Sherrie Llewelyn then spoke on Item O related to the seller disclosures regarding the adjacent mining operations. She explained that when an individual entered a sales agreement for a property that they would be given this seller disclosure to review during the due diligence period. Based on new legislation this information would also need to be noticed on the plat. The rest of Item O detailed information about the mining information and notifications.

Council Member Mumford suggested that there should be a requirement for the seller to disclose the nearby mining operations and that it should continue, and be signed, by the buyer particularly for the second and third homebuyer. Sherrie Llewelyn replied that the disclosure would be given during due diligence and also found on the title of the entire subdivision.

Sherrie Llewelyn then reviewed Exhibit B, which detailed the General Development Plan, Exhibit C which showed a conceptual landscaping and site plan, examples of the entry monument, the public trail area, landscaping, land use standards, street trees, and architectural standards. She said that the fencing shown in Exhibit C-6 would be adjusted based on the Council's recommendations. One of the requirements was that the lots must be landscaped within six months of final occupancy unless that fell between October 1st and April 1st.

Sherrie Llewelyn then asked for the Council's feedback on street lighting. She showed examples of the proposed lighting and spoke on modifications or other styles based on dark sky standards.

Council Member Baskin said that one issue she had with this application was that the Council received a modified development agreement with no time to review. She asked about Item M in the agreement which stated "Ownership. The developer shall provide within the adopted CC&Rs for the project provisions which preclude the ownership of multiple townhome units by a single person or entity for the purpose of rental properties." She said it seemed vague and did not define what "multiple" would be. Sherrie Llewelyn replied that the developer originally specified "multiple" would be three units.

Ed Graupp clarified that they determined the metric should be no more than three units for any single entity or single person.

Sherrie Llewelyn recommended amending the motion as she did not know she wouldn't receive all the amendments from the applicant's attorney until that day. She said that if the Council made a favorable approval of the preliminary plan that it would be subject to final zone approval and development agreement approval at final plat. She said that staff would compile all the suggestions from the Council into the final development agreement.

Ken Leetham asked when the City Council would approve the development agreement. Sherrie Llewelyn recommended that the Council table the decision on the zone change and the development agreement until final plat. The Council would approve the preliminary plan subject to final approval of the development agreement and zone change.

Ed Graupp said that as there was a timeline for them to purchase the property that they would prefer the Council move forward and not table any approvals. He said that while he liked the concept of constructing the fencing before the certificate of occupancy, that he was unsure if it was feasible. Mr. Graupp also said that Lakeview had stringent laws they had to follow and that having a fence along the west and south boundary made sense but there needed to be a thoughtful plan.

Ken Leetham clarified that the Council was only interested in perimeter fencing adjacent to the active mining and not the entire perimeter of the development.

Council Member Mumford asked about the proposed price range for the homes. Ed Graupp replied that this would be an upscale development, but as he would not be building the homes he did not have an exact price.

Council Member Porter asked staff about the downhill slopes relating to snow removal and the ordinance prohibiting a downhill cul-de-sac. Paul Ottoson replied that the ordinance did not prohibit downhill cul-de-sacs but recommended against them. The maximum slope of this cul-de-sac would be 5%. He said that they would also be required to have a swell and detention for drainage.

Sherrie Llewelyn said that the maximum slope was 10% per the fire district. The fire chief could make an exception for short distances and his condition was that lots 127 and 146 needed to be adjusted so that the slope was 10% or less for emergency vehicle parking.

Sherrie Llewelyn also clarified that there would be 103 total lots with 68 of the estate lots to be a minimum width of 50 feet and 36 lots to be a minimum of 80 feet wide.

Ken Leetham made the recommendation that the City Council take action on the preliminary plan tonight and make it subject to the approval of the rezone to the P District and final plat approval.

David Church reminded the Council that if the developer could not close on the property that it would be resold and could continue use as a gravel pit. He said Mr. Graupp had to close within a certain date and must reach a certain level of approval.

7. CONSIDERATION OF A PRELIMINARY PLAN FOR THE RIDGE LOCATED AT APPROXIMATELY 650 EAST EDGECREST LANE, CW LAND, APPLICANT

Sherrie Llewelyn suggested that the motion to approve the preliminary plan for The Ridge located at approximately 650 South Edgecrest Lane be conditioned upon successful negotiation and approval of the development agreement and the P District rezone at final plat, engineering corrections of civil drawings prior to final plat approval, any required corrections from the recommended discussion on the development agreement, and that lots 127 and 146 be addressed to the satisfaction of the South Davis Fire District.

Council Member Horrocks moved to approve the preliminary plan for The Ridge located at approximately 650 South Edgecrest Lane conditioned upon:

- 1) Successful negotiation and approval of the development agreement and the P District rezone at final plat;**
- 2) Engineering corrections of civil drawings prior to final plat approval;**

- 3) **Any required corrections recommended from the discussion on the development agreement; and**
- 4) **That lots 127 and 146 be addressed to the satisfaction of the South Davis Fire District.**

Council Member Porter seconded the motion.

Council Member Baskin commented that she would be voting in opposition to the motion based on the rush of this application, her desire to read the geotechnical report, and the other concerns she had raised during the meeting.

Paul Ottoson commented that the geotechnical report had been reviewed by two geotechnical consultants/experts.

Council Member Horrocks commented that he also felt rushed but said that the City was moving forward in the same direction as the developer per a good faith effort.

The motion was approved by Council Members Horrocks, Porter, Mumford and Hood. Council Member Baskin voted in opposition to the motion.

8. CONSIDERATION OF PROPOSED EXPENDITURES FOR FENCING AT MATHIS PARK, 400 EAST 800 NORTH

David Frandsen reported that this project was in conjunction with the Parks and Arts Board. He said that the fencing at Mathis Park was on its last legs and showed images of the damaged fence. Staff obtained three bids for both the fence replacement and the removal of the trees which were causing damage to the fence. These bids included removal and disposal of the existing concrete fence, removal and disposal of trees damaging the fence, and grinding down the stumps, installation of approximately 753 feet of concrete mow strip under the fence line, and installation of approximately 753 feet of white vinyl fence.

Council Member Mumford said that after discussion with the Parks and Arts Board that the composite fencing was almost double the price of vinyl fencing. He also said the Board was appalled at the condition of the current fencing.

Council Member Baskin commented that she was not in favor of vinyl fencing as it was easily broken and attracted graffiti. She suggested a brick or masonry fence if funding allowed.

Staff recommended awarding the bid to American Fence Company and Christensen Yard Care and Trees at a total of \$40,130.

Council Member Porter moved to accept the bid from American Fence Company at \$38,245 and Christensen Yard Care and Trees at \$7,980 at Mathis Park fence replacement and stump removal. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Mumford and Hood. Council Member Baskin voted in opposition to the motion.

9. CONSIDERATION OF RESOLUTION 2019-10R: A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR 2019 MUNICIPAL ELECTION SERVICES (2019-12A)

Linda Horrocks reported that 2019 was a municipal election year with three City Council positions available. She explained that the City had contracted with the County for the last several years because they had better resources and technology. The new agreement was similar to previous years with several modifications including clarification of terminology and the ability to more easily cancel the agreement.

Council Member Baskin asked what the total cost would be. Linda Horrocks replied that the approximate cost would be \$15,500 for one election. She added that if a primary election was required, the amount would double.

Council Member Baskin asked if the City was pleased with the county's service. Linda Horrocks replied that they had been great, and that having them administer the election has been a smooth process

Council Member Baskin moved to adopt Resolution 2019-10R: a resolution of the governing body of the City of North Salt Lake entering into an agreement with Davis County for election services for the 2019 municipal election as provided in the packet (2019-12A). Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood, and Baskin.

10. APPROVE CITY COUNCIL MINUTES

The City Council minutes of March 19, 2019 were reviewed and approved. **Council Member Baskin moved to approve the City Council minutes as amended. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood, and Baskin.**

11. ACTION ITEMS

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

12. CITY COUNCIL REPORTS

Council Member Hood reported that residents on Main Street were having difficulty with access during rush hour due to a dump truck blocking the street.

Council Member Mumford asked if the City code should clearly state the requirements of a parking space by giving a definitive number. Sherrie Llewelyn replied that it was 9 feet by 18 feet. She suggested that there should be a standard that a single family driveway is 20 feet.

Council Member Horrocks reported that he met with Dominion Energy and mentioned an instance in the City where the gas pipe went through the storm drain. He said they were very concerned and said they would take care of it. Paul Ottoson replied that all of the instances they were aware of had been fixed.

The Council also discussed an individual who had requested multiple GRAMA requests.

Council Member Baskin commented that she was working with City staff on the parking ordinance and appeal procedure. She asked for the Council's opinion on the appeal procedure and whether the appeal should go before the agency/special board or to district court.

After a discussion the Council determined that it was more appropriate for the appeal to go to district court and not an agency/special board.

Council Member Baskin reported that the City's Arbor Day celebration would be held at City Hall on April 27th. She said that multiple trees had died in the amphitheater area and would be replaced. She also said that Public Works Department had 16 crab trees which could be planted in Foxboro along the edge of Legacy Parkway.

Council Member Horrocks suggested that these trees could be planted in the Deer Hollow Park reservoir area where the resident had mentioned during the citizen comment portion of the meeting that trees had died.

Council Member Porter reported that he had also received multiple requests for pickleball courts.

13. MAYOR'S REPORT

Mayor Arave was excused.

14. CITY ATTORNEY'S REPORT

David Church had nothing to report.

15. CITY MANAGER'S REPORT

Ken Leetham had nothing to report.

16. ADJOURN INTO CLOSED SESSION

At 9:53 p.m. Council Member Horrocks moved to go into closed session to discuss the character professional competence, or physical or mental health of an individual. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

17. RECONVENE INTO REGULAR SESSION

At 10:15 p.m. Council Member Hood moved to go out of closed session and into the regular session. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

18. ADJOURN

Mayor Pro Tem Mumford adjourned the meeting at 10:15 p.m.



Mayor Pro Tem



City Recorder