

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
JULY 16, 2019

FINAL

Mayor Arave called the meeting to order at 6:06 p.m.

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

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

OTHERS PRESENT: Dee Lalliss, Barry Bryson, residents.

1. DISCUSSION OF THE CITY'S GENERAL PLAN AND ZONING DISTRICTS

Sherrie Llewelyn reported on the General Plan update from 2013 and said that workshops were held in 2011 and 2013 to gather public input. This input identified key priorities for the city including creating an identity, finding a focal point, a healthy economy, freeway access, and other issues. She then focused on the Land Use Chapter of the General Plan and said the goals were to enhance livability and property values, create a focal point, improve compatibility between different uses, create a complete community by balancing land uses, provide the right types of housing products per land use designations, and maximizing positive land use outcomes. Mrs. Llewelyn then identified future land uses for all areas including land use designations such as low and medium density housing, the town center, industrial, etc.

Mrs. Llewelyn spoke in more depth on the goals and policies for land use and said the first goal was to enhance livability and property values while increasing landscaping. The second goal was to create a focal point for the City including the Town Center Master Plan. The third goal was to improve compatibility between residential, commercial and industrial development through code compliance, buffers and mitigation. The fourth goal was to provide a complete community through creating a balance of land uses. This would be accomplished through supporting commercial, office and industrial uses and by creating a town center. The fifth goal was to enable a supply of housing appropriate for the anticipated demographic composition. This would be accomplished through ensuring open spaces, etc. Goal six focused on maximizing positive land use outcomes by using sites wisely through requiring just enough parking, reducing parking standards, incentivizing carpooling, and by providing bicycle parking.

Sherrie Llewelyn spoke on chapter 4 of the General Plan, which focused on transportation issues with the goal to establish and maintain land use patterns and street systems to move traffic efficiently, reduce vehicle trips, and maintain good levels of service to positively contribute to the health of the City. She then focused on the Town Center Master Plan and said that charrettes and public meetings were held to obtain input. The goals of the master plan included creating a distinct and positive identity for the town center, encouraging intensity of activity in the town center, improving the appearance, enhancing the safety, and bringing high capacity transportation to the center. The chapters in the Town Center Master Plan included land use, transportation, parking, street networks, community spaces, design guidelines, building types and architecture, and site design. She then showed examples of streetscapes including sidewalks, awnings, crosswalks and other details.

Sherrie Llewelyn then went through the steps of the Town Center Master Plan implementation, which included adopting the plan, adopting the design guidelines, and implementing policies and ordinances. She also spoke on the Form Based Code for the Town Center area which included the Main Street neighborhood study, acceptance of the TLC grant in 2018, hiring a Wasatch Front Regional Council (WFRC) consultant, and the final draft to be completed in Fall of 2019. The code sections included an introduction, street standards, sub-districts and land uses in those districts, landscaping standards, building types, parking, signs and lighting. This code would identify uses and what would and would not be permitted in each district.

Council Member Baskin commented that it appeared that parking structures would not be allowed in this area. Sherrie Llewelyn replied that stand-alone parking structures would not be allowed and that minimal parking would be needed due to the intensity of the uses in this area.

Sherrie Llewelyn then reported that the Form Based Code also detailed building types including storefront, stacked flat, row building, limited bay, yard building, and civic buildings as well as in what district they would be allowed. She said there would also be standards for roof types and other building specifications. Mrs. Llewelyn talked about future development, particularly the parcels adjacent to the Town Center area. She showed a map of the area with current vacant parcels, parcels with proposals, parcels with some level of approval, and parcels with the possibility for redevelopment.

Sherrie Llewelyn mentioned the Tidwell property and said that the Planning Commission reviewed and denied the initial development application. She said that the developer had two new proposals including a 20-unit two story apartment building or 10 duplexes, which would be allowed in the current R1-7 zoning.

Council Member Mumford asked about a potential of a trail connection adjacent to this development. Sherrie Llewelyn replied that it would be difficult to obtain with the current R1-7 zoning. She said that the duplexes would be a conditional use in the current zone or the property could be rezoned to a P District to allow apartments to be built.

Sherrie Llewelyn then showed another application for The Yard project that would go before the Planning Commission on July 23rd. This project consisted of 14 duplex units on 1.42 acres in the R1-7 zone.

Sherrie Llewelyn talked about future projects including completion of the Form Based Code ordinance, Main Street neighborhood zoning amendments, and evaluating and possibly amending residential zone regulations with a potential building moratorium in the area.

Council Member Horrocks commented that while the City was being inundated for proposals for multi-tenant housing and continual pushback from residents, some retail and commercial elements just would not happen. He said he did not like the idea of saying no to ten units and getting 20 apartment units instead.

Council Member Mumford said he agreed with Council Member Horrocks' statements and that while he voted for the general plan that the real issue was that certain areas were not highlighted in the plan. He gave the examples of the recent Winnie and Odell Lane housing developments and said that the City needed to be clearer with developers on areas outside the Town Center. He asked for a plan to be prepared for those areas based on what residents wanted.

Council Member Porter commented that he had issues with the R1-7 and RM-7 zones as they were not intended for apartments but to allow the current duplexes to remain in conformance. He suggested a moratorium and for staff to establish that these areas were for single family residences or one duplex, or if the property was more than one acre it would be a Planned District.

The Council discussed a moratorium for the R1-7, RM-7, and RM-20 zones until the Form Based Code or other standards were in place. David Church commented that a moratorium would not apply to any projects that had already submitted applications. He also said if the City downzoned an area that there had to be a rational basis for the decision. Mr. Church explained that a moratorium would only last six months and could create a potential backlog of applications for staff.

Ken Leetham spoke on the Main Street neighborhood and said he did not worry about downzoning areas with single family lots or similar properties that would not lose property rights. David Church stated that the key was not to interfere with a property owner's rights by downzoning.

2. ADJOURN

Mayor Arave adjourned the meeting at 6:57 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
JULY 16, 2019

FINAL

Mayor Arave called the meeting to order at 7:10 p.m. Council Member Ryan Mumford offered the invocation and Daniel Page, BSA Troop 1036, led those present in the Pledge of Allegiance.

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

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

OTHERS PRESENT: John Logan, John Beyer, Karen Mills, Marilyn Thorne, Roger Graves, Robert Evans, Manuel Delgado, Kyle Griffin, Jennifer Bertin, John Allen, Tom Johnson, Carl Rupp, Carl Teel, Rich Kendell, Dee Lalliss, Tim Brown, Torey Brown, residents; John Broberg, NSL employee; Geary Page, Daniel Page, BSA Troop 1036; Kyrena Gibb, Y2 Analytics; Jordan Atkin, TAG SLC; Greg Day, Darlene Carter, CW Land; Ashley Fine.

1. CITIZEN COMMENT

There were no citizen comments.

2. CONSIDERATION OF A PROPOSAL TO ADD SURVEILLANCE CAMERAS TO HATCH PARK

Mayor Arave commented that Ashley Fine, who was a friend of Mackenzie Lueck, would like to address the City Council.

Ashley Fine said she was a friend of Mackenzie Lueck who was last seen at Hatch Park in the City. She said one aspect of Mackenzie's disappearance was the lack of working cameras and the dummy cameras installed at the park. Ms. Fine said that while functional cameras in the park would not have saved Mackenzie's life it may have helped to solve her case quicker. She also felt that Hatch Park could become a place for crime without functioning cameras. Ms. Fine advocated for additional cameras in the park as there were now multiple media reports on the lack of working cameras, potential for the park to become a blind spot for crime, creation of a false sense of security for park goers, and a measure to help solve crimes.

Ashley Fine asked the City Council to conduct a safety evaluation of the parks and to install additional cameras immediately. She recognized Chief Black and the police department for their efforts in Mackenzie's case.

Mayor Arave commented that staff had prepared a proposal for additional cameras, which the Council had reviewed. He said that while the City had more cameras in their parks than most Davis County cities, that it did not mean enough had been done.

Council Member Baskin commented that she was sorry the City had intersected with this diabolical crime. She suggested that surveillance cameras be installed in Hatch Park with either live feed or alerts to the police to show when something was happening in real time. She felt that there were many ways this could be done frugally and reasonably.

Council Member Baskin moved that surveillance cameras be installed in Hatch Park with live feed and alerts. Council Member Porter seconded the motion.

Council Member Porter commented that any type of electronics or technology would require ongoing maintenance and updating.

Mayor Arave asked if the Council needed to accept the presented bid. Ken Leetham replied that staff was authorized to spend up to \$25,000 per current ordinances on the installation of the cameras.

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

3. CONSIDERATION OF A PROPOSED PROCESS FOR PUBLIC EDUCATION,
PUBLIC INPUT AND DATA COLLECTION RELATED TO THE HIRING OF A
GOLF COURSE OPERATOR FOR THE EAGLEWOOD GOLF COURSE

Ken Leetham reported that this golf course issue had been a rocky process but he appreciated the public comments that had been received. He suggested that the City schedule neighborhood meetings, hold a public hearing, and prepare a poll or survey for residents regarding the golf course management. Mr. Leetham spoke on the potential for Y2 Analytics to prepare an online survey at the cost of \$13,600, which would help the City to ascertain public feeling about the future of the golf course.

Council Member Baskin asked how the survey would be conducted. Ken Leetham replied that it would be an online survey with a follow up via mail.

Mayor Arave suggested that the question could be placed on the November ballot.

David Church stated that while some cities had placed questions on the ballot that items not authorized by the legislature were not encouraged. He said that the problem with opinion

questions was the process and whether it was binding. He also said someone could write legislation through an initiative but this could lead to election or financial issues.

Council Member Baskin commented that the Council had previously discussed changing the name of the City and that a poll of the residents came back with a 49% to 51% split. She asked what would be gained from this type of poll.

Mayor Arave said that the City could put up to 50 questions on the poll to explore what residents really wanted. He said the Council would need to decide and vote on the future of the golf course and that he would prefer to have this information from residents before voting. Ken Leetham commented that this would be an opportunity to explore some of the issues.

Council Member Horrocks said the survey could be a useful tool if the right questions were asked. Council Member Hood commented that he did not want to spend any additional funding to continue the process with GreatLife.

Council Member Mumford commented that residents did not like losing money on the golf course each year and the issue was how to solve the problem while protecting the City's asset. He said that GreatLife had presented a proposal but he would like the public's opinion on a solution.

Council Member Porter said that he felt this type of survey would divide the City but he would like public input as he was unsure if GreatLife was the answer. He expressed concern about the potential of the golf course shutting down in the future, if a solution was not found, as the property would then revert back to the developer. He also said that open space, such as the golf course, was an asset and would hate to lose it.

Council Member Horrocks said he would be willing to spend the money on the survey as this issue was one of the most divisive he had experienced during his time on the Council. He expressed concern about the trajectory of the game of golf in general, that the course would never break even, and the long term prospects. He said the GreatLife model was a different approach that had some success and the City could take the golf course back if it didn't work; however, he was discouraged by how divisive the idea had been. He said that he was okay paying for a loss and compared the golf course to a park on the other side of town that he may never utilize either, but that these amenities make the entire community better.

Council Member Baskin said the survey would assess the majority view if the questions were written in a way to get to the point of what residents wanted to do with the course. She felt that GreatLife may help the City to preserve the golf course for future use. She felt the survey could provide valuable information and consensus of where the community stood.

The Council discussed how the golf course was an asset, particularly to those who lived on/near the course, how many people did not golf, whether to accept that the course would run at a loss, golf course improvements, and a plan going forward.

Council Member Porter suggested that the Council could form a committee to review all the facts and make recommendations to the Council.

Mayor Arave said he was not against the suggestion to form a committee. He said that every municipal golf course was in this same boat of running at a loss.

Ken Leetham said that one of the issues was the limbo of whether to hire an operator or not. He felt that forming a committee would be a step forward. Council Member Porter responded that the committee could make the recommendation on whether to proceed with GreatLife, review the issues, present solutions, determine the limit on losses, and decide where the course could end up in ten years.

Council Member Hood moved to deny the proposed process for the public education, public input and data collection related to hiring a golf course operator at Eaglewood Golf Course, as well as form an Eaglewood Golf Course advisory committee. Council Member Porter seconded the motion.

Council Member Mumford asked Council Member Hood for clarification about the purpose of the motion. Council Member Hood said his motion was to deny the process of gathering info and paying money for a study, but he agreed with creating a committee like Council Member Porter suggested.

Council Member Porter said the committee should be mixed up, with people of opinions on all sides.

The Council asked whether it was appropriate to make a motion to form an advisory committee and whether the purpose was to end the discussion with GreatLife. It was determined that a committee would be formed and would review and present solutions to the Council which may include a partnership with GreatLife.

Mayor Arave also asked about the process of forming the committee. David Church said that the Mayor or Council could setup the process, including number on the committee, intent of the committee etc. and bring it back for review by the Council.

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

4. CONSIDERATION OF ORDINANCE 2019-08: AN ORDINANCE REZONING PROPERTY LOCATED AT 867 WEST 3800 SOUTH FROM HIGHWAY COMMERCIAL (CH) TO RESIDENTIAL (R1-7), TOREY BROWN, APPLICANT

Sherrie Llewelyn reported that this property was currently used as the 38 Street Salon but as the owners, the Browns, were retiring they would like to convert the building back into a residence with a home occupation salon. The applicant is requesting a rezone from Highway Commercial (CH) to Residential (R1-7). The Planning Commission reviewed and made a favorable

recommendation with four conditions including that the curb cut be converted to a residential standard curb cut, that a park strip and sidewalk be installed, removal of the business signage, and submission of a site plan for the front yard.

Council Member Mumford asked if there was an ordinance related to impervious surfaces. Sherrie Llewelyn replied that there was not an ordinance so the applicant would not need to replace the concrete with lawn but would need to show the City what they proposed to do.

Council Member Baskin asked about the two chair home occupation salon and if it was limited to only two chairs. Sherrie Llewelyn replied that the home occupation was limited to allowing one employee who lived outside of the home.

Council Member Porter asked why the property owner could not live the house with a home occupation in the current zone. Sherrie Llewelyn replied that residential developments with less than five units require a rezone to a Planned District in the CH zone. She said they would become a nonconforming use otherwise.

Council Member Horrocks moved that the City Council approve Ordinance 2019-08 to rezone property located at 867 West 3800 South from Highway Commercial (CH) to Residential (R1-7) with the following conditions:

- 1) Reduction of vehicular access to one, thirty-foot (30') maximum wide driveway or two fifteen foot (15') access for a circular drive;**
- 2) Installation of a park strip and sidewalk as well as the restoration of the curb and gutter in accordance with City standards;**
- 3) Removal of the 38 Street Salon sign; and**
- 4) Submission of a site plan depicting how the commercial parking area will be renovated to become a residential front yard.**

Council Member Porter seconded the motion.

Council Member Baskin commented that she had patronized this salon for many years and she hoped that Chesham Village did not force the decision.

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

5. CONSIDERATION OF A GENERAL DEVELOPMENT PLAN FOR THE WINNIE, PHASE 2, LOCATED AT APPROXIMATELY 650 NORTH ORCHARD DRIVE, CW LAND, APPLICANT

Sherrie Llewelyn reported that this was Phase 2 of the redevelopment of the Winegar's property. This item was tabled in May and the developer was asked to return with an amenity. She said they were proposing a dog park, to be shared between Phase 1 and 2, at this time.

Greg Day, CW Urban, reported that they tried to take the feedback and criticism regarding parking, open space, etc. to make changes. They determined that this amenity would be well used by both phases.

Council Member Hood asked how high the fence would be around the park. Darlene Carter, CW Urban, responded that the fence would be three to four feet high for visibility and that dogs would not be left unattended.

Council Member Hood expressed concern with dogs jumping the fence and getting hit on the nearby busy road. Darlene Carter replied that they were not opposed to raising the fence height.

Council Member Horrocks asked if the demographics they wanted to attract were single individuals or couples with no children. Darlene Carter said that this amenity did not speak to a demographic, but that due to the fact that the City has other great parks and playgrounds, this was a different type of amenity. She said they would appeal to a large demographic as this development would be semi-affordable housing.

Council Member Mumford asked about a pet fee. Darlene Carter replied that a security deposit and a monthly charge would be required.

Sherrie Llewelyn commented that more than half the project offered units for sale, so those in Phase 1 would not have a pet deposit or fee.

Council Member Mumford asked if the HOA for Phase 1 and 2 would be combined. Darlene Carter replied that Phase 1 would have an HOA. The developer would pay for the installation and operating fee of the dog park.

Council Member Mumford asked about the long term park replacement costs and plan for this amenity. He expressed concern about how to ensure that the property owners met their obligations regarding maintenance, etc. Darlene Carter replied that the costs and maintenance would be covered entirely by Phase 2 and the developer who would retain ownership of the property.

Sherrie Llewelyn commented that the maintenance would be permanently attached to Phase 2 in the event the property was sold. She said that long term maintenance by the property owner could be arranged in the development agreement. Mrs. Llewelyn also suggested that the developer could look at platting the open space as a separate parcel with both phases to be given an interest with shared maintenance and operation.

Darlene Carter replied that they could amend the CC&Rs to include a portion of the HOA fee be set aside for park maintenance, setup a maintenance company, or find some other solution.

Council Member Porter commented that the tandem parking was not feasible. He asked that the Planning Commission properly address this type of parking in the future even if that meant a change to the parking ordinance to not count tandem parking as two stalls.

Sherrie Llewelyn said it seemed like the occupants would self-select out of the tandem parking units but would not have an issue changing the parking ordinance.

Darlene Carter commented that the Planning Commission wanted them to increase their overall parking ratio. She said she was robust on tandem parking as less parking was potentially the wave of the future.

Council Member Mumford asked when the concerns would be addressed. Sherrie Llewelyn replied that the concerns would be addressed when the applicant returned for the final site plan, zone change and final development agreement.

Council Member Mumford asked if the developer would change to a different building style to allow side by side garages. Darlene Carter replied that this would result in a reduction of two units which would affect the economics of the project.

Council Member Porter commented that this item was politically charged and that tandem parking did not make sense. Greg Day said they received and incorporated feedback from the public and the Planning Commission. He said they already decreased the number of tandem units.

Mayor Arave asked about the total density for the project. Sherrie Llewelyn replied that Phase 2 had 24 units and Phase 1 was under 20 units for a combined 21.22 units per acre.

Council Member Hood stated that he felt like this was a bait and switch as commercial development was promised. Darlene Carter responded that while there were originally talks for commercial development that it was not possible based on lack of demand and current economics. She said they did not specifically promise commercial development there.

Council Member Porter clarified his politically charged statement and said this was an election year and several of the candidates were campaigning against high density housing.

Darlene Carter commented that she wished she could change this type of mentality in the area, as there was a need for affordable housing especially so people could afford to live in the City.

Mayor Arave clarified that this phase was not a bait and switch as the original multifamily housing plan could have been built at that time. He said the City then changed the zoning, which would not allow this plan. He said he appreciated the efforts made into obtaining some commercial development.

Council Member Hood asked about the price range for these units. Darlene Carter replied that Phase 2 would rent for \$1,500 which was competitive for the area.

Council Member Baskin moved to approve the proposed General Development Plan for The Winnie, Phase 2 located at 650 North Orchard Drive with the following conditions to be incorporated within the final zone change and development agreement approval:

- 1) The total unit count of phase 2 will be 20 units;**
- 2) The required parking density for phase 2 shall be 2.45 spaces per unit; and**
- 3) The questions regarding the dog park and utilization of the dog park will be incorporated into the final development agreement.**

Council Member Horrocks asked that a modification be made to the tandem parking.

Council Member Baskin amended her motion to reduce the total unit count by two units and incorporate side by side garages rather than tandem garages.

Council Member Horrocks seconded the amended motion.

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

6. CONSIDERATION OF A SUBDIVISION CONCEPT PLAN APPROVAL FOR ORCHARD TOWNHOMES PUD A TOWNHOME DEVELOPMENT LOCATED AT 142 SOUTH ORCHARD DRIVE, TAG SLC, APPLICANT

Sherrie Llewelyn reported that this property was currently zoned RM-20 and the proposal was to file a PUD subdivision. The RM-20 zone allows multi-family housing with a minimum lot area of 7,000 square feet for the first unit and an additional 1,900 square feet for each additional unit. Originally, they submitted the application with 27 units but after the dedication of additional right of way for the installation of the sidewalk it dropped the base density to 26 units. Additional parking and driveways were then added as well for a total parking proposal of 2.25 spaces per unit for 52 parking stalls plus 11 guest spaces.

The standard setbacks under the RM-20 zone are 25 feet for the front, 8 feet for the side and 20 feet for the rear setback. Under the PUD ordinance the Planning Commission has the ability to determine the required setbacks and approved the requested 15 foot setback from the property line after the dedication of 4.5 feet for a total setback of 22.5 feet from Orchard Drive. They also approved the proposed side yard setbacks of six feet.

Sherrie Llewelyn then presented elevations of the townhomes to those present. She explained that the townhomes facing Orchard Drive would be two stories high with a pitched roof for a total height of 29 feet. The downhill side of the units would be three stories with a rear entry garage on the basement level. The two western units would also be two stories at the front and three stories on the downhill garage side. The middle three buildings would all three stories with a maximum height of 39 feet.

Mrs. Llewelyn said that no amenities were proposed, the landscaping exceeded the 10% minimum requirement at 27% of the site, and the townhomes constituted approximately 32% of the site with the maximum coverage allowed by buildings at 50%.

Mayor Arave asked why the City allowed a reduction on the setback. Sherrie Llewelyn replied that the PUD ordinance allowed for variations in setback distances and heights. She said the Planning Commission found that the number of units would remain the same but the standard setback requirement would result in a loss of parking spaces.

The Council expressed concern with allowing a reduction in the front and side setbacks.

Council Member Hood stated that the Planning Commission was able to make changes to this development but the Council did not have the ability to make legislative changes. He said that there needed to be a review of the Planning Commission abilities.

David Church commented that this was a permitted use in the zone and the Planning Commission brought it forward with changes and recommendations that were allowed per the City ordinance. Sherrie Llewelyn also said that the PUD ordinance allowed the Commission to make these changes.

Mayor Arave asked if the Council had to approve the concept plan. David Church replied that the Council would have to show the factual basis or findings for denial. The decision would then be accepted or appealed by the Land Use Authority.

Council Member Hood felt it was a detrimental impact to only have a six foot setback. He said the neighbors had a right to the eight foot setback. Sherrie Llewelyn commented that the applicant was willing to revise their plan to meet the standard setback requirements.

Council Member Mumford asked about the downhill parking and proposed 10% slope. Sherrie Llewelyn replied that the front entrances along Orchard Drive would appear as a two story building. The road would then slope down in the back to the garage level, which would be a flat and level surface.

Council Member Baskin asked if engineering and drainage had been done. Sherrie Llewelyn replied that this was only concept plan approval. She said full construction and engineering would be done at the preliminary and final plat approval.

Paul Ottoson commented that there would be an underground retention system at the bottom of the slope for water. He said that this was a private street.

Council Member Porter said that the 10% slope seemed like a safety hazard and asked if they could require a heated driveway or other measures.

The Council discussed emergency access, the 10% slope, the exceptions to the setback standards, and whether they could deny the application.

Sherrie Llewelyn commented that the fire marshal reviewed the application. Paul Ottoson commented that the fire district rule required 22 feet of drivable surface, which could include the concrete of the curb and gutter.

David Church clarified that the applicant was willing to meet the standard eight foot side setbacks.

The Council identified several issues per the setback exception including that it placed the development too close to the road which was a safety issues, the aesthetics, noise, and height in comparison to the street.

David Church then said that if the application complied with the zoning ordinance then State law required approval. If the City Council denied the application they would need to identify why it was not in compliance.

Ken Leatham commented that the Planning Commission allowed the implementation of the PUD provision per the as they had the authority to allow that change.

Council Member Hood moved to table the concept plan for Orchard Drive Townhomes PUD until a new concept plan was presented showing eight foot side setbacks. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

7. CONSIDERATION OF SUBDIVISION CONCEPT PLAN APPROVAL FOR LAKE VIEW SUBDIVISION, INCLUDING A CONDITIONAL USE PERMIT FOR A FLAG LOT, FOR A 3 LOT SUBDIVISION AT 824 EAGLEPOINTE DRIVE, CARL RUPP, APPLICANT

Sherrie Llewelyn said the Planning Condition approved conditional use permits and that this was the concept plan. The proposed property, at 824 Eaglepointe Drive, would be located north of the church and south of the landslide property. Several developers previously tried to create a five-lot subdivision but were unable to obtain slope stability without the construction of the buttress. Carl Rupp was able to purchase 3.34 acres and has proposed to create three new lots.

Two of the lots would face Eaglepointe Drive and the third lot would be the flag lot where Carl Rupp would build his home. Under Chapter 12, Title 10 of the Sensitive Lands Ordinance, if the development passed concept plan review the applicant could proceed to a geotechnical hazards investigation. Sherrie Llewelyn explained that an original investigation had been started but it was unclear if additional borings had been done as requested by the City's consultant. It was expected that if the property did pass the geotechnical review there would be restrictions, particularly on the flag lot, on the grading, landscaping, watering, drainage, etc.

Mrs. Llewelyn stated that all three lots exceeded the minimum lot size of 10,000 square feet as lot one was 0.575 acres, lot two was 0.626 acres, and lot three was 2.144 acres. Each lot must

demonstrate a minimum 5,000 square foot building envelope of 30% slope and pass the geologic hazards ordinance. The Planning Commission recommended approval with three conditions.

Council Member Porter commented that the developer would have to prove the land was stable before the next steps could be taken.

Council Member Horrocks moved that the City Council approve the concept plan for Lake View Subdivision, a three lot subdivision at 824 Eaglepointe Drive subject to the following conditions:

- 1) Approval of a geotechnical study required by Title 10, Chapter 12 of the Land Use Management code, prior to submission of a preliminary plan application;**
- 2) The staff portion of lot 3 must be increased to the minimum width requirement of 30 feet; and**
- 3) Submission of slope analysis demonstrating building envelopes for each lot of at least 5,000 square feet with a slope under 30%.**

Council Member Mumford seconded the motion.

Council Member Horrocks commented that while the City did not generally want flag lots that this development seemed like the exception as it was a deep lot and the perfect place for a flag lot. Council Member Baskin agreed and said that overall flag lots were negative but this was a good utilization of the land.

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

8. CONSIDERATION OF AUTHORIZATION TO PURCHASE A PUBLIC WORKS INSEPECTOR VEHICLE IN THE PUBLIC WORKS DEPARTMENT

David Frandsen reported that the Public Works Department had budgeted to purchase a pickup truck for the Public Works Inspector. Staff had received bids from multiple dealerships with two that came in under the State bid price of \$35,604. Staff recommended purchase of an F150 4x4 Super Crew XL truck from Ken Garff Ford in American Fork for \$33,771.61.

Council Member Porter moved to accept the bid on the pickup truck for the Public Works Inspector from Ken Garff Ford in American Fork for \$33,771.61. Council Member Mumford seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

9. CONSIDERATION OF A BID AWARD FOR THE JORDAN RIVER TRAIL FROM CENTER STREET TO 1-215

Paul Ottoson reported that the City received grants to perform work on the Jordan River Trail. The project would begin at the south side of Center Street just east of the Jordan River bridge. It

would then run parallel to the east side of the Jordan River until it met the property owned by Salt Lake City where the Jordan River intersects the “oil drain”. It would then follow the oil drain where the trail goes under Legacy Parkway until it connects to the Legacy Parkway Trail at the fork of I-215 and Legacy Parkway.

Council Member Horrocks asked for clarification on the “oil drain”. Council Member Porter stated that the oil drain went from the refineries and siphoned under the Jordan River to the Great Salt Lake. He was unsure where the name came from but most of the water in the drain came from the water treatment plant.

Paul Ottoson said that many years there was a superfund site to clean the oil drain.

Staff received four bids with ACME Construction as the low bidder at \$282,155. The project budget was \$320,000. The grant funds were \$205,000, which left the City’s share at \$115,000. Staff would also obtain pricing for lighting along the trail which was not included in the total project budget.

Council Member Mumford commented that he rode his bike on the Legacy Trail and said that the underpasses had poor lighting. He asked that the City not spare any expense on lighting to ensure safety in those areas as it was an amenity for residents.

Council Member Baskin moved that the City Council award the Jordan River Trail-Center Street to I-215- project to ACME Construction, Inc. for the price of \$282,155.00. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

10. CONSIDERATION OF RESOLUTION 2019-27R: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT AN APPLICATION TO THE UTAH DEPARTMENT OF TRANSPORTATION FOR SAFE ROUTES TO SCHOOLS FUNDING FOR THE CONSTRUCTION OF SIDEWALK ON EAGLERIDGE DRIVE BETWEEN ORCHARD DRIVE AND PARKVIEW DRIVE

Paul Ottoson clarified that the staff report was incorrect and the route would be to Parkview Drive and not Parkway. He reported that the City applied for this funding every year and that there were about 100 children that would use this route from the roundabout to Parkview Drive. The completion of the sidewalk would result in sidewalks on both sides of Eagleridge Drive.

The Council expressed concern that the children would still have to cross the street at the roundabout. Paul Ottoson replied that the police chief recommended a crossing guard for that location.

Paul Ottoson said that the cost estimate for this project would be \$149,000. There would be no City match required for this grant but staff recommended a 20% match at \$29,800 with the grant request at \$119,200.

Council Member Baskin commented on the steep drop off on the south side and asked if a fence would be installed. Paul Ottoson replied that there would be an earthen berm.

Council Member Horrocks moved that the City Council approve Resolution 2019-27R authorizing the submittal of an application for the UDOT SRTS grant for the construction of sidewalk on Eagleridge Drive between Orchard Drive and Parkview Drive, and setting aside City matching funds. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter and Hood. Council Members Mumford and Baskin voted in opposition to the motion.

Council Member Mumford commented that it may be cheaper to have a crossing guard at the top and have the children cross on the north side rather than install a sidewalk.

Council Member Baskin commented that she would like to see a fence installed there. Council Member Porter asked staff to look at fencing after the grant was awarded.

11. APPROVE POLL WORKERS SELECTED BY DAVIS COUNTY FOR THE 2019 MUNICIPAL ELECTION

Sherrie Llewelyn reported that the poll workers were appointed by Davis County and were from Bountiful, which should ensure impartiality. The specific poll workers were Gayle Allen, Janice Spangenberg and Louise Thomas.

Council Member Baskin asked why the City would be concerned with approving specific poll workers. Ken Leetham replied that the purpose was to address any conflicts of interest with the named poll workers.

Council Member Horrocks moved to approve the poll workers for the 2019 municipal elections. Council Member Baskin seconded the motion. **The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

12. CITY ATTORNEY'S REPORT

David Church was excused.

13. ACTION ITEMS

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

14. MAYOR'S REPORT

Mayor Arave had nothing to report.

15. APPROVE CITY COUNCIL MINUTES

The City Council minutes of June 18, 2019 were reviewed and approved. **Council Member Baskin moved to approve the work meeting of June 18, 2019. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

Council Member Baskin moved to approve the City Council minutes for June 18, 2019. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

16. CITY COUNCIL REPORTS

Council Member Hood reported that the Youth City Council (YCC) would hold a movie in the park on August 9th. There would be food tents instead of food trucks as it would be cheaper for the City. He said they would be showing the movie UP as it was the ten year anniversary of its release.

Council Member Hood asked that staff review the Planning Commission responsibilities particularly related to conditional uses.

Council Member Mumford reported that he received multiple compliments on the bands and stage setup for the July 3rd celebration. He asked about the vandalism of the event signs along Redwood Road near Lee's Marketplace.

David Frandsen commented that the signs were hit by a car. Chief Black said that the City could make a claim against the driver's insurance.

Council Member Mumford also thanked staff for fixing a pothole in the Foxboro area.

Council Member Porter reported that the Wetlands Trail hike was not well attended but he was able to view the new Parks and Arts banners.

Council Member Horrocks spoke on the cameras and said that he had an app on his cell phone that allowed him to monitor his buildings. He suggested that motion detectors be installed in the parks.

Council Member Horrocks also spoke on a phone call he received regarding a potential benefactor of the golf course. The Council suggested that this individual could be on the golf course committee.

Council Member Horrocks commented on the Henry Walker sign at the intersection of Highway 89 and Eagleridge and asked that it be removed.

Council Member Baskin thanked the staff and Council for the agenda item regarding the cameras in Hatch Park. She then said she did not attend the Wetlands Trail hike as she was at the Utah Rivers Council. The presentation focused on the Bear River development project, which the Utah

Rivers Council opposed. She asked that the Utah Rivers Council be invited to make a presentation to the City Council. She also said there would be a water conservation conference on September 5th.

Council Member Baskin also commented that the Senior Citizens (Senior Lunch Bunch) did not seem to need her assistance. Council Member Porter said that he recently presented a history tour to the seniors at City Hall.

Council Member Horrocks commented that there was a landmark case where a fake camera lead to a lawsuit because an individual was attacked who felt she had some protection due to the camera. He asked if the City had immunity from similar lawsuits. Ken Leetham replied that the City did have immunity but they would be removing the fake cameras.

Mayor Arave asked for feedback about the building moratorium and providing direction for staff.

The Council wanted staff to review the R1-7, RM-7 and RM-20 zones, review by the Planning Commission, retaining property and development rights, and the potential for the R1-7 to revert back to its original zoning.

Sherrie Llewelyn clarified that the moratorium would not allow development applications to be filed for those zones for six months while the ordinances were reviewed.

Ken Leetham said the purpose of the moratorium would be to find out what the City Council wanted. He said the City was being assailed by developers to build multi-family and needed to determine the best course moving forward.

The Council also wanted to review the parking and density requirements in the ordinance as well.

17. CITY MANAGER'S REPORT

Ken Leetham thanked staff for their hard work pertaining to the July 3rd events particularly David Frandsen, Chief Black, and Linda Horrocks.

Mayor Arave reported that the \$1.4 million fire truck for the Foxboro fire station had arrived.

Ken Leetham also spoke on the cost estimates for pickleball courts at Mathis Park and Hatch Park. The Hatch Park proposal was to repurpose the existing tennis courts at the cost of \$55,000. The proposal for Mathis Park was \$85,000 for new courts. David Frandsen commented that the Parks and Arts Committee were in favor of the pickleball courts at Mathis Park.

The Council discussed potential restroom facilities, adequate lighting and parking options at Mathis Park for the proposed pickleball courts. Staff would prepare bid documents for Mathis Park.

Mayor Arave suggested that public input be received for the potential pickleball courts at Mathis Park.

Ken Leetham reported on the upcoming Tour of Utah and volunteer opportunities.

18. ADJOURN

Mayor Arave adjourned the meeting at 10:28 p.m.



Mayor



City Recorder