

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
SEPTEMBER 3, 2019

FINAL

Mayor Arave called the meeting to order at 6:12 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; Karyn Baxter, Assistant City Engineer; David Frandsen, Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; David Church, City Attorney; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

1. OVERVIEW OF PROPOSED REVISIONS TO THE CITY'S COMMUNITY FORESTRY ORDINANCE

Sherrie Llewelyn reported on the City's Community Forestry/Tree Ordinance that staff had been revising with the help of a consultant and Council Member Baskin. She explained that staff had obtained an extension on the accompanying grant but said the ordinance needed to be adopted at the next City Council meeting. This ordinance would set up regulations for street trees and trees in the right of ways, provide a map with soil conditions throughout the City, and would identify different tree types appropriate for certain areas.

Mrs. Llewelyn showed a map that identified soil conditions with a related spreadsheet showing the appropriate tree types for those conditions as well as for placement in the park strips. She said the ordinance would be updated with the proposed changes and the map and spreadsheets for the types of trees would be adopted into the standards and specifications manual. There would also be changes to the subdivision ordinance related to street trees on Redwood Road. The Community Forestry Ordinance would include definitions related to trees, tree diseases, and the role of the Park Superintendent.

Sherrie Llewelyn said that staff was proposing that part of the ordinance would include the requirement for residents to obtain a no fee permit to plant trees in the park strip. This would ensure that the appropriate trees were planted and also added to the GIS database for credit towards Tree City USA recognition. She said the ordinance would also address maintenance as well as removal procedures. Mrs. Llewelyn said that staff had discussed the potential to have a fund for reimbursement toward replacement trees. David Frandsen commented that sometimes trees needed to be removed especially if the roots were lifting up the sidewalk.

Sherrie Llewelyn said the ordinance addressed minimum specifications, planting requirements, spacing, minimum tree size per caliper, and prohibited and approved tree types. There was also a section related to the penalties for damaging or destroying public trees, which would be addressed through code enforcement. She said staff would work with Council Member Baskin regarding the compensatory fees.

Council Member Baskin said that the fees would be related to the loss of value and/or the replacement cost.

Mayor Arave commented on the trees that were cut down at the golf course by a resident and how the damage would be valued. Council Member Baskin said that the tree value could be determined by an arborist. She explained that replacing heritage trees or native trees that were established could cost a significant amount to replace.

Sherrie Llewelyn said that if a resident willfully damaged a tree, they could be required to pay replacement cost plus the loss of value. Ken Leetham commented that staff would review the trees that had been damaged at the golf course (behind the Mont Clair neighborhood) to see how they were recovering.

Mayor Arave asked about prohibited trees on someone else's property and if a neighbor could ask that they be removed. Council Member Baskin replied that a neighbor could trim the tree to their property line. The City could enforce removal on public property.

Council Member Mumford commented that it was the responsibility of a private property owner to obtain a permit to plant a tree in the park strip. He asked what would happen if a new tree was planted without a permit. Sherrie Llewelyn responded that if the species was appropriate for the park strip, the resident would be asked to file a permit. If the species was not permitted the resident would be required to remove the tree at their cost. Staff would provide public education on what trees were allowed, the planting permits, and when to plant.

Council Member Mumford asked if the City needed to be proactive in replacing existing prohibited trees. David Frandsen replied that there were some areas with trees that will become an issue.

Council Member Baskin said that the consultants toured the City and pointed out several places with issues such as trees planted too closely together in the Foxboro area.

Ken Leetham said that staff had an existing inventory of trees that had already done damage.

Council Members Baskin and Horrocks commented that they had previously planted trees that the nursery had recommended for park strips that had since caused damage to the sidewalk.

Sherrie Llewelyn said that through this updated ordinance with expert recommendations, that hopefully better recommendations would be made.

Council Member Horrocks recommended that the approved tree list be sent to local landscaping companies. David Frandsen said that the specifications and approved list would be sent to the landscaping companies and nurseries.

Council Member Porter mentioned a situation where an elderly resident's tree had caused damage to the neighboring property and how the City could not get involved as it was a private property dispute. Ken Leetham said that the City had dealt with similar situations multiple times.

2. APPROVE CITY COUNCIL MINUTES

The City Council minutes of August 20, 2019 were reviewed and approved. **Council Member Mumford moved to approve the City Council minutes from August 20, 2019 as amended. Council Member Baskin seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

3. ACTION ITEMS

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

Council Member Hood asked if staff had an update on potentially working with Woods Cross to improve their dog park. Staff had nothing to report at this time.

Council Member Baskin asked about the Century Link outages. Ken Leetham replied that he had sent an email to the City's contact at Century Link but had not received a reply.

Mayor Arave asked about the status of updating the City's master plan. Ken Leetham responded that with the moratorium in place, staff planned to look at revisions to the Land Use General Plan. He said that staff needed direction from the City Council on amendments that needed to be made.

Council Member Porter questioned whether any redevelopment on Orchard Drive would require rezoning to a Planned (P) District. Sherrie Llewelyn clarified that CS or CH zoning previously allowed for multi-family housing but a change was made so that any redevelopment to multi-family in those zones would require a zone change.

Council Member Baskin asked why it would be required to rezone to a P District for multifamily redevelopment. Sherrie Llewelyn responded that this would allow the City the ability to negotiate specific uses and the overall appearance. She asked when the City Council would be available for a joint work session with the Planning Commission to review possible code and General Plan amendments.

Ken Leetham said he felt the highest priority was changing the terms of several residential zoning districts under the moratorium per comments that had been made by the Council.

The Council Members felt the goal was to confirm what direction the City Council and Planning Commission wanted to go as well as review of the master plan. Ken Leetham commented that some of the issues related to recent redevelopment projects on Orchard Drive and Odell Lane were due to a lack of direction in the General Plan for those areas. He said it would be beneficial to the City and developers to know what the City Council expected for those areas.

Mayor Arave also asked about the master plan for parks. Ken Leetham replied that a process needed to be put in place. He suggested that there be public outreach to obtain data on preferences for the parks.

Council Member Mumford commented that there also needed to be a maintenance plan for roads and parks including a certain amount to be allocated for maintenance each year. Ken Leetham said that staff had prepared an inventory and plan for parks.

Council Member Mumford said that several parks need renovation, which would cost more than what the RAP tax amount would provide for. He asked where the money would come from and what the priorities would be.

The Council discussed impact fees, what funds could be used for maintenance or replacement, funding sources, and the purchase of property around Hatch Park.

Council Member Baskin suggested that it would be a good idea for the City Council and Planning Commission to deliberate how to address these issues in a progressive way.

4. CITY COUNCIL REPORTS

Council Member Baskin reported that she would be attending a meeting for the Legacy Parkway. She said the last meeting was related to the truck ban and how to regulate truck utilization of the Parkway. One of the proposed ideas was to have each mayor and city council write a resolution on ways to mitigate the damage, which could include reduced speeds, dedicated lanes, hours, etc.

Council Member Baskin reported that she would be attending a water conservation conference in Park City with the Utah Rivers Council and would report back to the Council.

5. ADJOURN

Mayor Arave adjourned the meeting at 6:58 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
SEPTEMBER 3, 2019

FINAL

Mayor Arave called the meeting to order at 7:15 p.m. Council Member Lisa Baskin offered the invocation and led those present in the Pledge of Allegiance.

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

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

OTHERS PRESENT: Dee Lalliss, Manuel Delgado, Nate Farnsworth, residents; Bruce Sedgwick, Public Works Department; Callye Cleverly, Sue Cole, Carmen Wilson, City staff; Bill Curtis, Janene Curtis, Braden Curtis, Anna Curtis; Andrew Bollschweiler, AE Urbia; Ryan Kimball, Kimball Investment Company; Darlene Carter, CW Land; Travis Davis, Hughes General Contractors.

1. CITIZEN COMMENT

Dee Lalliss said that when the redevelopment of the property across from City Hall was proposed that there had been discussion about widening the street. He asked if Center Street (Main Street) would be widened to match up with Hatch Park. Ken Leetham replied that staff would follow up on this item.

2. SWEARING IN OF POLICE OFFICER BRADEN CURTIS

Chief Black introduced Braden Curtis and his wife Anna. He said he personally knew Braden and his family, and while he generally avoided these types of situations, he felt confident that they would be able to maintain a professional working relationship. Braden has worked for West Valley for two years and fit in well with the City's police department.

Mayor Arave performed the swearing in of Officer Braden Curtis. Braden Curtis said it was a breath of fresh air to work for the City due to the residents. He said his first three months working for the City had been wonderful so far.

3. INTRODUCTION OF NEW EMPLOYEES

Ken Leetham said that changes had been made due to a retirement and a position change, which resulted in four new positions.

David Frandsen introduced Bruce Sedgwick who was previously a seasonal employee. He said that Bruce had accepted a position on the water construction crew. Mr. Frandsen then said Bruce was a great member of the team and was also a new dad.

Bruce Sedgwick said he was excited to be a full-time employee.

Ken Leetham introduced Callye Cleverly as the new full-time payroll clerk. He said she had a bachelor's degree in public administration and had worked for the Governor's Office of Economic Development, the Utah Housing Authority, and Salt Lake City.

Callye Cleverly said that she was excited to work for the City.

Ken Leetham said that all three of these employees were City residents and all had wonderful references. He then introduced Sue Cole and said she had taken a part-time position as a finance clerk. He said Sue had experience in payroll, accounts payable and receivable, with a certificate in financial administration.

Sue Cole said she has lived in the City for 25 years and loved raising her children here.

Ken Leetham introduced Carmen Wilson as the new part-time utility billing clerk. He said she had many years of experience including management at Walmart and a transportation company.

Carmen Wilson said she moved to the City from Stansbury Park. She said she loved the community and staff so far.

4. CONSIDERATION OF ORDINANCE 2019-07: AN ORDINANCE REZONING PROPERTY LOCATED AT 256 SOUTH HIGHWAY 89 FROM HIGHWAY COMMERCIAL (CH) TO P DISTRICT AND APPROVING RESOLUTION 2019-35R ENTERING INTO A DEVELOPMENT AGREEMENT (2019-31A) FOR WILLIAMSBURG LUXURY APARTMENTS, PENDLETON CONSTRUCTION, APPLICANT

Sherrie Llewelyn reported that this was the final step for the Williamsburg project. She said there were several items to be completed including the soil study, which would be submitted with the building permits. The current zoning was Commercial Highway (CH) and the applicant has applied for a P District rezone. She showed the final site plan, the landscaping plan, and the architectural renderings to those present. She explained that the plans had been updated from the original plan with a revised site plan, altered footprint, layout, new bus stop, widening of Highway 89, and decorative metal fencing to discourage jaywalking. The project would include four buildings with 214 multifamily residential units and 10,444 square feet of retail space. The

development agreement would require that the mixed use commercial building be constructed first. The property will have amenities such as pickleball courts, clubhouse, swimming pool, and BBQ area. The plan includes 167 underground parking spaces, 47 carports, and 179 surface spaces for a total of 415 spaces on the site.

The Planning Commission reviewed and recommended approval of the final rezone, development agreement, and site plan with the conditions that pedestrian access be added to the site plan at the northwest corner, provisions be made for a transit shelter/stop to be added to the site plan, the sidewalk location at the northeast property line be corrected without taper, and any engineering redline corrections.

Council Member Horrocks said he did not realize that the southern corner would not be vacated and asked if it could be screened from view. Sherrie Llewelyn responded that the property was owned by UDOT. She said the property may be leased by Hugh's RV and that the vehicles currently on the property were potentially abandoned. Staff would follow up on this.

Council Member Baskin asked if it was a requirement for building B to be so close to Highway 89 to accommodate the bus line. Sherrie Llewelyn said that building would be moved further away from the bus stop. Staff also requested that additional right-of-way of 28 feet from the curb be dedicated for a full bus stop and shelter at that location. She said there would be exits from building B that would lead directly to the bus stop.

Council Member Baskin asked about the setbacks in exhibit D. Sherrie Llewelyn replied that the exhibit in the development agreement would need to be updated to show that the front setback for building B should be 10 feet from the front property line and 20 feet from the curb for a total of 28 feet.

Council Member Horrocks moved that the City Council approve ORD2019-07 rezoning property located at 256 South Highway 89 from Highway Commercial (CH) to P District (P) and approving RES2019-35R entering into a development agreement (2019-31A) for Williamsburg Luxury Apartment with the following findings and condition:

Findings:

- 1) The proposed P District can be substantially completed within two (2) years of the establishment of the P District.**
- 2) The development contains one phase that can exist as an independent unit capable of creating an environment of sustained desirability and stability; and that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts.**
- 3) The proposed increase density will not generate traffic in such amounts as to overload the street network outside the P District.**
- 4) The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.**
- 5) Any exception from standard ordinance requirements is warranted by the design incorporated into the final plan.**
- 6) The P District is in conformance with the city general land use plan.**

- 7) Existing or proposed utility services are adequate for the population and use densities proposed.

Conditions:

- 1) The correction to the setbacks in Exhibit D of the development agreement.

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

5. CONSIDERATION OF A SITE PLAN FOR WILLIAMSBURG LUXURY APARTMENTS AT 256 SOUTH HIGHWAY 89, PENDLETON CONSTRUCTION, APPLICANT

Sherrie Llewelyn reported that the site plan for Williamsburg Luxury Apartments had been reviewed by the Planning Commission who recommended approval with the condition that retaining wall designs and soil reports be submitted with the building permits.

Council Member Porter moved that the City Council approve the site plan for Williamsburg Luxury Apartments located at 256 South Highway 89 with the following condition:

Condition:

- 1) Submittal of retaining wall designs and soils reports with building permits to the satisfaction of the City Engineer.

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

6. CONSIDERATION OF A PROPOSED PLAT AMENDMENT TO THE NORTH WOOD BUSINESS CENTER, AFFECTING LOTS 17, 18, AND 19 LOCATED AT 31 NORTH CUTLER DRIVE, CIR ENGINEERING, APPLICANT

Sherrie Llewelyn reported that these three lots, located on Cutler Drive, were zoned General Commercial (CG). The property owner had requested a plat amendment to more evenly distribute the acreage with lot 17A to be 1.972 acres, lot 18A to be 1.771 acres, and lot 19A to be 1.434 acres. The Planning Commission approved a site plan for lot 17A for the Utah Communications Authority (UCA) to house equipment and provide staging for the State's telecommunication network.

She showed the site plan with a small fenced storage unit in the rear. The applicant would be installing landscaping as well as sidewalk along Cutler Drive.

Council Member Porter asked if UCA was a government agency, and Council Member Baskin asked what type of agency. David Church replied that they were a government agency created by the State Legislature to oversee 911, Statewide radios, and dispatch.

Council Member Mumford asked what lots 18A and 19A would be used for. Sherrie Llewelyn replied that the applicant had not given the City any information on the use of those lots. She said they were focused on lot 17A as UCA would like to be into their building by the end of the year.

Council Member Baskin moved that the City Council approve the plat amendment for North Wood Business Center at 31 North Cutler Drive with no conditions. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

7. CONSIDERATION OF A GENERAL DEVELOPMENT PLAN FOR NSL BUSINESS DISTRICT LOCATED AT APPROXIMATELY 1005 WEST CENTER STREET, KIMBALL INVESTMENT COMPANY, APPLICANT

Sherrie Llewelyn reported that the 67-acre property was currently zoned General Commercial (CG). The proposed project would consist of 11 office/warehouse buildings containing approximately 900,000 square feet west of the Davis County storm drain canal. East of the canal would be commercial development potentially including office, retail, food, a C-store, offices, and a hotel, etc.

The Development Review Committee (DRC) discussed several issues that would be addressed in the development agreement or require additional cooperation between the City and the developer including a water feature or improvements to the Davis County Storm Water canal. Mrs. Llewelyn spoke with Davis County regarding potential improvements along the canal and found that while they were supportive of landscaping improvements there would need to be a 20-foot access along one side of the canal for maintenance as well as a permit for any improvements. The second item was an amendment to the plan to show the Redwood Road landscaping cross section with the required landscaping behind the curb at 24 feet of asphalt with a meandering eight-foot trail and street trees from the approved list. The third item was the requirement for the trail and landscaping along Center Street to be maintained. The fourth item was the need for a parking lot landscape island every 20 parking spaces with approved trees. The fifth concern was for the applicant to work with UDOT to gain approval of the main road access and potential installation of a traffic signal. She said that a meeting had been scheduled with UDOT, the developer, and City staff to discuss the potential of a traffic signal and the access.

The sixth item was the submission of a traffic study prior to preliminary plan that would address any needed additional right-of-way dedication on Center Street. The seventh concern was determining whether the main road would be a public or a private road if UDOT did not allow a traffic signal at the intersection. The eighth concern was tied to exploring shared access or cross easement access for future redevelopment of the Ball and Kelly properties. The final concern was the development of appropriate land uses that would be permitted in the development and compatible with the goals of the redevelopment area and were desirable to the City and the developer including a potential hotel.

The Planning Commission had reviewed this item and held a public hearing. There were no public comments and the Commission recommended approval with three conditions.

Mayor Arave commented that the City Council had been invited to tour a similar development in Draper and asked if that had already occurred. Ken Leetham replied that the tour could be scheduled.

Mayor Arave asked how many new jobs this project would generate. Ryan Kimball, Kimball Investment Company, replied that they estimated it would create approximately 600-800 jobs in the industrial portion of the project.

Council Member Baskin asked if this project was related to the inland port. Ryan Kimball replied that it was not related to the inland port project in any way.

Council Member Mumford asked about the phasing and how long the project would take to complete. Ryan Kimball replied that this was a concept plan and market demand would drive the project. He said that they would start to build off Center Street and work on the funding for the road.

Ryan Kimball clarified the lot sizes and square footages. He also said that this project was not related to the inland port as those type buildings would be configured for a larger user and a different product type.

Ken Leetham clarified that the access to Redwood Road was an important part of this development as staff had concerns about additional truck traffic on Center Street. He said UDOT had previously verbally agreed to a traffic signal and that with the proposed traffic volume the City would be able to make a compelling argument.

Council Member Mumford said that a traffic study would be performed and asked about the potential for a light on Center Street. Ken Leetham replied that the potential need for a light on Center Street should be included in the traffic study.

The Council discussed a future road connection through DATS Trucking.

Council Member Porter moved that the City Council approve the general development plan for the NSL Business District at 1005 West Center Street with the following conditions:

- 1) Verification of approval for improvements to Davis County Storm Water ditch;**
- 2) Amendment to the plan to show the Redwood Road landscaping cross section and trail and landscape along Center Street;**
- 3) Amendment to the plan to show a north/south trail along the storm drain canal.**

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

8. CONSIDERATION OF ORDINANCE 2019-10: AN ORDINANCE REZONING PROPERTY LOCATED AT 646 NORTH ORCHARD DRIVE FROM COMMERCIAL SHOPPING (CS) TO P DISTRICT AND APPROVING RESOLUTION 2019-34R ENTERING INTO A DEVELOPMENT AGREEMENT (2019-32A) FOR THE WINNIE, PH. 2, CW LAND, APPLICANT

Sherrie Llewelyn reported that the general development plan was approved by the Council on July 16, 2019 with a reduction to the total number of units to 18 townhomes with no tandem garages. The final step for the P District rezone was approval of the development agreement and the final plat, which would be an amendment to The Winnie Phase 1 lot 54. The Planning Commission reviewed the final plat and rezone with the development agreement and recommended several conditions including an addition of sidewalk on the north side of unit 71 and the relocation of a bus stop to be approved by UTA. The developer would be widening the park strip to eight feet with a five foot sidewalk to accommodate a bus stop. The third condition was approval of the balcony overhang into the shared private lane by the fire marshal. The Planning Commission also requested a condition related to requiring that the windows on the front and side facades be of architectural grade quality with an improved finish or trim.

Council Member Porter thanked the developer for removing the tandem parking at the expense of one unit.

Council Member Baskin asked if the exterior would be masonry or a facade. Darlene Carter, CW Land, replied that it would potentially be a thin brick product similar in color to the neighboring masonry.

Council Member Baskin commented that she did not like the thin brick and that real brick/masonry gave the appearance of quality.

Sherrie Llewelyn commented that sometimes the heavy masonry could also cause issues and said it was not always the best application.

The Council discussed building products in relation to the elements, safety, and appearance. Darlene Carter commented that the siding would be a quality fiber cement board and the masonry was more to create a cohesive look with the adjacent buildings. She confirmed that the thin brick would be the same price as full brick but an easier and better install.

Council Member Porter moved that the City Council approve Ordinance 2019-10: An ordinance rezoning property located at 656 North Orchard Drive from Commercial Shopping (CS) to P District and approving Resolution 2019-34R entering into a Development Agreement 2019-43A for The Winnie, Ph. 2 with CW Land with the following findings:

Findings:

- 1) **The proposed P District can be substantially completed within two (2) years of the establishment of the P District.**
- 2) **The development contains one phase that can exist as an independent unit capable of creating an environment of sustained desirability and stability; and that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts.**
- 3) **The streets proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the P District.**
- 4) **The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.**
- 5) **Any exception from standard ordinance requirements is warranted by the design and amenities incorporated into the final plan.**
- 6) **The P District is in conformance with the city general land use plan.**
- 7) **Existing or proposed utility services are adequate for the population and use densities proposed.**

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

9. **CONSIDERATION OF FINAL PLAT APPROVAL FOR THE WINNIE, PH. 2 AT 646 NORTH ORCHARD DRIVE, CW LAND, APPLICANT**

Council Member Mumford moved that the City Council approve the proposed final plat for The Winnie Phase 2 PUD at 646 North Orchard Drive with the following conditions:

- 1) **The addition of sidewalk on the north side of unit 71 be added to the final plat and construction drawings.**
- 2) **The relocation of the bus stop be approved by UTA.**
- 3) **The fire marshal approval the balcony overhangs into the shared private lane.**

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

10. **CONSIDERATION OF RESOLUTION 2019-33R: A RESOLUTION ENTERING INTO A NEW STATEWIDE UTILITY LICENSE AGREEMENT 2019-41A WITH UTAH DEPARTMENT OF TRANSPORTATION (UDOT)**

Ken Leetham reported that this utility license was required by State law and said UDOT would not allow any encroachment unless a current agreement was in place. He said that there were some wording changes in the new agreement versus the previous agreement. The new agreement would continue to allow the City to follow construction practices in the State code and provide for emergency procedures.

David Church commented that the new form was sent to all cities and was equivalent to the franchise agreement the City had for those entities accessing City streets for utilities.

Council Member Mumford moved to approve Resolution 2019-33R entering into a new statewide utility license agreement with UDOT. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

11. AWARDING A BID FOR CHIP SEAL ON 1100 NORTH

Karyn Baxter reported that 1100 North was a major arterial road with a high volume of traffic and greater vehicular weight than a typical residential street. The asphalt was beginning to deteriorate from the extreme traffic loading so staff recommended applying a chip seal course topped with a fog seal for the section from Redwood Road to the east of the mainline UPRR and UTA tracks. The area from the railroad tracks to I-15 was completed last year with a mill and asphalt overlay, which would be treated with a Type III slurry.

Ms. Baxter showed a map with the treatment locations and said the orange area was the area that was reconstructed and was scheduled for a chip seal and the green area was an overlay with a portion done by UDOT and was scheduled for a slurry seal preservation. She said there were many fine fissure cracks and a chip seal would seal up the cracks and preserve water from entering the road. Staff received two bids with Consolidated Paving & Concrete as the low bidder at \$121,283.60.

Mayor Arave asked if this treatment would fix the dips from large trucks that was shown on the road survey. Karyn Baxter replied that the section of the road where the chip sealing would be done did not show that type of rutting or unanticipated wear.

Council Member Hood asked about issues on 400 West. Karyn Baxter replied that the majority of the road would not be classified as failing.

Council Member Hood also asked about the timeframe for completion and street closures. Karyn Baxter replied that the chips could be placed anytime as that would not require a road closure. The discussion was for a night closure for the fog seal as it could cure in four to seven hours and the chips to be placed on the weekend with flagging or a closure at night. There was a requirement in the contract that all businesses would maintain access to one driveway.

Council Member Hood asked if the businesses would be informed of the road closure. He also said the businesses that accessed 1100 North should also be contacted as well. Karyn Baxter said that staff would inform each business individually and said that the majority of the businesses had double access driveways.

Council Member Baskin asked how many weeks the project would take. Karyn Baxter replied that it would only take several days to complete the entire project.

Mayor Arave asked if there were other preservation options. Karyn Baxter said that staff looked for the best option for the life of the road. She said removing all of the asphalt would be the best option but would cost ten times as much. This process would extend the life of the asphalt and preserve the base. Ms. Baxter said this chip seal should extend the life of the road by five years and that there were multiple options after that including another chip seal or a mill and fill.

Council Member Horrocks said if the City was on top of road maintenance that repairs would have been made to this road a year ago. Karyn Baxter said that as this road has deteriorated the cracks were not apparent several years ago and the decline has been very rapid.

Ken Leetham said it was possible that traffic counts have exceeded what was estimated and would be measured going forward.

Council Member Porter asked about the railroad crossing. Karyn Baxter replied that staff applied for a permit four years before the road widening but were unable to get them in time. She said the application was still pending and UDOT, who was now in charge of the railroad crossing safety program, should be completing the widening, installation of the new rails, and signal relocation by next summer. UDOT would also be paying 100% of the cost for the improvements and relocation.

Council Member Porter moved that the City Council award the 2019 miscellaneous street preservations to Consolidated Paving & Concrete for the price of \$121,283.60. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

12. CITY ATTORNEY'S REPORT

David Church reported on the potential Misty River annexation. Salt Lake County Council considered the resolution for annexation and tabled the item to allow for an inspection of the area. Utah State Law would require consent of the annexation by Salt Lake County. He said Lynn Pace, who was the Salt Lake City attorney, informed him that Salt Lake City would oppose the annexation if it included significant residential use due to the airport. The developer was still pursuing the annexation which would require the approval of the resolution by Salt Lake County. If the resolution was approved, a petition for annexation would then be submitted to the City. If Salt Lake City protested the annexation, the dispute would go before the Salt Lake City Boundary Commission.

Ken Leetham commented that the Salt Lake County Council would consider the resolution for annexation on September 10th. He also said the City's position was that if the property would be developed as residential properties the City would like the property to be developed in North Salt Lake as it would impact the City.

Mayor Arave asked if the flight path would be over the proposed property. Ken Leetham said that it was more of a noise issue.

Council Member Mumford commented that if the properties did not annex into the City they would not access the City's water or sewer services, and asked how likely development would be at that point. Ken Leetham said he was unsure. The developer felt the best entity to work with was North Salt Lake based on potential zoning and services.

The Council discussed the potential annexation including which school districts the development would access, increased traffic, the timeline for approval, land uses including the existing ranch, and the need for additional support for Lee's Marketplace.

Ken Leetham said he attended the Salt Lake County Council meeting related to the resolution and that several of the property owners who felt they had been mistreated by Salt Lake City expressed their concerns at that time. He also said that NSL did not seek expansion or the annexation but was responding to the property owners who had approached the City. Council Member Hood asked about the proposed density. Sherrie Llewelyn replied that the proposal was for approximately 9.5 dwelling units per acre but the density would be determined by the City Council if the annexation petition was made to the City. She also said Cross E Ranch wanted equestrian lots and preservation of the existing facility with agro-tourism.

Ken Leetham said the City Council was invited to Cross E Ranch on Thursday at 3 p.m.

13. CITY COUNCIL REPORTS CONT.

Council Member Hood reported that Dick's Market would be working with the Bountiful Food Pantry on the South Davis Pantry Pack Coalition. They approached the Youth City Council (YCC) about spearheading a food drive this month. He asked staff to advertise for volunteers on September 7th, 14th and 21st.

Council Member Porter reported that there was a sample traction material at Porter's Landing. He said the supplier was offering the product half off to the City and would meet with staff on Thursday. This material would help to prevent slipping and allow for easier traction.

14. MAYOR'S REPORT

Mayor Arave had nothing to report.

15. CITY MANAGER'S REPORT

Ken Leetham reported on the Deer Hollow pump station open house. He said the revised plan would be reviewed at the September 17th City Council meeting.

Mr. Leetham then reported on the Orchard Drive construction project and said that the project was very disruptive and inconvenient. He said on September 9th a segment of the road would be closed with access for local traffic only. Southbound traffic would be diverted to 3800 South and Highway 89 to avoid a detour by Orchard Elementary. Signage would be placed to inform

drivers of local traffic only access. He said staff would be sending out letters with a map to residents along 3800 South. The entire project would take 45 to 60 days to complete.

Council Member Porter asked about a crossing guard on 3800 South for children walking to Adelaide Elementary. Chief Black said that this area was out of the City's jurisdiction and that they had been in contact with Davis County.

Ken Leetham clarified that there was a crossing guard midway between Orchard Drive and Highway 89.

Ken Leetham then reported the splash pad was closed for the season.

Council Member Baskin asked if the splash pad had to be shut down during the summer. David Frandsen replied that it was shut down once for one day due to contamination.

Ken Leetham reported that there would be Ute Football games for the next five Saturdays at Legacy Park. September 14th would be the Get To The River event and the Jordan River Trail ribbon cutting. He asked for a City Council representative at the ribbon cutting.

Council Member Hood asked if the City could protect the splash pad during the football game as there had been incidents of vehicles being parked on the splash pad surface. David Frandsen replied that barricades could be placed during the games.

Council Member Horrocks asked about the previous football season and any issues. David Frandsen replied that parking was an issue but he did not hear any complaints. He said there was no damage to the park, and one of the sponsors offered \$100 gift certificates to the children to clean up the fields.

Ken Leetham reported that pickleball information would be provided at the September 17th Council meeting.

16. ADJOURN INTO LOCAL BUILDING AUTHORITY MEETING

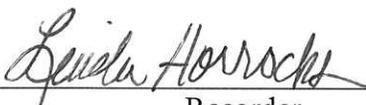
At 9:26 p.m. Council Member Mumford moved to adjourn into the Local Building Authority meeting. Council Member Baskin seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

17. ADJOURN

Mayor Arave adjourned the meeting at 9:38 p.m.



Mayor



Recorder