



CITY OF NORTH SALT LAKE

CITY COUNCIL MEETING NOTICE & AGENDA October 29, 2019

Posted October 24, 2019

Notice is given that the North Salt Lake City Council will hold a regular meeting on **OCTOBER 29, 2019** at City Hall, 10 East Center Street, North Salt Lake, Utah. A work session will be held at 6:00 pm in the Council Conference Room followed by the regular session at 7:00 pm in the Council Chambers. Some members may participate electronically. The following items of business will be discussed; the order of business may be changed as time permits.

WORK SESSION –6:00 p.m.

1. Parks Trails Arts and Recreation Advisory Board, Alisa VanLangeveld
2. Approve City Council Minutes – October 1, 2019
3. Action Items
4. City Council Reports
5. Mayor's Report
6. Adjourn

REGULAR SESSION - 7:00 p.m.

1. Introduction by Mayor Len Arave
2. Invocation and Pledge of Allegiance ~ Council Member Stan Porter
3. Citizen Comment
4. Presentation of Financial Report, Janice Larsen, Finance Director
5. Consideration of **Resolution 2019-41R**: A resolution for the recertification of the North Salt Lake Justice Court.
6. City Attorney Report
7. City Manager Report
8. Adjourn

CLOSED SESSION

1. Possible closed session for the purpose of discussing pending or reasonably imminent litigation; to discuss the character professional competence, or physical or mental health of an individual; to discuss collective bargaining; or to discuss the purchase, exchange, sale, or lease of real property. *Utah Code 52-4-205*

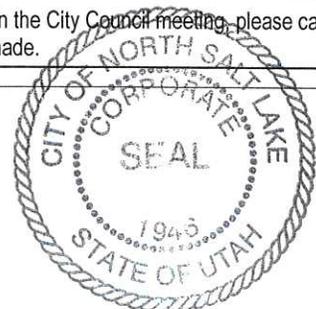
The public is invited to attend all City Council meetings. If you need special accommodations to participate in the City Council meeting, please call the City office at 801-335-8709. Please provide at least 24 hours' notice for adequate arrangements to be made.

Notice of Posting:

I, the duly appointed City Recorder for the City of North Salt Lake, hereby certify that the foregoing agenda was posted on the Utah Public Notice website, at city hall, and sent to the required newspapers this 24th day of October, 2019.

Dated this 24th day of October, 2019.

Lynne Hancock



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

4
5 **DRAFT**
6

7 Mayor Arave called the meeting to order at 6:12 p.m.
8

9 PRESENT: Mayor Len Arave
10 Council Member Brian Horrocks
11 Council Member Stan Porter
12 Council Member Ryan Mumford
13 Council Member James Hood
14 Council Member Lisa Watts Baskin
15

16 STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen,
17 Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; David
18 Church, City Attorney; Brent Moyes, Golf Course Director; Sherrie Llewelyn, Community
19 Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.
20

21 OTHERS PRESENT: Zach Frankel, Utah Rivers Council.
22

23 1. UTAH RIVERS COUNCIL PRESENTATION
24

25 Council Member Baskin introduced Zach Frankel as the executive director of the Utah Rivers
26 Council. She said it was a non-profit foundation, which focused on educating, researching and
27 advocating for rivers.
28

29 Zach Frankel provided some background on the Utah Rivers Council (URC) and said the council
30 was established 25 years ago to address State water issues. He focused on water conservation and
31 the proposed Bear River development project. Mr. Frankel said that the consensus from residents
32 had been that the State was running out of water. This response prompted URC to initiate an
33 audit by the legislative auditor general to investigate this question. The resulting 2015 audit
34 showed that 84% of the water used in Utah was for agricultural uses, 8% for industrial, and 8%
35 for municipal. The municipal use was then divided into 72% outdoor and 28% indoor. He said
36 that 95% of Utah's population was using just 2-3% of the water supply.
37

38 Zach Frankel explained that the proposed Bear River development was one water project being
39 proposed to satisfy the population growth in Salt Lake, Davis, Weber, Cache, and Box Elder
40 counties. The Bear River development would be a \$2 to \$3 billion dollar water project including
41 the construction of three dams to store the water. The State would finance the project and issue
42 30-50 year loans to the recipients of the water. One of URC's chief concerns would be the
43 impact on the Great Salt Lake as Bear River provided 60-70% of the surface water inflow to the

44 Great Salt Lake every year. He said if the river was diverted for municipal use that could cause a
45 2-4 foot elevation drop and greatly impact the Great Salt Lake. While it would be hard to
46 determine the overall impact, the Great Salt Lake was an important stop for 8-10 million
47 migratory birds each year and was a habitat for 200+ species. Other concerns were related to
48 mineral production, recreational uses, and air quality issues related to the depleted lake.

49
50 Zach Frankel showed a time lapse video of the diversion of Owens River from Owens Lake in
51 California and the remaining silt that had become dust storms. He said that as a result of the
52 diversion from Owens Lake the silt created some of the highest levels of PM-10 air pollution
53 ever measured in the U.S. The residents there then sued the EPA who sued the city of Los
54 Angeles. LA was then forced to spend \$2 billion to install water sprinklers for mitigation efforts
55 with a continual cost to run those sprinklers. Mr. Frankel then spoke on Utah's projected water
56 demand and potential supply. He showed a chart from the Utah Division of Water Resources and
57 said they based the calculations on water use in the year 2000 with projected population
58 increases. The projected water used was 295 gallons per person per day, which was well over the
59 national average of 148 gallons per day. He said when the auditors looked at the data behind the
60 graph, the State was unable to produce the water use documentation for their methodology or the
61 source documentation for the data used for their baseline.

62
63 Zach Frankel said one of the other challenges was based on how water was priced in Utah. He
64 showed a price comparison with other states and explained that the price for water increased
65 once residents reached a set volume. Mr. Frankel said Utah was one of the cheapest places in the
66 U.S. for water and compared Seattle at \$15.77 to Salt Lake at \$3.21 for the rate increase after
67 using 15,000 gallons.

68
69 Zach Frankel spoke on State Bill S.B.52 for Secondary Water Requirements and said while it did
70 not pass that it would be introduced again. The highlights of the bill included requiring meters
71 for all new secondary water and that \$10 million dollars in grants and low interest loans from the
72 State would be available for the meters.

73
74 Zach Frankel then explained the debt repayment obligations created by the proposed Bear River
75 development project. He said the economists tasked with determining how much this project
76 would cost found that the total cost would be \$1.66 billion with a yearly debt for Cache and Bear
77 River Water Conservancy Districts of \$50,200,000 each and \$41,800,000 each for Jordan Valley
78 and Weber Basin Water Conservancy Districts. Mr. Frankel said Bear River and Cache Water
79 Conservancy Districts did not need the water and could not pay that amount so they would most
80 likely opt out of participating in the project. This would result in too much debt and all the
81 existing property tax communities would then have to pay higher property taxes to cover the debt
82 even if they did not receive water from the Bear River development. He said water conservancy
83 was a much cheaper source of water.

84

85 Council Member Horrocks commented that based on Mr. Frankel's presentation, this project was
86 not needed and the conservation solution should be to focus on the 2% using water. He suggested
87 that the focus should be on the biggest water users, which was agricultural. Zach Frankel said the
88 challenge to make the agricultural irrigation systems more efficient was funding which could
89 come from the cities.

90

91 2. APPROVE CITY COUNCIL MINUTES

92

93 The City Council minutes of September 17, 2019 were reviewed and approved. **Council**
94 **Member Porter moved to approve the City Council minutes of September 17th for both the**
95 **regular and work session. Council Member Horrocks seconded the motion. The motion was**
96 **approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

97

98 3. ACTION ITEMS

99

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

101

102 Mayor Arave said he spoke with the South Davis Recreation Board and that although they did
103 not have the staff to do mental health presentations that the facilities could be used for this
104 purpose. He said staff could reach out to the Davis County Health Department and the National
105 Alliance on Mental Illness (NAMI).

106

107 4. ADJOURN

108

109 Mayor Arave adjourned the meeting at 6:55 p.m. to begin the regular session.

110

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
OCTOBER 1, 2019

DRAFT

Mayor Arave called the meeting to order at 7:03 p.m. Council Member Ryan Mumford offered the invocation and led those present in the Pledge of Allegiance.

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

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

OTHERS PRESENT: Mark Anderson, Johnathan Ward, Zions Bank; Dee Lalliss, Tracy Archuleta, Lyn Donovan, Jeff Donovan, Angie Keeton, Manuel Delgado, residents; Kyle Davis, Ryan Davis, Mike Alvord, Jordan Atkin, TAG SLC; Paul Poteet, Summa Terra Ventures; Bryce Thurgood, Mirella at Foxboro;

1. CITIZEN COMMENT

Jeff Donovan, 311 East Edgemont Drive, spoke on pickleball and said he and his wife played in tournaments all over the country. He said they usually had to travel to practice as the nearest courts in Woods Cross were always full. Mr. Donovan expressed that he would love to be involved in bringing pickleball courts to the City and felt Hatch Park would be a great location.

Mayor Arave commented that the pickleball courts were very expensive and the City would like to create master plans for the parks with the help of the City's Parks and Arts Board. He said the City reached out to the Utah Athletic Center who would like to open up their volleyball courts to the public for pickleball. Jeff Donovan replied that those courts were not great for pickleball. He said that pickleball was the fastest growing sport in the world and that over 640 courts had been built along the Wasatch Front in the last three years.

Council Member Mumford invited the Donovans to attend the next Parks and Arts Board meeting in October to discuss pickleball.

153

154 Council Member Horrocks said that the gymnasium floor in his church building had been
155 resurfaced and now included pickleball lines. Jeff Donovan said that residents had petitioned the
156 LDS Church to add pickleball lines and the new church policy was to add these lines if residents
157 requested it when the courts were resurfaced.

158

159 Angie Keeton, 1065 Windsor Drive, said she was the founding member of Save Legacy
160 Parkway. She thanked the City Council for their support and asked that they request UDOT set
161 the Legacy Parkway speed limit to 55 mph.

162

163 Tracy Archuleta, 134 East Hillside Garden, asked that the City Council revise the (Domestic
164 Farm Animal) ordinance related to sheep, goats and llamas to allow pygmy goats. She said that
165 pot belly pigs were recently allowed and said pygmy goats were not a nuisance and two should
166 be allowed per resident. Ms. Archuleta said she had a goat but was asked to remove the goat as
167 she was five points short of legally being allowed to have the goat on the property. She suggested
168 the change to the ordinance allow for two goats that were 22 inches in height at the shoulder and
169 not to exceed 125 pounds.

170

171 Mayor Arave asked staff to review the ordinance. Ken Leetham said staff would review the issue
172 and report back to the City Council.

173

174 Tracy Archuleta asked if she would be able to bring the goat back to her property at this time.
175 David Church said this matter had gone before the code enforcement officer and the
176 administrative law judge. He said the Mayor could remit fines and forfeitures but the City
177 Council would not be able to involve themselves once an item had gone to code
178 enforcement/appeal authority and would not be able to instruct residents to ignore ordinances.

179

180 Sherrie Llewelyn spoke on the hearing held September 18th and that Ms. Archuleta had been
181 cited based on complaints from neighbors. The hearing officer gave Ms. Archuleta a thirty day
182 stay which did not occur so on September 3rd she was served with a notice of the hearing. The
183 administrative law judge found that she was in violation of the ordinance and assessed a \$1,500
184 fine that was waived as she removed the goat from the property. Mrs. Llewelyn said she would
185 not be able to bring the goat back onto the property unless the ordinance was changed which
186 would then allow the goat.

187

188 Dee Lalliss asked about the installation of the traffic light near the train tracks. Paul Ottoson
189 replied that this project was funded mainly by UDOT and said the lights wouldn't be activated
190 until November. He said there were several near accidents due to the three sets of tracks there
191 and that this system would have sensors to activate the signal light when cars started to queue
192 there.

193

194 Mayor Arave asked that staff include information in the newsletter regarding the signal light at
195 the tracks.

196

197 2. CONSIDERATION OF RESOLUTIONS 2019-38R AND 2019-39R: RESOLUTIONS
198 AUTHORIZING THE ISSUANCE OF SALES TAX AND WATER REVENUE
199 REFUNDING BONDS AND RELATED MATTERS

200

201 Ken Leetham reported that the City's financial advisors from Zions Bank approached staff and
202 indicated that it would be a favorable time for the City to consider refunding and re-issuing the
203 existing sales tax revenue bond for parks and the water revenue bond. The estimated savings
204 would be approximately \$172,088 over the next eleven years of the remaining bond. It was also
205 estimated that the City could save approximately \$15,644 annually in a reduced payment.

206

207 Ken Leetham said that Mayor Arave had suggested that the City should pay off the parks bond.
208 He said staff could review this option and bring information back in two weeks or the Council
209 could approve that option at this time.

210

211 Mayor Arave asked the financial advisors from Zions Bank if it made sense to wait or pay the
212 bonds off now. Jonathan Ward replied that it was advantageous for the yield curve to be inverted
213 or flat when refinancing the long-term bonds that were outstanding.

214

215 The Council discussed paying the water revenue bond now and postponing action on the sales
216 tax revenue bond.

217

218 **Council Member Horrocks moved to approve Resolution 2019-39R: a resolution**
219 **authorizing the issuance and sale of not to exceed \$2,750,000 aggregate principal amount of**
220 **Water Revenue Refunding Bonds and to table Resolution 2019-38R relating to water**
221 **revenue. Council Member Baskin seconded the motion. The motion was approved by**
222 **Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

223

224 3. PRESENTATION AND DISCUSSION OF PARKS AND ARTS COMMITTEE 2020
225 PROGRAM-ALISA VANLANGEVELD, COMMITTEE CHAIR

226

227 Mayor Arave stated that this item would be postponed until the next City Council meeting.

228

229 4. CONSIDERATION OF AN AMENDED APPLICATION FOR A CONCEPT PLAN
230 FOR ARROWHEAD TWINHOMES (PREVIOUSLY A GENERAL DEVELOPMENT
231 PLAN APPLICATION) AT 150 EAST 350 NORTH, PAUL POTEET, APPLICANT

232

233 Sherrie Llewelyn reported that previously the developer had requested to rezone the property to a
234 Planned (P) District to construct 27 multifamily residential units. The Planning Commission
235 recommended disapproval to the City Council and the applicant requested to withdraw from the

236 Council's agenda. The developer has since amended their application to use the current R1-7
237 zoning. As the application was already in process and the plans were shown to the Planning
238 Commission and City Council, they would not be affected by the moratorium.

239
240 The proposed concept plan contains ten units within the 1.03 acre project area located at 150
241 East 350 North. The twin homes would be platted for individual sale with common areas for
242 landscaping and driveways. Each unit would have a two-car wide garage with an adjacent guest
243 parking stall or adequate driveway space. The Planning Commission recommended approval
244 with the condition that the preliminary/final plat show an easement in favor of the City for future
245 pedestrian and vehicular access to adjoining properties on both street stubs.

246
247 Sherrie Llewelyn said this development would be a PUD with private streets. She explained that
248 as there was a moratorium on 350 North, the developer would not be able to cut into the road
249 until next summer.

250
251 Mayor Arave asked if there would be a homeowners association. Sherrie Llewelyn replied that
252 there would be an HOA which would maintain the common area, landscaping, etc. and showed
253 the elevations and landscaping plan that had been received.

254
255 Council Member Mumford asked about the dimensions of the guest parking spaces. Sherrie
256 Llewelyn replied that the driveways would vary from 18 to 20 feet in depth. The adjacent guest
257 parking spaces would be 18 feet deep.

258
259 Council Member Mumford said the City code needed to be changed to require longer driveways
260 as it was a known issue as trucks would overhang into the street with the shorter driveways. He
261 said parking spaces must be 20 feet to count towards the parking total.

262
263 A discussion was had regarding the setbacks and the potential extension of the driveways.

264
265 Paul Poteet said they would request approval of the plan as presented as they met the City code
266 requirements.

267
268 Mayor Arave commented that code enforcement would ticket homeowners when their vehicles
269 extended over the sidewalk and/or into the street. The City Council determined that a condition
270 be placed in the motion related to the extension of the driveways.

271
272 **Council Member Horrocks moved to approve the concept plan for Arrowhead Twin**
273 **Homes located at 150 East 350 North with the following findings and conditions:**

274
275
276
277

278 **Findings:**

- 279 1) **The proposed development meets the minimum standards for a PUD subdivision in**
280 **the R1-7 zone, including lot size, height, landscaping, parking, and building**
281 **coverage;**
282 2) **The Planning Commission has the authority to authorize standards and**
283 **requirements for PUD subdivisions which may include lot area, width, yard, height,**
284 **and coverage;**
285 3) **Underground infrastructure will not be allowed to be installed in 350 North Street**
286 **until the three year moratorium on new road construction period has expired.**

287
288 **Conditions:**

- 289 1) **The preliminary/final plat show an easement in favor of the City of North Salt Lake**
290 **for future pedestrian and vehicular access to adjoining properties on both street**
291 **stubs.**
292 2) **The guest parking space be provided at a minimum of twenty feet.**

293
294 **Council Member Mumford seconded the motion. The motion was approved by Council**
295 **Members Horrocks, Porter, Mumford, Hood and Baskin.**

296
297 5. **CONSIDERATION OF SITE PLAN APPROVAL FOR MIRELLA AT FOXBORO**
298 **APARTMENTS AT 760 NORTH CUTLER DRIVE, BRYCE THURGOOD,**
299 **APPLICANT**

300
301 Sherrie Llewelyn reported that the site plan had been reviewed by the Planning Commission and
302 per the amended development agreement, the site was approved for six multifamily structures
303 with a total of 120 apartments. The buildings would be three stories tall with 270 parking spaces.
304 The Planning Commission recommended approval with five conditions including that the trail
305 along Redwood Road be no closer than eight feet from the curb, two pedestrian accesses be
306 added from the apartments to the trail along Redwood, verification of parking lot light poles in
307 conformance to the development agreement, and the submittal of irrigation plan. The fifth
308 condition for the correction of minor engineering redlines had been completed.

309
310 **Council Member Porter moved that the City Council approve the site plan for Mirella at**
311 **Foxboro, lot 7 of Foxboro Marketplace, at 790 North Cutler Drive with the following**
312 **conditions:**

- 313
314 1) **The trail along Redwood Road be no closer than eight (8) feet from the curb at any**
315 **point;**
316 2) **Two pedestrian accesses be added from the apartments to the trail along Redwood**
317 **Road, one from the north and one from the south;**
318 3) **Verification of parking lot light poles in conformance to development agreement of**
319 **themed lighting; and**

320 **4) Submittal of irrigation plan for landscaping, including the sizes and locations of all**
321 **secondary water connections.**

322
323 **Council Member Baskin seconded the motion. The motion was approved by Council**
324 **Members Horrocks, Porter, Mumford, Hood and Baskin.**

325
326 6. CONSIDERATION OF PRELIMINARY PLAN AND FINAL PLAT FOR TOWNES
327 AT VANTAGE POINT PUD AT 142 SOUTH ORCHARD DRIVE, TAG SLC,
328 APPLICANT

329
330 Sherrie Llewelyn reported that the property was under contract for sale to an alternative
331 developer/builder, Davis Builders. She said Davis had requested a name change for the project
332 from Orchard Townhomes to the Townes at Vantage Point as there had been some confusion
333 with the Orchard Grove Townhome development. This proposed plan was essentially the same
334 as what was presented at concept plan approval. The Planning Commission recommended
335 approval with two findings and two conditions.

336
337 Council Member Mumford asked if the reason why the applicant was modifying the existing
338 agreement that this would allow for approval during the moratorium. Sherrie Llewelyn replied
339 that the application was received before the moratorium and the only change was the name.

340
341 **Council Member Baskin moved that the City Council approve the preliminary plan and**
342 **final plat for Townes at Vantage Point PUD located at 142 South Orchard Drive with the**
343 **following findings and conditions:**

- 344
345 **Findings:**
- 346 **1) The proposed development meets the minimum standards for a PUD subdivision in**
347 **the RM-20 zone including lot size, height, landscaping, parking, and building**
348 **coverage;**
 - 349 **2) The Planning Commission has the authority to authorize standards and**
350 **requirements for PUD subdivisions, which may include lot area, width, yard, height**
351 **and coverage.**

- 352
353 **Conditions:**
- 354 **1) Completion of engineer redlines on the civil drawings; and**
 - 355 **2) The addition to the final plat an easement in favor of the City of North Salt Lake for**
356 **future pedestrian access to the adjoining property to the west.**

357
358 **Council Member Porter seconded the motion. The motion was approved by Council**
359 **Members Horrocks, Porter, Mumford, Hood and Baskin.**

360
361

362 7. CONSIDERATION OF RESOLUTION 2019-37R: A RESOLUTION APPROVING
363 AGREEMENT 2019-47A, ACCEPTING A PARTIAL ASSIGNMENT OF RIGHTS OF
364 DEVELOPMENT AGREEMENT (ARG-2019-19A) FROM CW THE RIDGE, LLC TO
365 DRP UT 1, LLC AFFECTING CERTAIN LOTS WITHIN THE RIDGE PUD
366

367 Sherrie Llewelyn reported that the developer of The Ridge PUD was selling certain lots to Toll
368 Brothers Construction. As part of the sale, the parties would form an LLC for the transfer and to
369 allow the entity to also assume responsibility for the implementation of the development
370 agreement and rights associated with the agreement. The development agreement required the
371 consent of the City for the assignment of the agreement, which the city may not unreasonably
372 withhold. She said it would secure Toll Brothers' interest in the event that CW Land did not
373 install infrastructure that they would be bound to do so.
374

375 Council Member Porter asked about bonding. David Church replied that nothing would change.
376 He said this was anticipated when the development agreement was written and would protect the
377 property owners to have benefits of the development agreement.
378

379 **Council Member Mumford moved that the City Council approve RES2019-37R approving**
380 **AGR2019-47A accepting the partial assignment of development rights for The Ridge PUD**
381 **on certain lots as detailed in the agreement. Council Member Horrocks seconded the**
382 **motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood**
383 **and Baskin.**
384

385 8. CONSIDERATION OF RESOLUTION 2019-40R: A RESOLUTION REQUESTING
386 THE UTAH DEPARTMENT OF TRANSPORTATION TO SET THE LEGACY
387 PARKWAY SPEED LIMIT AT 65 MILES PER HOUR
388

389 Ken Leetham reported that he had communicated with the city managers of Woods Cross and
390 West Bountiful on the potential for a resolution for a speed limit of 65 miles per hour or less on
391 Legacy Parkway.
392

393 Council Member Baskin said she felt this was a good idea as it placed the cities in a better
394 position to negotiate the speed limit with UDOT. She said after speaking with a State legislator
395 that he recommended 60 miles per hour on the parkway.
396

397 **Council Member Baskin moved that the City Council adopt the amended Resolution 2019-**
398 **40R: a resolution requesting the Utah Department of Transportation to set the Legacy**
399 **Parkway speed limit at 60 miles per hour. Council Member Mumford seconded the motion.**
400 **The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and**
401 **Baskin.**
402

403 Council Member Baskin asked that the body of the resolution be amended to reflect 60 miles per
404 hour as well.

405

406 9. CITY COUNCIL REPORTS

407

408 Council Member Hood reported that the Youth City Council (YCC) would have a leadership
409 training meeting on October 25th. He said all of the executive committee members would
410 receive this training and asked that the Council Chambers be reserved.

411

412 Council Member Mumford reported on the NSL Reads event. He said local author Brandon Mull
413 was a guest presenter and drew a crowd of 309 people, which was the highest attended NSL
414 Reads event. He also said there were double the amount of writing entries as well in the writing
415 competition.

416

417 Council Member Mumford thanked City staff as there were no complaints related to the use of
418 the parks for the football and soccer games. He said the Halloween fun run would be Saturday
419 October 26th at 9:30 a.m. Council Member Hood asked that staff advertise this event on the City
420 website.

421

422 Council Member Porter reported that the Saturday morning hike was great. He also said when he
423 looked up the City on Google that the question “Is North Salt Lake a good place to live” that the
424 answer showed that the City was one of the best places to live in Utah.

425

426 Council Member Horrocks asked for an update on Stericycle. He also said he was contacted by a
427 resident about flooding in his backyard due to the golf course and that the Trust denied the claim.
428 Ken Leetham replied that he was unaware that the claim was denied.

429

430 Council Member Horrocks asked if it was worth obtaining a supplemental insurance policy to
431 cover cases where the Trust denied a claim. David Church replied that another insurance policy
432 would only cover a claim based on fault. He said it would be based on the insurance adjuster
433 who may evaluate the claim the same way.

434

435 Ken Leetham spoke on insurance claim denials and negligence. David Church suggested that as
436 many of the claims were related to water or sewer that one solution would be a “no fault” fund in
437 those accounts that would cover small claims and could be paid “in house” without involving the
438 insurance company.

439

440 David Frandsen spoke on the residential flooding near the golf course. He said the flooding
441 caused damage to the retention walls but he had not discussed the issue with insurance.

442

443 Ken Leetham suggested that there could be a cap on the small claims amount. He said staff could
444 prepare a proposal to be reviewed by the City Council to address these small insurance claims.

445

446 The City Council discussed policy that would address flooding, water line breaks, replacement
447 cost, and whether to replace water line breaks up to the meter/house or any potential damage
448 inside the house.

449

450 David Church said State law required that the City must notice residents annually that they
451 owned the lateral inside the meter. He said the City policy was that the City owned up to the
452 meter and the resident owned from the meter to the house. The question was whether to change
453 the policy from the public water system running from the meter out to say the public water
454 system runs from the house out.

455

456 Council Member Baskin spoke on climate change and the recent storms. She asked if the City
457 was in the business of insuring an increasing number of water problems.

458

459 David Church said the storm water systems were designed for 10, 25, 100 year storms and there
460 was an immunity from those design decisions. He said if a storm overwhelmed the system the
461 City would be immune to those damages. Mr. Church said there were a lot more events that were
462 overwhelming those systems.

463

464 Council Member Mumford asked about the design threshold and what developers were required
465 to build. Paul Ottoson replied that the underground storm drain pipe was for a ten-year storm and
466 the regional detention basins were designed for a hundred-year storm. He said the streets were
467 also designed to handle a hundred-year storm to lead to the detention basins.

468

469 David Church commented that a hundred-year storm had a one percent chance of occurring in
470 any given year. Ken Leetham said that based on the City's topography that there were more
471 cloudburst rain events with high amounts of rain occurring in a short period of time. He said this
472 resulted in manhole covers popping off and rocks rolling into the streets.

473

474 Council Member Horrocks asked if the damage to Eaglewood Drive would be repaired by the
475 snowfall. Paul Ottoson replied that it would be.

476

477 Council Member Mumford asked if there were any reported cases of West Nile virus in Davis
478 County. Council Member Horrocks replied that there was one case.

479

480 Council Member Porter suggested that solar pumps could help with the standing water issues.

481

482 Council Member Baskin praised the police on a response to an incident at Deer Hollow Park.
483 She also said the walk with Senator Weiler along Legacy Parkway was enjoyable.

484

485 Council Member Baskin also reported on the Century Link outage and said there was a 48-hour
486 equipment failure.

487

488 10. MAYOR'S REPORT

489

490 Mayor Arave reported that the next golf course committee meeting would be held on Friday
491 October 4th and the public was invited to attend.

492

493 Mayor Arave said that the Council and staff were invited to Wasatch Front Regional Council
494 (WFRC) implementation workshop on the long-range plan to be held October 30th in
495 Farmington.

496

497 Mayor Arave reported on Stericycle and said staff had been trying to contact them for several
498 weeks. Staff contacted the State and determined that if Stericycle did not leave within three years
499 that the Department of Environmental Quality (DEQ) would revoke their permit. He said a new
500 agreement was signed in July.

501

502 Council Member Porter asked for a copy of the new agreement between the DEQ and Stericycle.

503

504 11. CITY ATTORNEY'S REPORT

505

506 David Church reported there was nothing new to report as all the same negotiations were
507 occurring.

508

509 Council Member Porter asked if any information that had been discussed in the closed sessions
510 had been made public yet. David Church replied that it had not been made public at this time.

511

512 12. CITY MANAGER'S REPORT

513

514 Ken Leetham thanked the Mayor for getting involved with the Stericycle issue. He said the
515 lobbyist was able to setup a call and obtain some answers.

516

517 Ken Leetham asked about having a short City Council meeting on November 5th for a bid award
518 of the Deer Hollow water pump building. He also said there would be a joint meeting with the
519 Planning Commission on Tuesday to discuss the form based code.

520

521 Ken Leetham said the 1100 North chip seal project would be delayed until spring due to the
522 weather but the contractor would honor the awarded price. He also said the next golf course
523 committee meeting would be held October 4th at noon.

524

525 Mr. Leetham spoke on the housing repair grant program funded through CDBG funds and said
526 there was a cost overrun of \$7,000. He said this was due to the fact that a contractor passed away
527 during the middle of several projects. Several of these project had to be rebid resulting in the cost
528 overrun. He asked if the Council would allow the City to use housing funds from the RDA to

529 cover the overrun. The City Council felt it was acceptable for staff to use funds from the RDA to
530 cover the cost overrun.

531

532 Ken Leetham said that the next step for the 1100 North bridge would be to obtain an
533 appropriation during the 2020 legislative session for an engineering and design study for the
534 1100 North bridge. He asked Woods Cross to participate in the cost of a local match for the
535 study.

536

537 Mr. Leetham said that the Woods Cross city manager would also be discussing the potential for a
538 shared dog park during their city council meeting. He showed a possible 1.25 acre location in
539 Woods Cross that was currently being used as a detention area. There would be a 50/50 cost
540 share between the two cities for the dog park.

541

542 The Council discussed different areas for a dog park including Fox Hollow and Hatch Parks,
543 potential issues such as proximity to residential or the splash pads, enforcement, fencing,
544 parking, maintenance, a legal agreement with Woods Cross, amenities, etc.

545

546 13. ADJOURN INTO CLOSED SESSION TO DISCUSS PENDING OR REASONABLY
547 IMMEDIATE LITIGATION; TO DISCUSS THE CHARACTER, PROFESSIONAL
548 COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL; TO
549 DISCUSS COLLECTIVE BARGAINING; OR TO DISCUSS THE PURCHASE,
550 EXCHANGE, SALE, OR LEASE OF REAL PROPERTY

551

552 **At 9:13 p.m. Council Member Baskin moved to go into closed session to discuss the**
553 **potential purchase of real property. Council Member Horrocks seconded the motion. The**
554 **motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

555

556 14. RECONVENE INTO REGULAR SESSION

557

558 **At 9:36 p.m. Council Member Mumford moved to go out of closed session and into the**
559 **regular session. Council Member Horrocks seconded the motion. The motion was approved**
560 **by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

561

562 15. ADJOURN

563

564 Mayor Arave adjourned the meeting at 9:36 p.m.

565

566

567

568

569

Mayor

City Recorder

Action Items (for October 29, 2019)

Item	Staff	Description
New		
1	Sherrie	Staff to reach out to Davis County Health and National Alliance on Mental Illness (NAMI) about providing suicide training/community classes. <i>Sherrie contacted NAMI; the Davis County Affiliate representatives would like to meet with the Mayor to discuss the specific issues, the services offered in the area and discuss the possibility of the City hosting an Ending the Silence event for the community to educated the citizens about the resources offered by NAMI in the area (classes, support groups, family support groups, school programs, etc.) (10.21.2019)</i>
2	Sherrie	Staff to review City ordinances and the potential to allow multiple pygmy goats over 22 inches in height in areas under 50 points. Similar to potbelly pig ordinance change and also Midvale City ordinances. Provide information to City Council at future meeting. <i>Sherrie has provided a memo regarding research on pygmy goats, she does not recommend amending the ordinance to allow them on lots less than 20,000 sq. ft. (10.21.2019)</i>
3	Paul	Staff to provide information in the newsletter/social media regarding UDOT light project at the train tracks and that it will be activated in November. Include information about the project and that it will be a warning light triggered by queuing and sensors, etc. <i>Paul has prepared requested information and it will be published on social media.</i>
4	Sherrie	Council and staff invited to WFRC implementation workshop on long range plan to be held October 30 th in Farmington <i>Staff is planning to attend the workshop, invite has been forwarded to Planning Commission as they and council members are invited. (10.21.2019)</i>
5	Ken	Staff would prepare a proposal related to small insurance claims and a fund to pay for these types of items in-house rather than submitting them through insurance.
6	Paul	Council Member Porter also asked that staff investigate the storm drain pipe under the Legacy Trail to see how much silt was in the bottom. <i>Paul to provide update to the City Council on 10-29-19</i>
Current		
1	Craig, Paul Ken	Staff to potentially suggest a truck route for southbound truck traffic from Flying J per Region 1. <i>Staff will set up a meeting with UDOT about possible routes and signage.</i>
2	David	Staff to look at who is responsible for maintenance of landscaping along Jordan River Trail near the siphon drain at south end of Riverbend Industrial Park. <i>Parks staff will inspect and maintain this area as needed. Staff will also reach out to adjacent property owner and discuss the matter with them.</i>
3	Mayor	Mayor to discuss potential suicide training/community classes with Rec District. <i>See new item 1 above. (10.21.2019)</i>
4	Ken Janice David	Look at level of service for soccer/football games at City parks by comparing incoming funds and cost of water plus contractor to mow grass. CM Mumford requested that staff review the contract (football) to see how much they are paying versus cost of services before games this Saturday. <i>Cost analysis will be prepared and shared with the Council.</i>
5	Paul, Craig	Safety committee to review speed limit on Orchard Drive and lowering it to 25 mph along entire street. <i>Paul will study relevant items related to the speed limit and parking and report back to City Council.</i>
6	Sherrie	Staff to reach out to Utah Athletic Center regarding pickleball league and/or discount to residents for use of pickleball courts. <i>Staff met with UAC, they expressed interest in partnering with the city, perhaps doing some joint research on recreational needs in the community, including pickleball to determine the number of courts needed, hours, number of potential participants, etc. UAC will make a proposal to the City in the next few weeks.(10.20.2019)</i>
7	Sherrie	Staff to look at abandoned boat/vehicle storage at Hugh's RV – <i>Staff working with developer to remove vehicles. Staff spoke with Scott Hughes, the issue with the remaining RVs is that they have been abandoned for many years. In order to remove them for disposal Scott has to work with the</i>

		<i>DMV to obtain titles to them (like a quiet title action). He continues to work with the DMV and they are giving him about 2 titles per week.</i>
		<i>There has been some homeless activity/squatting on the site. The PD has been informed. Developer is working on the asbestos clearances to obtain demolition permits to address the homeless/squatting issue. (10.21.2019)</i>
8	Sherrie	Set up council (and PC) tour of White Mountain development in Draper (Kimball Investment)- <i>staff needs info from Council on desire for mornings, afternoon, or evening and day of week that is best. Buildings at 271 West 12800 South, Draper. (10.20.2019)</i>
9	Linda	Digital PDF of new resident information packet on the website with link on social media – <i>Linda is working on new packet.</i>
10	Sherrie	Staff to look into the removal of the Henry Walker sign at the intersection of Highway 89 and Eagleridge. <i>Sherrie researched the signs. She contacted Chad Bessinger with EV Commercial and he said they would take the Henry Walker sign down immediately. The Eaglewood development signs, one is on city property west of the roundabout, the others along Eagle Ridge Dr. have been referred to code enforcement for citation. (10.21.2019)</i>
11	Paul Sherrie Ken	Staff to review what stipulations were placed on the road within the Eaglewood project (Eaglewood Village proposal with Brighton Homes) and the potential to vacate that road. <i>Staff currently researching existing regulations and contracts on this matter.</i>
12	David Ken	Staff to work with Woods Cross to improve their dog park and discuss potential for a new dog park in the area. <i>City Staff is reviewing other communities' dog parks and preparing a recommendation for the City Council. Woods Cross City has tentatively indicated a willingness to participate.</i>
13	Ken	Review security at City Hall and Parks building.
14	David	Bikes coming too fast from flow trails into Wild Rose Park – need better signage to stay on trail out to parking lot. <i>Signage will be installed through an Eagle Scout project. Staff working on physical barrier at the base of the hill.</i>
15	Janice	CM Mumford asked for cost of the youth soccer program <i>(Staff to provide summary and information at the end of the fall season – October, 2019).</i>
16	Ken Craig	Staff to work on emergency preparedness reporting and coordination with Davis County rather than NSL – and whether it should be organized and run by South Davis Fire. <i>Staff is working with surrounding communities and Fire District to evaluate staffing needs and possible employee sharing</i>
17	Paul David Ken	Various assignments related to water and water planning including: collection of water usage data by area, analysis and recommendation related to water conservation rate structure, and long-range planning for water needs. <i>Staff met with Weber Basin Water Conservancy District and requested their assistance with a water rights application for re-use water and to evaluate the City's report on water usage, source, storage and distribution.</i>
18	David, Ken	Staff to follow-up on adding trees to park strips on Fox Hollow at roundabout. <i>Ken will report.</i>
19	Linda Ken	CM Porter asked for recognition/formalization of the City's History Committee on a future agenda. <i>Staff reviewing history committees of other cities and will draft resolution.</i>
20	Linda	Staff to arrange a tour of Wasatch Resource Recovery Plant for interested City Council members and staff. <i>Schedule with Matt Myers (Wait until late summer to be fully operational.)</i>
21	Ken	Staff to report back on the progress of mining on Monte Thomas parcel. <i>Ken had a phone call with David Church and Jody Burnett on this matter. More research will be required and staff will continue to work to understand the impacts of HB288, Critical Infrastructure bill (gravel and mining operations).</i>
22	Paul David Sherrie	Staff to prepare options for repair/replacement of Eaglewood Village dock. Also look at placing trees around the pond or adding this area to Arbor Day. <i>Draft concept plan was presented to Parks and Arts Board. Concept plan was cost prohibitive - will look at a simpler design.</i>
23	Ken Sherrie	<u>Items for staff to do related to proposed Kimball property development:</u>

	Janice	<p>a. potential for a moratorium to adopt architectural standards for the area and work with developer on type of architecture <i>Development will be a P-District and we will require building standards and address sign standards in the development agreement</i></p> <p>b. work with Ball and Kelly families on potential purchasing properties (before July) and/or cleaning up streetscapes</p> <p>c. determine value generated by CDA and potential to increase percentage and length of time?</p> <p>d. work with developer on zoning for the area including talking about potential for provisions to minimize trucking operations (?)-<i>will be addressed in development agreement</i></p> <p>e. setup Council tour of White Mountain development in Draper-<i>see item 10 above</i></p>
24	Ken	Staff to contact SDRC director for details about a possible South Davis Rec Center facility in NSL, and will perform a review of possible uses of CDA funds for property acquisition.



CITY OF NORTH SALT LAKE

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

Len Arave
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: October 29, 2019

SUBJECT: Finance Director Update

Just short note to let you know that Janice will be presenting some financial information to you at the meeting. She will be going over details about the fleet fund, which the Council previously asked about, the City's cash balances and other general financial data.

BLAISDELL, CHURCH, & Johnson L.L.C.
ATTORNEYS AT LAW

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SALT LAKE CITY, UTAH 84123
Email: bclaw@xmission.com

TEL (801) 261-3407
FAX (801) 261-3503

DAVID L. CHURCH

October 24, 2019

Mayor Len Arave
North Salt Lake City
10 East Center Street
North Salt Lake City, UT 84054

Dear Mayor and Council:

As part of the certification process for your Justice Court I have been asked to render an opinion as to the requirements for your court and the feasibility of your maintaining the court. In rendering this opinion I have reviewed the operation of your Court during the past, spoken with the Court Clerk and other staff concerning the operation of the Court and its case load and have reviewed the requirements of both statute and rule for the operation of the Court.

Statutes of the State of Utah require the following standards be met in the operation of a Justice Court:

1. All official court business shall be conducted in a courtroom or an office located in a public facility which is conducive and appropriate to the administration of justice (Utah code 78A-7-213).
2. Each court shall be opened and judicial business shall be transacted every day as provided by law (Utah Code 78A-7-213), although the judge is not required to be present during all hours that the court is open.
3. The hours that the court will be open shall be posted conspicuously at the court and in the local public buildings (Utah Code 78A-7-213).
4. The judge and the clerk of the court shall attend the court at regularly scheduled times (Utah Code 78A-7-213).
5. The City, as the entity which created the Justice Court must provide and compensate a judge and clerical personnel to conduct the business of the court at a fixed rate within the statutory range (Utah Code 78A-7-206).

6. The City must assume the expenses of travel, means, and lodging for the judge of that court to attend required judicial education and training (Utah Code 78A-7-103).

7. The City must assume the cost of travel and training expenses of clerical personnel at training sessions conducted by the Judicial Council (Utah Code 78A-7-103).

8. The City must provide a sufficient staff of public prosecutors to attend the court and perform the duties of prosecution (Utah Code 78A-7-103).

9. The City must provide adequate funding for attorneys where persons are indigent as provided by law (Utah Code 78A-7-103).

10. The City must provide sufficient local law enforcement officers to attend court when required and provide security for the court (Utah Code 78A-7-103).

11. Witnesses and jury fees as required by law shall be paid by the City. (Utah Code 10-7-76)

12. Any fine, surcharge, or assessment which is payable to the State shall be forwarded to the State as required by law (Utah Code 78A-7-120 and 78A-7-121).

13. The City must pay the judge of that court a fixed compensation within the range provided for by statute. (Utah Code 78A-7-206).

14. Court shall be held within the jurisdiction of the court, except as provided by law. (Utah Code 78A-7-212).

15. The City must provide and keep current for the court a copy of the of the Utah Code, the Justice Court Manual, state laws affecting local governments, Utah Court Rules Annotated, local ordinances, and other necessary legal reference material (Utah Code 78A-7-103).

16. All required reports and audits shall be filed as required by law or by rule of the Judicial Council pursuant to Utah Code Section 78A-7-215.

17. All Justice Courts must use a common case management system and disposition reporting system as specified by the Judicial Council. (Utah Code 78A-7-213)

18. All Justice Courts must record all proceedings with a digital audio recording device and maintain the audio recordings for one year. (Utah Code 78A-7-103)

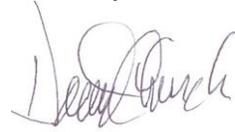
In addition to those requirements which are directly imposed by statute, Utah Code Section 78a-7-103 directs the Judicial Council to promulgate minimum requirements for the creation and certification of Justice Courts. Pursuant to statute, the Judicial Council has adopted the following minimum requirements:

1. That the Court be opened for at least one hour each day that the court is required to be open as provided by law.
2. That the judge be available to attend court and conduct court business as needed.
3. That the minimum furnishings for a courtroom include: a desk and chair for the judge (on a six inch riser), a desk and chair for the court clerk, chairs for witnesses, separate tables and appropriate chairs for plaintiffs and defendants, a Utah State flag, a United States flag, a separate area and chairs for a least four jurors, a separate area with appropriate seating for the public, an appropriate room for jury deliberations, and an appropriate area or room for victims and witnesses which is separate from the public.
4. A judicial robe, a gavel, current bail schedules, a copy of the Code of Judicial Administration, and necessary forms and supplies.
5. Office space for the judge and clerk. The office space shall include a desk for the judge and a desk for the clerk, secure filing cabinets for the judge and the clerk, a telephone for the judge and a telephone for the clerk, appropriate office supplies to conduct court business, a cash register or secured cash box, a typewriter or word processor, and access to a copy machine.
6. A clerk must be present during the time the court is open each day and during court sessions, as required by the judge.
7. The entity must have at least one peace officer.
8. A court security plan must be submitted consistent with C.J.A. Rule 3-414.
9. Each Court must have at least one computer with access to the internet, and appropriate software and security/encryption technology to allow for electronic reporting and access to Driver License Division and the Bureau of Criminal Identification, as defined by the reporting and retrieval standards promulgated by the Department of Public Safety. Monthly reports must also be electronically submitted to the Administrative Office of the Courts monthly. A justice court must use the case management system as specified by the Judicial Council. (Utah Code 78A-7-213)
10. Each Court shall report required case disposition information to DLD, BCI and the Administrative Office of the Courts electronically, as described in number 9 above.

In addition to these base requirements there are additional requirements depending on the average number of cases filed in the Court per month. I am informed that you have more than 201 cases a month but less 500 per month (approximately 250 per month). It appears to me that your Court is a class II Court. The requirements a Class II Court must be open at least 4 hours per day and a trial calendar must be held at least weekly. In addition the Judge must be available when needed; have his own chambers; and have the courtroom, chambers and clerk's office with the same building.

I have reviewed your past operation of the Court and believe that it has been in compliance with State Law. It is my also my opinion that it is feasible for you to continue to maintain the Court in compliance with applicable law.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Church".

David Church
Attorney at Law

COURT CERTIFICATION AFFIDAVIT

Court Location: City of North Salt Lake

Judge: David L Miller

Address: 10 East Center St.

North Salt Lake, UT 84054

Telephone: 801-335-8640

Level of Court (Circle one): I (II) III IV

Average Case Filings Per Month: 250

Daily Court Hours: M-Th 7-530
F 8-12

Number of Full-time Clerks: 1
Hours Worked Per Week Per Clerk: 40

Number of Part-time Clerks: 2
Hours Worked Per Week Per Clerk: 20, 29

This form is divided into two parts. Section I contains those requirements that are statutory and cannot be waived. Section II contains minimum requirements established by the Judicial Council, and those requirements may be waived pursuant to the procedure set forth in the Instructions to Applicant included with this Application for Recertification.

Comes now Judge David L Miller,

Justice Court Judge for North Salt Lake,

and, except as specifically noted below, certifies as follows:

SECTION I

THE FOLLOWING ITEMS ARE STATUTORY AND CANNOT BE WAIVED.
CERTIFICATION WILL NOT BE GRANTED UNLESS EACH REQUIREMENT IS MET.

Please indicate Yes or No to each of the following:

1. All official court business is conducted in a public facility. Y
2. Court is open daily. Y
3. The hours of court operation are posted conspicuously. Y
4. The judge and the clerk attend court at regularly scheduled times based on the level of the court. Y
5. The judge is compensated at a fixed rate, within the statutory range. Y
6. The responsible governmental entity provides and compensates sufficient clerical personnel necessary to conduct the business of the court. Y
7. The responsible governmental entity assumes the expenses of the travel of the judge for purposes of required judicial education. Y
8. The responsible governmental entity assumes the expenses of the travel of each clerk for the purposes of attending training sessions conducted by the Judicial Council. Y
9. The responsible governmental entity provides the Court with:
 - a. Sufficient prosecutorial support Y
 - b. Funding for attorneys for indigent defendants, as appropriate Y
 - c. Sufficient local law enforcement officers to attend court as provided by statute Y
 - d. Security for the court as provided by statute Y
 - e. Witness and juror fees Y
 - f. Appropriate copies of the Utah Code, the Justice Court Manual, state laws affecting local governments, local ordinances and other necessary legal reference materials Y
10. Fines, surcharges and assessments which are payable to the state are forwarded as required by law. Y

11. Court is held within the jurisdiction of the court, except as provided by law (78A-7-212).
~~Y~~
12. All required reports and audits are filed as required by law or Rule of the Judicial Council.
~~Y~~
13. A record of all court proceedings is maintained by an appropriate audio recording system.
~~Y~~

SECTION II

Section II contains minimum requirements established by the Judicial Council, and those requirements may be waived or an extension granted pursuant to the procedure set forth in the Instructions to Applicant included with this Application for Recertification.

Please indicate YES or NO to each of the following:

1. Court is open each day as appropriate for the classification of the court. Y
2. The judge is available to attend court and to conduct court business as needed. Y
3. Minimum furnishings in the courtroom include:
 - a. Desk and chair for the judge Y
 - b. A six inch riser Y
 - c. Desk and chair for the court clerk Y
 - d. Chairs for witnesses Y
 - e. Separate tables and appropriate chairs for plaintiffs and defendants Y
 - f. A Utah State flag Y
 - g. A United States flag Y
 - h. A separate area and chairs for at least four jurors Y
 - i. A separate area with appropriate seating for the public Y
 - j. An appropriate room for jury deliberations Y
 - k. An appropriate area or room for victims and witnesses which is separate from the public Y
 - l. A judicial robe Y
 - m. A gavel Y
 - n. Current bail schedules Y
 - o. A copy of the Code of Judicial Administration Y
 - p. Necessary forms and supplies Y

- q. Office space for the judge
 - r. Office space for the court clerk
 - s. Secure filing cabinets
 - t. Appropriate office supplies
 - u. A cash register or secured cash box
 - v. At least one computer with internet access
 - w. Access to a copy machine
4. The appropriate number of clerks as required by the classification of the court are present during the time court is open each day and as needed during court sessions.
5. Does the applicant have a law enforcement department?
6. If the applicant does not have a law enforcement department, identify the law enforcement agency which will provide law enforcement services for the applicant: NIA
-
-
7. A security has been submitted consistent with C.J.A. Rule 3-414.
8. The court electronically reports to the Driver License Division, the Bureau of Criminal Identification and the Administrative Office of the Courts as required.
9. If the court is a **Class I** court:
- a. Judge is employed on a full-time basis
 - b. Dedicated courtroom which meets the master plan guidelines adopted by the Judicial Council
 - c. Court has a jury deliberation room
 - d. Judge's chambers, clerk's office, and courtroom are in the same building
 - e. Judge has his or her own private chambers
 - f. Clerk's office is separate from any other entity
 - g. Court is open during normal business hours

10. If the court is a **Class II** court:

a. Court is open (check one)

- 201-300 average monthly filings: at least 4 hours/day
- 301-400 average monthly filings: at least 5 hours/day
- 401-500 average monthly filings: at least 6 hours/day

b. Trial calendar is set at least weekly

c. Courtroom configuration is permanent

d. Courtroom, judge's chambers, and clerk's office are within the same building

e. Judge has his or her own private chambers

11. If the court is a **Class III** court:

a. Trial calendar is set at least every other week

b. Court is opened (check one):

- 61-150 average monthly filings: at least 2 hours/day
- 151-200 average monthly filings: at least 3 hours/day

12. If the court is a **Class IV** court:

a. Trial calendar is set at least monthly

b. Court is open at least 1 hour per day

13. If you have responded with a "no" to any item in Section II above, you must request a waiver or extension below and justify that request. If waiver or extension of any requirement is requested, please specify each requirement and indicate factors which demonstrate a need for the waiver or extension. For any requested extension, please include the requested extension period. (To receive a waiver or extension of any requirement, the information requested in this section must be provided. Remember that statutory requirements cannot be waived or extended).

N/A

I am familiar with the minimum operational standards for this court, and except as noted above, those standards are currently met or exceeded. During the current term of the court, I have met with the appropriate governing body of the City to review the budget of the court, review compliance with the minimum requirements and operational standards, and discuss other items of common concern.

DATED this 15 day of OCT, 2019.



Justice Court Judge

I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

Executed on this 15th day of Oct, 2019.

**Local
SECURITY PLAN
for the
NORTH SALT LAKE
JUSTICE COURT**

1. INTRODUCTION:

The general goal of the court security system is to establish appropriate protection for the court, staff, general public, property, and the judicial process as a whole.

In accordance with Rule 3-414 of the Utah Code of Judicial Administration, this security plan has been developed to establish procedures that will be followed by the staff of the North Salt Lake City Justice Court and the North Salt Lake Police Department.

All court employees will receive training on a yearly basis. They will be instructed on the entire security plan. The North Salt Lake Police Department who are assigned to bailiff or provide security for the court will also be trained yearly on this plan and security measures required herein.

Common sense is needed to determine the most practical method in dealing with court security. A cooperative effort between the court and police department is the key to good court security.

2. PHYSICAL FACILITIES:

All persons in custody shall be kept in the jury box, restrained by restraining devices (hand cuffs), or supervised at all times by the North Salt Lake Police Department while in court unless otherwise specifically ordered by the judge.

The east entrance into the courtroom shall be used for transportation of prisoners to court. This shall keep them separate from the general public.

Separate waiting areas shall be provided for defense witnesses, plaintiff or prosecution witnesses, and jurors.

The following areas are designated as “secure areas”.

- The judge’s chambers
- Courtroom areas
- Employee offices
- Prosecution hallway/offices
- Jury deliberation room
- Jury assembly area
- Attorney/client room

3. BAILIFF:

A North Salt Lake Police Officer shall be present in court during all court sessions and serve as bailiff.

The bailiff shall maintain a clear line of sight of all courtroom participants and shall be between individuals who are in custody and courtroom exits.

Prior to exercising the authority of their office, bailiffs shall satisfactorily complete the basic course at a certified peace officer training academy or pass a waiver examination and be certified. Bailiffs shall complete 40 hours of annual training as established by the Division of Peace Officer Standards and Training. Bailiffs shall receive annual training on the elements of the court security plan, emergency medical assistance and the use of firearms.

Court bailiffs shall be of suitable physical and mental condition to ensure that they are capable of providing a high level of security for the court and to ensure the safety and welfare of individuals participating in court proceedings. Bailiffs shall be capable of responding appropriately to any potential or actual breach of security.

The appointment or designation of a particular bailiff is subject to the concurrence of the presiding judge.

The court bailiff shall be supervised by the North Salt Lake Police Department and perform duties in compliance with directives of the Police Department.

Court bailiff responsibilities shall include but are not limited to the following:

The bailiff shall prevent persons in custody from having physical contact with anyone other than the members of the defense counsel's team.

The bailiff shall observe all persons entering the courtroom, their movement and their activities. The bailiff shall control access to the bench and other restricted areas.

The bailiff shall search the interior of the courtroom and restricted areas prior to the arrival of any other court participants. Similar searches shall be conducted following recesses to ensure the room is clear of weapons, explosives, or contraband.

Bailiffs shall wear the official uniform of the North Salt Lake Police Department by whom they are employed.

Bailiffs shall comply with the directives of the judge or commissioner with respect to security related activities and shall perform other duties incidental to the efficient functioning of the court which do not detract from security functions.

Activities wholly unrelated to security or function of the court, including personal errands, shall not be requested nor performed.

Bailiffs shall perform responsibilities provided for in the local court security plan.

4. WEAPONS

Weapons and miscellaneous items which can be used as weapons shall be regulated as provided in this rule.

No person may possess an explosive device in a courthouse or a secure area of a courthouse. Except as specifically permitted by these rules, no person may possess a firearm, ammunition, or dangerous weapon in a courthouse or a secure area of a courtroom.

Persons authorized to possess a firearm or other weapon:

The following officers may possess a firearm and ammunition in a courthouse or a secure area of a courthouse if the firearm is issued by or approved by the officer's appointing authority and if possession is required or permitted by the officer's appointing authority and the local security plan:

1. "law enforcement officer" as defined in Section 53-10-103
2. "correctional officer" as defined in Section 53-10-104
3. "special function officer" as defined in Section 53-10-105
4. "federal officer" as defined in Section 53-10-106

A judge or law enforcement official as defined in Section 53-5-711 may possess in a courthouse or a secure area of a courthouse a firearm and ammunition for which the judge or law enforcement official has a valid certificate of qualification issued under Section 53-5-711.

A person permitted under subsection (a), (b), or (c) to possess a firearm nevertheless shall not possess a firearm in a courthouse or a secure area of a courthouse if the person is appearing at the courthouse as a party to litigation. A person possessing a firearm in a courtroom shall notify the bailiff or the judge.

If permitted by the local security plan, a court employee or volunteer may possess in a courthouse or a secure area of a courthouse an otherwise legal personal protection device other than a firearm. An employee or volunteer shall not possess a personal protection device while appearing as a party to litigation. An employee or volunteer shall not possess a firearm while on duty.

All firearms permitted under this security plan:

And carried upon the person shall be concealed unless worn as part of a public law enforcement agency uniform:

Shall remain in the physical possession of the person authorized to possess it and shall not be placed in a drawer, cabinet, briefcase or purse unless the person has physical possession of the briefcase or purse or immediate control of the drawer or cabinet or the drawer or cabinet is locked: and

Shall be secured in a holster with a restraining device, unless otherwise approved by the Police Department.

Firearm training requirements:

To re-qualify for a certificate issued under Section 53-5-711 a judge shall annually complete with a passing score a range qualification course for judges and law enforcement officials established by the Department of Public Safety or a course established by any law enforcement agency of the state of Utah or its political subdivision for the requalification of its officers.

The cost of firearms, ammunition, initial qualification, and any other equipment, supplies or fees associated with a certificate of qualification issued under Section 53-5-711 shall be the responsibility of the judge and shall not be paid from city funds.

SECURITY DEVICES AND PROCEDURES

Metal detectors: The use of metal detectors or other screening devices shall be operated only by law enforcement agencies.

Physical search: Searches of persons in or about the courthouse or courtroom shall be conducted at the discretion of the law enforcement agency responsible for security when the local law enforcement agency has reason to believe that the person to be searched is carrying a weapon or contraband into or out of the courthouse or when the court so orders.

Emergency communication system: An emergency communications system should be installed in the courtroom, judge's chamber, and clerks' offices. The system should be capable of alerting the law enforcement agency responsible for security of a disturbance situation by panic button, direct telephone line, or walkie-talkie. The system should be designed to identify the exact location of the emergency and the circumstances of the emergency to ensure that law enforcement may respond in a timely manner with sufficient capability to control the situation.

Extra security: In anticipated high risk situations or a highly publicized case, the law enforcement agency responsible for security should, on its own initiative or in response to an order of the court, provide extra security including additional personnel, controlled access, etc.

PRISONERS & TRANSPORTATION:

The court normally sees prisoners by video.

The court clerk shall provide timely notice to transportation officers of required court appearances and cancellations of appearances for individuals in custody. The court shall consolidate scheduled appearances whenever practicable and otherwise cooperate with transportation officers to avoid unnecessary court appearances.

The federal, state, county or municipal agency with physical custody of a person whose appearance in court is required is responsible for transportation of that person to and from the courtroom.

The transportation officer shall:

Remain present at all times during court appearances;

Be responsible for the custody of such persons;

Support the court bailiff in the preservation of peace in the courtroom;

Provide advance notice of the transportation of any extraordinary security requirements to the law enforcement agency responsible for court security, to the judge, and to the bailiff;

Return the person in custody to the proper place of confinement.

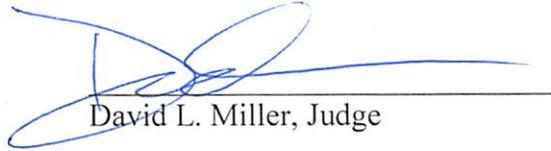
COORDINATION, TRAINING & OTHER RESPONSIBILITIES:

The Chief of Police shall coordinate all law enforcement activities within the courthouse necessary for implementation of the security plan and for response to emergencies.

The Chief of Police shall cooperate with the court in the development, amendment and implementation of a local security plan.

The Chief of Police shall provide local law enforcement personnel with training provided in this rule; and shall provide building and perimeter security.

Adopted this 15th day of October, 2019



David L. Miller, Judge

RESOLUTION NO. 2019-41R

**A RESOLUTION REQUESTING THE RECERTIFICATION OF THE
CITY OF NORTH SALT LAKE JUSTICE COURT**

WHEREAS, the provisions of U.C.A 78A-7-103 require that Justice Courts be recertified at the end of each four-year term; and

WHEREAS, the term of the present Court shall expire in January 2020; and

WHEREAS, the members of the City Council have received an opinion letter from David Church, City Attorney, which sets forth the requirements for the operation of a Justice Court and feasibility of continuing to maintain the same; and

WHEREAS, the members of the City Council have determined that it is to the best interests of the City of North Salt Lake to continue to provide for a Justice Court;

BE IT RESOLVED, the City Council hereby requests recertification of the North Salt Lake City Justice Court by the Justice Courts Standards Committee and the Utah Judicial Council.

BE IT FURTHER RESOLVED that the City Council of the City of North Salt Lake hereby affirm their willingness to continue to meet all requirements set forth by the Judicial Council for continued operation of the North Salt Lake Justice Court for the next four-year term of court, except as to any requirements waived by the Utah Judicial Council.

APPROVED and signed this _____ day of _____, 2019.

CITY OF NORTH SALT LAKE

By _____
Leonard K. Arave, Mayor

ATTEST:

By _____
Linda Horrocks, City Recorder