

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
OCTOBER 29, 2019

FINAL

Mayor Arave called the meeting to order at 6:11 p.m.

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

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

OTHERS PRESENT: Alisa Van Langeveld, Manuel Delgado, Parks Trails Arts and Recreation Advisory Board.

1. POLICE DEPARTMENT UPDATE

Chief Black reported on an incident the police department was investigating at The Pointe at Northridge Apartments. Officers from NSL and Bountiful responded to a 911 call on October 26th related to a possible suicide or murder. He said many misconceptions had been reported and explained that video footage had been posted on Facebook. The footage showed the distraught behavior of the individual but did not show any live-streamed violence on Facebook or anywhere else. Officer Joubert, with Bountiful City, was able to obtain the footage that was streamed on Facebook. Officer Everett was able to negotiate with the individual to surrender peacefully. The individual was taken into custody, forensically processed and then questioned.

Chief Black said some statements made by the individual were misreported by the news and also contradictory. He provided some clarifying details on these statements and other facts about the case. The individual has been booked into jail and the Davis County Attorney's Office would determine the charge based on the results from the medical examiner's office.

Chief Black commented that the department had not been called to that residence previously. He said that they reviewed each domestic violence call carefully to determine a past history, contradictory statements, or services that could be offered. He said it was disturbing to have two

murders in the last two years when there had previously been no murders within the City for 16 years.

Mayor Arave asked how the investigation would proceed at this point. Chief Black responded that search warrants would be obtained for the cell phones of those involved, and the police department's report would be completed on Thursday for presentation to the County attorney. He said his biggest concern was the completion of the medical examiner's report.

Council Member Baskin arrived at 6:19 p.m.

Chief Black commended his department and said that resources were available for the officers involved in these types of cases. He said the size of the department allowed supervisors to see any anomalies in an officer's behavior and that there were several positions that required mandatory assessments.

Chief Black also reported on the July 4, 2018 case and said an arrest would be made within the next month, which may generate media interest as well. He praised Detective Carlson for his efforts on this case and thanked the City Council, staff, and community for their support.

2. PARKS TRAILS ARTS AND RECREATION ADVISORY BOARD

Alisa Van Langeveld reported that she was the Parks Trails Arts and Recreation Advisory Board chair and had been on the board for four years. She reviewed Ordinance 2014-01, which established a Parks, Trails, Arts and Recreation Advisory Board for the City. This ordinance also established membership appointments and terms, meetings, bylaws, duties and responsibilities, and support and resources. Ms. Van Langeveld said the purpose today was to get feedback on the direction the board was going and the proposed events.

Mayor Arave commented that he would like the Board to be involved in the revision of the Parks Master Plan. He also expressed concern that there had been burnout for the board members in the past. Mayor Arave also said that he liked the direction the events had gone during the past year. Alisa Van Langeveld replied that the plan was to hold fewer, but better events.

Mayor Arave asked if the Board had been involved in reviewing and making recommendations for the parks. Alisa Van Langeveld confirmed that staff did bring items to the Board before it was presented to the City Council. She asked if the Board should review recommendations and provide advice and/or generate ideas for staff to present to the Council. The Council replied that they would like they would like recommendations on items presented by staff as well as ideas generated by the Board.

Ken Leetham said that planning for the future redevelopment of Hatch Park would occur soon and feedback from the Board would be very beneficial. He also said the recommendations from

the Board on Mathis Park and Palmquist Park were being implemented per the parks inventory and multi-year parks maintenance plan.

Mayor Arave explained that there was a master plan for the City and then a parks master plan. He said there was property in several areas of the City that would need to be planned for including the wetlands area, Tunnel Springs, and Hatch Park as well as existing parks.

Ken Leetham said the City Council had asked staff to review the existing parks master plan and make updates. He said the process would start with the Parks and Arts Advisory Board. Mayor Arave said that the Council and staff would be willing to sit down with the Board to review ideas regarding the parks master plan.

Mayor Arave commented that one of the duties and responsibilities of the Parks and Arts Board was an annual written report. He asked that the chair prepare a presentation with goals to be presented to the City Council. Ken Leetham suggested the Board could present in January and provide an overview of the upcoming events for the year as well.

Alisa Van Langeveld asked how the process and expectations could be formalized for future chairs and members of the Parks and Arts Board. Mayor Arave said that as staff was more consistent that it would be up to them to give direction to the Board. He explained that in the past the focus was determined by the City Council member in charge of the Board but the process was evolving and should be guided more by staff.

Alisa Van Langeveld commented that as she was leaving the role as chair soon she wanted to ensure that her replacement would know what to do. She said she was unsure what her specific role and responsibilities were and her goal for this meeting was to obtain that information.

Mayor Arave said the City Council could not provide the same amount of focus to every item and appreciated the input from the Parks and Arts Board. Ken Leetham said the City Council had two higher priorities for the Board including a desire to update the Parks and Recreation Master Plan and a review of underutilized properties. He said staff and the Council would help guide the Board but if there were any deficiencies that input would be appreciated as well.

Alisa Van Langeveld then reviewed the potential events and asked for feedback from the City Council. She said these events included the Kite Festival with a budget of \$3,000, the Summer Trails Series at \$200, the Sunset Concert Series at \$1,500, the Master Chorale at \$500, the NSL Reads event at \$2,000, and the Halloween Trot or Treat at \$3,000.

Mayor Arave asked about the success of the events and what contributed to the level of success whether it was advertising or lack of interest. Alisa Van Langeveld replied that the goal was not to continually increase the number of participants because not all of the events were tailored to everyone's needs; however, all of the events had grown each year. Ms. Van Langeveld said that

the Board created a marketing plan for 2019 and focused on social media and newsletter advertising.

Mayor Arave said he was concerned about burnout and retaining people to serve on the Board. Alisa Van Langeveld said that there were fewer events and each member was assigned an event with a separate committee of volunteers. She also said appreciation of their efforts also helped to decrease burnout.

Council Member Mumford said the scope of the committee had changed with fewer meetings and a better direction from Council. He suggested that Ordinance 2014-01 needed to be revised for clarification and to better reflect the responsibilities of the Board.

The Council discussed the focus of the board, the process of implementing recommendations and policies made by the Board, and staff and Youth City Council involvement in events.

Alisa Van Langeveld said that the Board met ten times a year in addition to the events and planning. She said tracked volunteer hours for the Board members showed 60 to 180 hours per member for the year. Ms. Van Langeveld asked what the City Council expected as it was approximately a 10 to 15 hour a month commitment per member right now.

Mayor Arave asked what was reasonable to ensure that the Board could still function but avoid burnout. Alisa Van Langeveld suggested that the Board could rely more on staff and less on the chair, set clear processes, and do the tasks during the meetings rather than at home.

Mayor Arave asked that the Ordinance 2014-01 be revised with the assistance of staff and the Parks and Arts Board.

Council Member Baskin thanked the Parks and Arts Board for their service. She asked if any of the funding for the events came from RAP Tax. Alisa Van Langeveld replied that the funding for the events originally came from a donation by Big West Oil but that a portion now came from City funds as well.

Council Member Baskin said that as the value of the Board had increased over time that potentially a monthly stipend could be paid to those members as this would further help to decrease burnout. Council Member Hood suggested that every board should be given equal consideration for a potential stipend.

3. ADJOURN

Mayor Arave adjourned the meeting at 7:05 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
OCTOBER 29, 2019

FINAL

Mayor Arave called the meeting to order at 7:13 p.m. Council Member Stan Porter 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; David Church, City Attorney; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Dee Lalliss, Steve Aase, Judy Rogers, Manuel Delgado, Alisa Van Langeveld, residents; Tobins, Regan Aase, Youth City Council.

1. CITIZEN COMMENT

Dee Lalliss thanked the City for holding the Senior Lunch Bunch activities. He asked if Judy Naranjo could be recognized for her involvement in this organization as it had been beneficial for the senior citizens in the community.

2. PRESENTATION OF FINANCIAL REPORT, JANICE LARSEN, FINANCE DIRECTOR

Janice Larsen reported that this financial report would be distributed to the City Council once a month with a quarterly presentation to address specific topics. She reviewed the highlights and said minimal revenue was received in the first portion of the fiscal year, sales tax was two months behind, property tax would not be received until November-January and then again in the spring. The revenue that was received was related to development including inspection and other fees, the court revenue was at 23% of the budget and on track, the miscellaneous revenue was high due to a PTIF cash balance, and the fire contract was at 48% due to two quarters of payment made.

Ms. Larsen then reviewed redevelopment and said tax increment revenue would not be received until spring. She said what would be paid with the tax increment revenue was the distribution to the developers so there was little activity in this fund. She also reviewed the revenue and expenditures for the housing fund including CBDG grants, rental income for the homes at Hatch Park, and transfers from the RAP Tax. Ms. Larsen spoke on the Debt Service, Capital Projects, Parks Capital, Police, Roadway Funds, and Enterprise Funds as well as sales tax.

Janice Larsen reviewed the cash accounts including the General Fund, which she said was very healthy. She explained that the cash was held in the State pool with operating cash held in a bank account at Zions Bank.

Council Member Baskin asked for more information of the State pool. Janice Larsen replied that the State of Utah had a Public Treasures Investment Fund (PTIF), which was a pool of excess cash from most Utah cities. She said the State invested the funds and the interest income was approximately \$40,000 per year.

David Church commented that under State code there was a Public Money Management Act that limited what public money could be invested in. He said the State Treasurer invested the money at no cost to the City.

Janice Larsen spoke on the cash balances and said there was \$2.5 million in the General Fund of unrestricted cash. She said the General Fund was the primary operating fund, which included admin costs, salaries, courts, etc. The General Fund also included Redevelopment Agency tax increment and interest revenue. Ms. Larsen also reviewed the Housing Fund, the CDBG grant, the Local Building Authority and Hatch Park debt, and the RAP Tax revenue for debt service payment.

Council Member Baskin asked for further clarification of the RAP Tax. Janice Larsen explained that the RAP Tax revenue was similar to sales tax revenue and was held to make a debt payment on Tunnel Springs and Legacy Parks.

Janice Larsen reported on Capital Projects and said there was two million dollars in unrestricted cash. She said \$760,000 was budgeted for landslide mitigation, \$282,000 was budgeted for the police garage, \$81,000 for building security improvements, and \$300,000 to \$400,000 to the golf fund to cover the cash shortage for a total of \$1.5 million. Ms. Larsen then reported on the Parks Project, Public Safety funds.

The Council discussed the stipulations on when and what park impact fees could be used.

Janice Larsen spoke on Public Safety, Capital Projects, and Road Capital Projects.

Mayor Arave asked which roads would qualify for restricted impact fee use in the Road Fund. Paul Ottoson replied the roads which would qualify were Main Street, Center Street, Orchard Drive, and 1100 North. Janice Larsen said that the other restriction was that the road work must increase the capacity of the road and not just resurfacing.

Council Member Baskin said that any restrictions for Road Capital projects was detailed in the master plan per State statute. Ken Leetham said that when the current impact fees were adopted it was done by ordinance with restrictions and a plan related to how the impact fees would be spent and on which roads.

Mayor Arave asked if there was a time limit on when the funds had to be spent. Janice Larsen replied that it was six years but if the funds were designated towards a project, such as the 1100 North bridge project, they could be used to also retire debt.

David Church commented that impact fees had to be expended six years from collection date. He said the six years was counted from when each fee that was paid and the problem occurred if the money was not expended or encumbered towards a project. Mr. Church explained the City provided a report to the State auditor showing how long impact fees were held. If the funds were not used within six years then it would go back to the payer of the impact fee.

Janice Larsen reported on unrestricted cash in the Culinary Water Fund and said it was slated for capital projects. Ken Leetham said that several projects were delayed so that cash balance would be allocated in the coming years towards those projects.

Janice Larsen said the bonds, debt and fleet fund would be reviewed at a later meeting. She then reviewed the Secondary, Storm, and Culinary Water Funds as well as related bonds. Ms. Larsen reviewed the Solid Waste Fund, which had a small cushion, and the Golf Funds. She said the Golf Fund showed as a loan.

Janice Larsen said the fleet fund contained \$500,000 with \$250,000 budgeted to be spent this year. She said staff had prepared a model, which would show replacement estimates and funding options. Golf carts and mowers would be separate with a separate funding source.

Council Member Baskin asked which employees had City vehicles, which they could take home. Janice Larsen replied that the City Engineer, and Assistant City Engineer, Police Chief, police officers, Public Works Director and Assistant Director, and several other public works employees. The City Manager and Golf Director had car allowances.

Janice Larsen said that when the Fleet Fund was reviewed she would include a list showing the number of vehicles, age, and replacement schedule.

Ken Leetham said a similar report would be prepared for each month with a quarterly financial presentation.

3. CONSIDERATION OF RESOLUTION 2019-41R: A RESOLUTION FOR THE RECERTIFICATION OF THE NORTH SALT LAKE JUSTICE COURT

Ken Leetham reported that every four years the City was required to recertify the municipal court. He said David Church signed a statement of compliance with State law.

David Church commented that per the law the city attorney was required to detail the legal requirements to run a court and the opinion on whether the city was capable of handling those requirements. The requirements were set by the Court Administrators Office and the State Legislature and based on the number of cases heard each month. He said the City's court was a level two court, which required a judge, courtroom, clerks, training, security, etc.

Council Member Baskin asked that per the requirements for a level two court that court must be in session for four hours a day. David Church replied that this was fulfilled through the court clerk being available.

Council Member Baskin asked how often the judge was in the City, how many hours, and how much he was paid. Ken Leetham replied that he was in the City on Tuesdays for eight hours. David Church commented that compensation was set by the State Legislature and based on the size of the court and number of cases.

Council Member Horrocks asked if the City had taken over West Bountiful's cases and asked how much the City was losing in running the court. Ken Leetham replied that West Bountiful's court revenue was split 50/50 and the City was actually in the black.

Mayor Arave asked if depreciation of the building and utilities was included in the cost of running the court. Janice Larsen confirmed that those items were not included.

David Church confirmed that the City's court was a level two before the addition of West Bountiful's court cases. He said the levels were fairly large brackets.

Council Member Porter moved to adopt Resolution 2019-41R a resolution for the recertification of the North Salt Lake Justice Court. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

4. CITY ATTORNEY'S REPORT

David Church had nothing to report.

5. CITY COUNCIL MINUTES

The City Council minutes of October 1, 2019 were reviewed and approved. **Council Member Mumford moved to approve the City Council meeting minutes of October 1st as amended. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

6. ACTION ITEMS

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

Council Member Porter spoke on the action item related to suicide training and community classes. He said Centerville had a great program called Centerville Cares with videos, manuals, and trained facilitators. He felt a similar program or class would be important for residents.

Council Member Hood asked about City ordinances related to pygmy goats. Sherrie Llewelyn said it would be discussed during the City Manager's report.

Council Member Hood asked when the signal at the railroad tracks would be functional. Paul Ottoson replied it would be functional in mid to late November.

7. CITY COUNCIL REPORTS

Council Member Hood reported on the Youth City Council (YCC) Executive Committee leadership training held the previous Friday.

Council Member Hood asked about House Bill HB411 related to the Community Renewable Energy Program with Rocky Mountain Power that was passed in March 2019. Ken Leetham replied that staff would obtain additional information on this bill.

Council Member Hood thanked staff for how they handled the odor issue in Foxboro. Ken Leetham commented that Dal Wayment with South Davis Sewer District was persistent in locating the source of the odor.

Council Member Mumford reported on the Halloween Trot or Treat and said it was fantastic with food trucks and books, including those from the author, Brandon Mull, who was present at the NSL Reads event.

Council Member Porter reported that Porter's Landing was nominated for project of the year with the Utah Outdoor Recreation Grant Program and came in as a runner up.

Council Member Horrocks thanked David Frandsen for fixing a street light and Paul Ottoson for the completed Orchard Drive project.

Council Member Baskin thanked the City Council members who were running for reelection for their service and commended them on their respectable campaigns.

Council Member Baskin reported that she read an article on cyber security in a city and county magazine and asked what the City was doing in regards to cyber security. Ken Leetham said that staff could report on this at a later date.

Council Member Baskin then said she filled in for the mayor at the mayor's meeting with Lieutenant Governor Cox. She said several mayors present had questions related to clean air, climate change, refineries, urban issues, funds and increased traffic for Legacy Parkway, population growth and vertical buildings, municipal broadband, Hill Air Force Base, tax reform related to education, and infrastructure related to growth and density. Lieutenant Governor Cox responded that he was opposed to municipal broadband and said that infrastructure should be done before growth and density instead of vice versa.

8. MAYOR'S REPORT

Mayor Arave reported that the sewer district would obtain a bond to fund smaller projects over the next two years and would then obtain a larger bond in the future. He said the algae project would be moved to the other plant due to problems with the waste stream.

Mayor Arave said there had been two more golf committee meetings. He said his analysis of the golf issues are that the City's course had a shorter season due to the location, the course served a smaller population and was competing against other nearby courses, poor marketing, and management/governing of the course. He said the City Council were not golf pros and suggested that a more permanent golf course committee with golf expertise may need to be formed.

Mayor Arave said that GreatLife had a new proposal and the golf committee would meet again on November 7th and would then make a presentation to the City Council.

9. CITY MANAGER'S REPORT

Ken Leetham reported that there would be two meetings on October 30th including the Wasatch Choice implementation workshop from 4 p.m. to 6 p.m. at the Davis County Administration Building. The second meeting would be the UTA open house for the Davis/SLC Bus Rapid Transit at North Salt Lake City Hall from 5:30 p.m. to 7:30 p.m.

Ken Leetham then asked about potential dates for the City Council to tour the White Mountain Industrial Park in Draper related to the Kimball project. The City Council determined that Council felt that November 7th would be the best date for a tour.

Ken Leetham commented on the recent ordinance complaint with pygmy goats and said this was a difficult issue.

Sherrie Llewelyn reported that she researched ordinances in other cities. She said Midvale and Riverton allowed pygmy goats and provided the cons of allowing goats on smaller residential lots including that they made a lot of noise if they were not fixed or if there were less than two goats, that they were prey for coyotes, etc. Mrs. Llewelyn said based on her research she would not recommend amending the ordinance to allow goats on lots less than 20,000 square feet. She suggested that the only appropriate change would be to allow two pygmy goats to count as one full size goat on lots no smaller than 20,000 square feet.

Sherrie Llewelyn then explained the situation with the resident who had requested the code change and said that the City had received numerous complaints about the goat from neighbors. The resident was then asked to remove the goat from the property but it was recently found that she did not obey the order from the administrative judge as a neighbor provided video evidence that the goat was still on the property.

Council Member Mumford asked for clarification on the change to allow two pygmy goats to count as one full size goat. Sherrie Llewelyn clarified that currently for a resident to have a goat on their property the lot must be over 20,000 square feet, which equaled 50 animal points. She said that the ordinance could be amended to allow for one full size goat or two pygmy goats as they were herd animals.

Council Member Horrocks asked about designated comfort support animals and if that would trump a city ordinance. David Church said the requirement was for reasonable accommodations be made for persons with recognized disabilities. He said the resident would have to show that she had a disability and that the accommodations for the request to have the comfort animal would be reasonable and necessary for her to have the same rights as a non-disabled person.

Council Members Hood and Baskin commented that they would like to review a potential change to the ordinance as this was a complicated issue. Ken Leetham said staff would codify this and then it would be reviewed by the Planning Commission.

Ken Leetham reported that at the City Council meeting on November 19th there would be a resolution related to applying for CDBG projects with Davis County. He said there have been many changes to the program including that it would no longer support housing related projects. The priorities would be related to sidewalks, trails and pedestrian connections. He also spoke about the potential to use CDBG funds towards a community building in Hatch Park.

Mayor Arave asked what the changes were related to. Ken Leetham said it was primarily due to an audit by the federal government and the County's distribution of housing funds. He said that they reversed an approval related to the purchase of a mobile home for a resident and Davis County then had to pay approximately \$16,000.

10. ADJOURN INTO CLOSED SESSION TO DISCUSS 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

At 8:52 p.m. Council Member Mumford moved to go into closed session to discuss property acquisition. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

11. RECONVENE INTO REGULAR SESSION

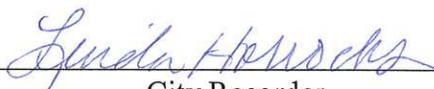
At 9:09 p.m. Council Member Horrocks moved to go out of closed session and into the regular session. Council Member Mumford seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.

12. ADJOURN

Mayor Arave adjourned the meeting at 9:09 p.m.



Mayor



City Recorder