

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
JANUARY 21, 2020

FINAL

Mayor Arave called the meeting to order at 6:10 p.m.

PRESENT: Mayor Len Arave
Council Member Brian Horrocks
Council Member Stan Porter
Council Member Ryan Mumford
Council Member Natalie Gordon

EXCUSED: Council Member Lisa Watts Baskin

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

OTHERS PRESENT: Todd Weiler, State Senator; Dee Lalliss, resident.

1. LEGISLATIVE DISCUSSION-SENATOR TODD WEILER

Senator Weiler reported on the upcoming legislative session and the tax referendum. He said if opponents were able to gather 153,000 signatures, including those from at least 18 counties, the referendum would be validated, and if it was certified for the ballot it would put the tax reform on hold. Senator Weiler said if this happened, the legislature would most likely repeal the bill during the session instead of allowing it to appear on the November ballot.

Senator Weiler then mentioned several upcoming bills related to clergy, direct wine shipments to residences, and removing an exemption for clergy to have to report abuse. He said there was no way to know what would happen during the session as there were many bills he had not yet had a chance to review.

2. APPROVE CITY COUNCIL MINUTES

The City Council minutes of January 7, 2020 were reviewed and approved. **Council Member Mumford moved to approve the City Council meeting minutes from January 7, 2020. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Gordon. Council Member Baskin was excused.**

3. ACTION ITEMS

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

Mayor Arave asked about the current action item related to the pickleball proposal from Utah Athletic Center. Ken Leetham referred to the proposal discussed at a prior council meeting that as quite high and also that residents had expressed more of an interest in outdoor pickleball options. He said pickleball was one of the subjects the City would be gauging through Qualtrics surveys.

Council Member Mumford commented that he had reached out to multiple pickleball players and received feedback that they would not be interested in indoor courts. He said there were already indoor courts at the South Davis Rec Center and in LDS church buildings and that the funds would be better spent elsewhere.

Mayor Arave also asked about water usage and Weber Basin Water Conservancy. Ken Leetham responded that staff prepared a water report on water usage, source, storage and distribution and obtained feedback from Weber Basin. He said staff would make changes to the model including re-use water from the sewer district and adding Big West Oil back into the model as their well was not producing. He said that he would present a proposal on water planning to the City Council.

Mayor Arave commented on the City's well that had been contaminated and said that the PCE was gone from the water source. Paul Ottoson replied that the PCE was now in untraceable amounts and that this well was connected to the secondary water system.

Council Member Mumford reported that he had received numerous reports from Foxboro residents about the smell from the sewer treatment plant. He said that a solution needed to be found. Ken Leetham suggested that a neighborhood meeting could be held to address the concerns and solutions directly with Dal Wayment from the South Davis Sewer District.

4. COUNCIL REPORTS

Council Member Gordon reported that thirteen of the Youth City Council members would attend the leadership conference at Utah State University in March. She informed the Mayor that arrangements had been made for him to attend the banquet there on March 6th.

Council Member Mumford reported that the Parks and Arts Board would begin meeting again next week and asked that the City Council provide direction going forward. He spoke on the need to address whether additional recreational services were needed, the rebuild of Hatch Park, the demand for pickleball, etc.

Council Member Horrocks commented that it made sense for pickleball courts to be placed at Hatch Park particularly as this park would be redesigned. Ken Leetham suggested that staff could reach out to G. Brown Design to obtain a plan for Hatch Park. He said it may be time for the City Council to review a proposal for funding a design plan as well as reconstruction of Hatch Park as interest rates were low and the City had a reserve of park impact fees.

Council Member Porter reported that he attended the Jordan River Commission meeting. He said a presentation was given which showed how many loads of garbage had been removed from the Jordan River. He asked about a plan to clean up the new trail near the commercial area along the river.

Council Member Horrocks asked if there were still youth participating in the Eagle Scout program that could potentially make this a volunteer project. Marty Peterson replied that the Boy Scouts were no longer sponsored by the LDS Church but there were still some Boy Scout troops.

Council Member Horrocks commented that he enjoyed the Mayor's State of the City address in the recent newsletter. He said a lot of great things had happened in the City over the last ten years.

5. MAYOR'S REPORT

Mayor Arave reported that the South Davis Sewer District was out of compliance and had received a letter from the State. He said the District was developing a plan to address the issues. Mayor Arave then reported that Big West Oil was most likely causing issues with the success of the algae project at the Water Treatment Plant.

The Mayor then reported that the Golf Course Advisory Committee had met several times and had several suggestions. The majority of the committee voted in favor of pursuing the GreatLife model with several changes to be made to the contract.

6. LEGISLATIVE DISCUSSION CONT.

Mayor Arave commented that one concern he had was with the unincorporated areas in the County that were within the North Salt Lake boundaries. He said that those residents liked being unincorporated due to low tax rates and free services.

David Church reported that the annexation law contained a provision that counties and cities could annex areas under a certain number of acres without a petition.

Senator Weiler requested that City staff review the current annexation law and email him with any insufficiencies that may need to be addressed during the current legislative session.

Ken Leetham commented on the transportation bill and the City's \$5 million request for funds to do construction design for the bridge on 1100 North. He asked if the sales tax reform was repealed if this would impact the transportation bill. Senator Weiler said the only chance for the City to obtain \$5 million this session would be with a transportation bond. He said if there was a transportation bond this year he would fight to make sure this project was on the list. Senator Weiler also clarified that the bond would be a completely different source of funding and was unrelated to the tax reform.

Senator Weiler then said that to actually construct the bridge at 1100 North that the City, Woods Cross, UDOT and Davis County would have to contribute funds.

Mayor Arave asked about the meeting on Legacy Parkway. Senator Weiler replied that UDOT, several mayors, and Representative Melissa Ballard were in attendance. It was determined that Legacy would not qualify for sound walls per UDOT's requirements. If lanes were added to increase capacity it would then qualify. The general consensus from the meeting was that sound walls would cause more harm than good as it would obstruct the trail. UDOT proposed cable barriers along several areas of the trail as barriers along the whole west side would be \$3-5 million. He mentioned that there was less damage to vehicles in an accident when they hit cable barriers. UDOT would also be installing signage enforcing a 24-hour per day sound ordinance.

Mayor Arave asked about public safety retirement. Marty Peterson commented that he was involved with the committee and Senator Harper had a bill that proposed insurance premium tax increases to offset the State's portion. He said the League (Utah League of Cities and Towns) was fighting to ensure cities did not have to pay the extra cost of the pensions.

Senator Weiler said it was not fair for the State to pay the cost for City employee retirement plans.

7. ADJOURN

Mayor Arave adjourned the meeting at 7:00 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
JANUARY 21, 2020

FINAL

Mayor Arave called the meeting to order at 7:09 p.m. Council Member Ryan Mumford offered the invocation and Brownie Troop 914 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 Natalie Gordon

EXCUSED: Council Member Lisa Watts Baskin

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

OTHERS PRESENT: Brian Hendricks, Jason Francis, Shella Shingleton, CJ Cameron, Tia Cameron, Vicky Thomas, Angie Keeton, Robert Wood, Ashley Calder, Jon Calder, Dee Lalliss, Alisa Van Langeveld, Alisa Mercer, Brownie Troop 914, residents; Natejje Hamilton, Bountiful resident; Nick Kelly, NKW; Mack Drzayich, Alta Planning.

1. CONSIDERATION OF THE MAYOR'S PLANNING COMMISSION
APPOINTMENT

Mayor Arave introduced Alisa Van Langeveld as his proposed appointment to the Planning Commission. He reported that she was on the Parks and Arts Committee for three years and served as the committee chair last year. Alisa had a doctorate in family and human development, and as part of her Master's degree she prepared studies on the effect of urban planning on families. He felt she would be a good fit for the Commission and asked that the Council approve this appointment.

Council Member Mumford moved to approve Mayor Arave's appointment of Alisa Van Langeveld to the Planning Commission. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Gordon. Council Member Baskin was excused.

2. CITIZEN COMMENT

There were no citizen comments.

3. DISCUSSION OF LEGACY PARKWAY CITIZEN CONCERNS BY SAVE LEGACY PARKWAY

Angie Keeton, representing Save Legacy Parkway, thanked the City Council for their support of the efforts to conserve Legacy Parkway. She expressed concerns regarding preservation of the parkway, trails, and nature preserve and said the focus now was to preserve this “work of art.” Ms. Keeton highlighted that based on the stakeholder feedback from public meetings that there needed to be a discussion about moving forward and dealing with the negative impacts of heavy trucks on the roadway. She explained that these stakeholders included residents, park and trail users, active transportation and environmental advocates and commuters.

Ms. Keeton said the City and the County could continue to work together to minimize the noise, environmental concerns and quality of life impacts. She said the City’s resolution to only raise the speed limit to 60 miles an hour was impactful as UDOT decided to only raise it to 65 mph.

Angie Keeton then said the City could lobby for the cable barriers along the trailside of Legacy Parkway. She said this project would support the design of the Parkway to preserve the wide open space while providing safety to trail users and property owners. Ms. Keeton asked that cities help to strictly enforce the 65 mph speed limit as well by supporting funding for Utah Highway Patrol on the Parkway. She also asked that noise ordinances were enforced to help control the air break noises and added that a request was made to UDOT to install signage addressing the noise issue.

Angie Keeton spoke on the sound wall and said that they were expensive and would impact the design of this scenic byway. She said based on her understanding only residents who lived right by the roadway would vote on the sound wall installation. Ms. Keeton then addressed future planning with a focus on preservation, sustainability, tree and native plantings, grant funding for landscaping, etc.

Angie Keeton said the Scenic Byway Committee should be revived with a focus on setting up a corridor management plan going forward.

Council Member Porter cautioned about noise signage and said the City once passed an ordinance to discourage trains from stopping on Center Street and issuing a ticket to the engineer. He said that the fine built up and was never paid and that the trains used their horns more frequently after that.

Council Member Baskin joined via teleconference at 7:29 p.m.

Jason Francis, 981 Bexley Drive, commented that his backyard was along the Legacy Parkway Trail. He said that since the truck ban was lifted from the Parkway that his family had been awakened by truck horns and traffic noise. Mr. Francis also expressed concern that a loaded semi-truck took 525 feet to stop and the trails were approximately 100 feet and his home was 200 feet from the Parkway.

Senator Weiler commented that he and Representative Ballard ran bills trying to extend the truck ban on Legacy Parkway last year as many homeowners were unaware that there was an expiration date on the truck traffic ban when they originally purchased their homes.

Brian Hendricks, 937 Bexley Drive, said his family was also greatly affected by the noise. He said he was aware of federal funds available for people in his situation but only in the event of a lawsuit or legislation. Mr. Hendricks asked the City to consider some kind of legislation. Mayor Arave replied that it would have to be State legislation.

Shella Shingleton, 785 Skipton Drive, commented that her home was located 160 feet from the highway. She said she was unaware of the truck ban expiring and felt that Legacy should no longer be called a scenic byway. Ms. Shingleton suggested sound walls and truck restrictions on nights and weekends.

Mayor Arave said that there were several difficult challenges the City faced, including dealing with Union Pacific Railroad and UDOT as they had separate rights and procedures. He said he talked to Region One with UDOT about the cable barriers and sound walls. Mayor Arave said he would also be meeting with director of Region One and would share the comments provided tonight.

4. SUBMITTAL OF FISCAL YEAR 2019 AUDIT BY RYAN CHILD AND NICOLE NELSON, CHILD RICHARDS CPAS AND ADVISORS

Ken Leetham reported that a representative from Child Richards CPA was not present. He said there were three findings of noncompliance including one with the general fund, improper documentation of the annual training for open and public meetings, and one occasion of minutes which were not posted within the three day time period. Mr. Leetham said Child Richards could provide a presentation if necessary.

Council Member Horrocks commented that general speaking he was very pleased with the overall financial situation of the City except for one department, which had not improved but had actually gotten worse. Mayor Arave said the golf committee had several meetings and come up with some great suggestions.

Mayor Arave thanked staff for their efforts in assisting with the audit.

Council Member Horrocks commented that in fairness to the golf course the City had put them in limbo, which may have contributed to the decline.

5. CONSIDERATION OF ORDINANCE 2020-03: AN ORDINANCE AMENDING THE GENERAL PLAN TO INCLUDE AN ACTIVE TRANSPORTATION PLAN AS PART OF THE TRANSPORTATION ELEMENT

Ali Avery reported that this item was to consider an update to the General Plan to include an Active Transportation Plan within the Transportation Element. The Active Transportation Plan was reviewed by the Planning Commission last week and a public hearing was held. She said by adopting this into the General Plan it would put the City in compliance with State code and allow staff to continue to apply for transportation investment funding. There had been several changes since the December 2019 draft. This plan was funded by a transportation and land use connection grant from Wasatch Front Regional Council in a partnership with Bountiful and Centerville cities.

Mack Drzayich, Alta Planning, reported that they were hired by Wasatch Front Regional Council to consult the City on active transportation and provide some recommendations on improvement in the community. He explained that active transportation was self-propelled human powered transportation such as bicycles and pedestrians. He said active transportation could positively impact public health, street safety, environmental and air quality, economics, and overall quality of life. This plan was focused on those making transit connections, accessibility for children, and those who have to or want to walk or bike more. Mr. Drzayich said there were four types/groups of cyclists including strong and fearless, enthusiastic and confident, not interested, and interested but concerned. He then focused on the project goals including connectivity, a true network, safety, recreation, sustainability, partnerships in both planning and implementation, and community health.

Mack Drzayich reported on the existing conditions analysis including previous studies and existing infrastructure (including 20 miles of existing facilities in the City). He said the public involvement process included online and in person outreach as well as workshops with stakeholders. A survey was launched with 200 respondents and of those respondents 27% were from the City. The reasons respondents gave for walking/biking included health and fitness, spending time outdoors, and socializing. Respondents were also asked how comfortable they felt walking in South Davis County and one third responded they felt uncomfortable.

Council Member Horrocks asked if the topography of the City was a factor in the results of the survey. Mack Drzayich said that was not taken into consideration but could be a factor.

Mack Drzayich finished reporting on the results of the survey and said respondents were deterred from walking or biking due to aggressive drivers, lack of directness for facilities, unsafe streets or sidewalks, and unsafe crossings. Respondents expressed that their top priorities would be

more paved off-street paths and better on-street bikeways and sidewalks. He also talked about an interactive map online that allowed respondents to show both barriers and destinations they would like to be able to access by bicycle or walking. Respondents were also able to vote on proposed bikeways. Mr. Drzayich said Eagleridge Drive/Bountiful Boulevard was the most liked project.

The in-person outreach was conducted through three pop-up events including the City's LibertyFest 5K race held during the summer. Stakeholder charrettes were also held with staff and several of the Council members in attendance. This included a review of the recommendations and corridors with a discussion about feasibility.

Mack Drzayich then spoke on the recommended facility types including separated bike lanes, buffered bike lanes, bike lanes, neighborhood byways, shared use paths, side paths, and rail crossings. He said Appendix C was a great resource for implementation with design guidelines based on national standards and best practices for each facility type. Mr. Drzayich focused on study area as a whole and said the proposed network would connect to one additional library, 9 additional grocers, 13 additional schools, 15 additional parks, and 39 additional churches. He then spoke on walkable activity centers including the Highway 89 corridor in conjunction with Bus Rapid Transit (BRT) stations, Foxboro, and the Five Points area in Bountiful.

Mack Drzayich reported on policy recommendations found in the plan and then implementation strategies. The implementation strategies included a chart with general cost estimates, federal and state funding sources, and project prioritization. City staff also chose several projects for additional recommendations including Eagleridge Drive and the Bamberger Trail corridor.

Mayor Arave asked for clarification on the purpose of the plan and how it would be used in the future. Mack Drzayich replied that the purpose of the plan was to provide a guide with recommendations for improving safety for bicyclists and pedestrians within the community. He said this was a plan to consult when resurfacing streets and accommodating all road users.

Mayor Arave asked if additional policies would need to be adopted that were referenced in this plan. Ken Leetham responded that he felt this plan was a set of options when there were opportunities in the City. He said this plan would build on the 2013 General Plan related to corridors for trails and bicycling as well as providing a toolbox for streets and design.

Mack Drzayich clarified that if the City adopted this plan that it would not require that these polices would be enacted but a recommendation for further coordination and opportunity to improve active transportation. Council Member Horrocks said the City would need to coordinate some projects with neighboring cities as well.

Sherrie Llewelyn commented that document recommended standards that would be considered when the City code was updated. She said there was already a developer focus on items like

bicycle parking which was becoming more common. This would be adopted as a recommending document and further analysis would be done before an ordinance was created.

Council Member Gordon said that one item which was considered when the Planning Commission was reviewing the Form Based Code for the City Center was allowing apartments to have fewer parking stalls if there were bike lockers.

Council Member Mumford commented he liked the proposal for walkability centers near the Bus Rapid Transit stops. He also liked that this plan was an option/alternative and not a requirement.

The Council had a discussion about the Foxboro area including parking, the lack of public transit, and rail crossing which limit walkability versus the Highway 89 corridor.

Council Members Horrocks and Porter expressed concern about under-parking a development in the hopes that residents would use alternate transportation modes. So far, this had just caused lack-of-parking issues. Council Member Porter also said he wanted to see a focus on improving the performance issue of the existing trails.

Mack Drzayich commented that this plan would really help in the development of the Bamberger Trail corridor. He said this plan was a guide for future decision-making.

Council Member Gordon moved that the City Council adopt Ordinance 2020-03 amending the City's General Plan to include the proposed Active Transportation Plan as an amendment to the Transportation Element with the following findings:

- 1) North Salt Lake with Bountiful and Centerville cities sought to improve Active Transportation to create safe alternate transportation methods; and**
- 2) The State legislature has determined that cities must include the general location and extent of active transportation facilities in the General Plan and;**
- 3) The proposed draft meets the requirements of the State code to continue to allow the City to apply for Transportation Investment Fund money.**

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

6. 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 8:37 p.m. Council Member Mumford moved to go into closed session to discuss the purchase, exchange, sale or lease of real property. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Gordon. Council Member Baskin was excused.

7. RECONVENE INTO REGULAR SESSION

At 9:13 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 and Gordon. Council Member Baskin was excused.

8. CONSIDERATION OF AN AGREEMENT WITH KIMBALL INVESTMENTS FOR THE PURCHASE OF REAL PROPERTY

Ken Leetham recommended that the City Council commit to a reimbursement to the purchasers, Kimball Investments, of up to \$770,000 over time. The source of the funding would be tax increment revenue generated from within 70 acres of the property and not triggered until they had generated \$15.5 million in taxable value on the non-industrial portion of their development on the acreage that fronted Redwood Road. He also said that the City should require, in the commitment letter, that they enter into an agreement for architectural standards, design guidelines, and signage for any property built within the 12 acres on Redwood Road. The architecture would represent what had been approved in the concept plan. The third recommendation would be appropriate timing of the demolition and clearing of the property within 18 months.

Council Member Gordon moved that the City Council approve an agreement with Kimball Investments with the following conditions:

- 1) *That the TIF reimbursement does not begin until Kimball Development is able to get \$15,500,000 in taxable value on the tax rolls anywhere within the approximately 12.5 acres of frontage parcels on Redwood Road. After that, the City will use all of the TIF revenue generated from the entire 70 acres reimburse Kimballs.
- 2) That Kimballs create architectural and design guidelines that produce the type of architecture shown on the approved concept plan.
- 3) That Kimballs agree to demolish the buildings and any other above-ground improvements on the Kelly properties within 18 months of entering into an agreement with the City for the reimbursement.

*The requirement to create taxable value prior to triggering tax increment payments was later amended by consent of the Council after the initial offer was made to Kimball Investments.

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

9. CITY ATTORNEY'S REPORT

David Church reported that every party had signed the settlement agreement for the Eaglepointe landslide. He said the next step was the mitigation plan design, which would go out for bid in March.

10. CITY MANAGER'S REPORT

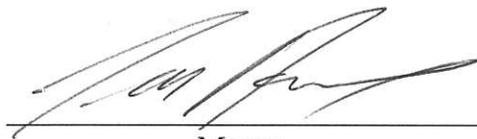
Ken Leetham reported that the City had signed a contract with Geosyntec for the design work of the landslide repair. He said they would perform a site inspection next week. There would be three more stakeholder meetings with a 30% design meeting on February 19th, a 90% design meeting on March 4th, and a 100% design meeting on March 12th. The project would then go out for bid with construction to begin soon after.

Council Member Horrocks asked how many legitimate bidders were expected to bid. Ken Leetham said as it was no longer a raw landslide site that now had a good plan, and he thought several good firms could bid. He said approximately \$3 million was accumulated from all the parties for the repair.

Council Member Mumford asked how long repair would take. Ken Leetham replied that it would take approximately 60 to 90 days and could most likely be repaired this year.

11. ADJOURN

Mayor Arave adjourned the meeting at 9:25 p.m.



Mayor



Recorder