

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-WORK SESSION  
DECEMBER 15, 2020

**FINAL**

Mayor Arave called the meeting to order at 6:08 p.m.

PRESENT: Mayor Len Arave  
Council Member Lisa Watts Baskin  
Council Member Brian Horrocks  
Council Member Stan Porter

EXCUSED: Council Member Natalie Gordon  
Council Member Ryan Mumford

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

OTHERS PRESENT: Dee Lalliss, resident; Linda Mitchell.

1. DEPARTMENT REPORT: SOUTH DAVIS METRO FIRE-CHIEF DANE STONE

Dane Stone, South Davis Metro Fire District, reported that Chief Bassett had retired in November and he was appointed on November 16<sup>th</sup> as the new Fire Chief. He said Greg Stewart was appointed as the Deputy Chief and Dave Powers would remain the Administration Chief. Chief Stone said they just received a new four-wheel drive engine for the Boulevard Station and would be getting a new medic engine for the Eaglewood Fire Station in February. All of the front line heavy apparatus would be five years old or less including reserve engines. He said the stations were all in good condition as well with the recent replacement and remodel of the Centerville and Boulevard stations respectively.

Chief Stone then spoke on staffing and said two recruits just graduated from the academy, which was held in conjunction with Salt Lake City and Sandy City fire departments. He spoke on the good relationship they had with Salt Lake City fire. Recruiting would begin again in February with the goal to have all the stations fully staffed with a maximum of four people on each engine and two people on each ambulance. Currently there were 87 operational firefighters and 8 daytime administrative staff.

Chief Stone said the department had done well with only seven confirmed COVID-19 cases throughout the pandemic. He said everyone was required to wear masks and symptomatic

employees were tested. Many COVID patients were transported but staff remained safe with personal protective equipment (PPE). Chief Stone then talked about the need for a tax increase in the near future.

Council Member Horrocks asked if the tax increase was just payroll related as the equipment and stations were all in good shape. Chief Stone said that the tax rate should have been maintained and the tax increase would be to fund the bonds and for a training facility. He said the original plan was to purchase property adjacent to the Holly Refining for the facility and he would be renewing those efforts to obtain the property.

Chief Stone commented that he would like to increase daytime staffing as well. Mayor Arave spoke on personnel costs and said South Davis Metro Fire Agency was formed in 2005 and did not increase staffing until 2017. He said that part time employees were being used to fill in which was difficult.

Chief Stone said there was a tax increase in 2015 to hire 24 extra personnel including taking over paramedic services from Davis County. He said while numbers of operational staff had increased that daytime administrative staff had not.

## 2. UPDATE AND DISCUSSION ON PARAMEDIC SERVICES IN DAVIS COUNTY- CITY MANAGER

Ken Leetham reported that he had been working with other city managers and fire chiefs to discuss paramedic services in Davis County. He showed a map of Davis County and said there were 15 municipalities, 17 fire stations, and 5 paramedic units that operated out of the fire stations. Mr. Leetham explained that other paramedic services in the County were provided by sheriff deputies. He said a collaborative effort had been made to transfer the service model for paramedic services in the County. He reviewed three models, which included shifting from the service being provided by sheriff deputies to having six extra paramedic units for a total of 11 units. This would result in six new stations in Clinton, Syracuse, West Point, Layton, Kaysville, and Farmington with the elimination of the combination deputy/paramedic model.

Ken Leetham then reviewed solution two, which would be to enter into service agreements in order to serve all cities. This would include a new central district comprised of Farmington, Kaysville, and Fruit Heights. He said Syracuse, Clinton and South Weber would need to determine how they would provide and pay for services.

Mr. Leetham said in 2021 that the Countywide paramedic tax would be eliminated by Davis County. He explained that this tax was collected in the City and a portion of that tax was exported into other areas, which resulted in the City subsidizing some of the paramedic operations. The proposal was that when the tax funding ended that South Davis Metro Fire

District (SDMFD) would adopt the same tax rate and other communities would adopt the same or higher tax rate.

Ken Leetham explained that last year the City collected \$808,000, which was 25% of the tax based on the agreed formula. He said the district, which included the City, and Layton, each had an equal 25% and the rest of the tax was distributed to the County for their areas but the City only had one-third of the population of the County, which resulted in an unequal situation. This inequity would be corrected with the proposed changes and each City would sign an interlocal agreement for services. Mr. Leetham said there would not be a lot of change for the City except for a better tax structure. He spoke on the process, which included public outreach, agreements to be signed, and the subcommittees working on the contract and communications.

Ken Leetham said he had spoken with the County and a presentation would be made during the Council of Governments meeting in January. He felt that the project would be successful as the cities and Davis County all worked well together.

Mayor Arave commented that it looked like the County was collecting \$3.6 million in taxes and Layton was receiving \$1.6 million. He said it seemed like the County was spending \$4.5 million in services to the north end of the County, which meant that taxpayers in the southern end of the County were subsidizing the northern part of the County. Ken Leetham said this plan would correct the inequity and poor financing model.

### 3. APPROVE CITY COUNCIL MINUTES

The City Council minutes of November 17, 2020 were reviewed and amended.

**Council Member Baskin moved to approve the minutes of November 17, 2020 as amended with the reflection that the Resolution 2020-32R passed and be incorporated into the minutes. Council Member Horrocks seconded the motion. The motion was approved by Council Members Baskin, Horrocks and Porter. Council Members Gordon and Mumford were excused.**

### 4. ACTION ITEMS

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

Mayor Arave asked about the Redwood Road CDA. He also asked about the annexation and if it was moving forward. Ken Leetham replied that he met with Lewis Young on the Redwood Road CDA and said there were ways for the City to use the tax increment to perform work at the Foxboro Wetlands Park. He said staff would bring a plan related to the expenditures for the Redwood Road and Highway 89 CDAs. He said there was a method in the Highway 89 CDA to potentially use TIF revenue for the expansion of Hatch Park.

Mayor Arave then asked about the golf course remodel. Ken Leetham responded that the architect presented exterior plans and proposal to the Golf Committee. The Committee made some suggestions on the exterior and asked the architect to review the interior of the building and present some concepts within the next 30 days. These recommendations from the Golf Committee would then be presented to the City Council.

Mayor Arave asked if the architect would review the downstairs office area as well.

Sherrie Pace provided an update on the proposed Misty River annexation. She said Lewis Young had met with most of the potential affected taxing entities and had enough information to put together the metrics and model. They were still waiting for estimates from the sewer district. It was estimated that the draft for the annexation policy would be available in early January.

Mayor Arave asked if the Misty River applicants were still interested. Sherrie Pace replied that they were anxious to receive the annexation study. She said staff toured the property last week to get a better feel of the layout.

Mayor Arave questioned if Salt Lake or the airport were concerned about the project. He asked if a noise study would be conducted. Sherrie Pace responded that everyone was just waiting for the feasibility study. She said the developer had paid for a noise study to be performed.

Council Member Porter asked about item 13 from the action items list related to vacant property. Sherrie Pace replied that she would reach out to the property owner.

Council Member Baskin spoke on a hearing for the Wilmington property. Sherrie Pace responded that there was a code violation for all five properties and a hearing would be held in front of the hearing officer. She explained that the site had been abandoned and the property had become an attractive nuisance under City ordinance. The City reached out to the developer and they did not want to spend the money to demolish the buildings and cleanup the site. The City asked for an order that the property owner cleanup the site and tear down the buildings or allow the City to abate the issue with the cost to be collected per a tax lien.

Mayor Arave asked about the status of the development. Sherrie Pace said the current owner was trying to sell the property to a new development group. The new development group wanted to bring changes to the City Council and were working with staff prior to presentation to the Council.

Mayor Arave asked about commercial development at Town Plaza. Sherrie Pace said she would reach out to the developer related to the submittal of building permits for the project.

## 5. COUNCIL REPORTS

Council Members Baskin, Horrocks and Porter had nothing to report.

6. MAYOR'S REPORT

Mayor Arave had nothing to report.

7. CITY ATTORNEY'S REPORT

David Church had nothing to report.

8. CITY MANAGER'S REPORT

Ken Leetham reported that a small Christmas gift would be delivered to the Mayor and City Council this week.

9. ADJOURN

Mayor Arave adjourned the meeting at 7:01 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-REGULAR SESSION  
DECEMBER 15, 2020

**FINAL**

Mayor Arave called the meeting to order at 7:01 p.m.

PRESENT: Mayor Len Arave  
Council Member Lisa Watts Baskin  
Council Member Brian Horrocks  
Council Member Stan Porter

EXCUSED: Council Member Natalie Gordon  
Council Member Ryan Mumford

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

OTHERS PRESENT: Dee Lalliss, resident; Dal Wayment, South Davis Sewer District.

Mayor Arave stated that as Mayor of the City of North Salt Lake and Chair of this public body they had determined that due to the COVID-19 pandemic and the physical distancing needed to prevent the spread of infection, public meetings pose a substantial risk to the health and safety of those who may be present. That risk could be substantially mitigated by holding City Council meetings through electronic means that allow for public participation without an anchor location. A copy of this determination is available at [www.nslcity.org](http://www.nslcity.org).

1. CITIZEN COMMENT

There were no citizen comments.

2. CONSIDERATION OF ORDINANCE 2020-16: AN ORDINANCE ADOPTING THE SOUTH DAVIS SEWER DISTRICT INDUSTRIAL PRETREATMENT PROGRAM-EFFLUENT REQUIREMENT, RULES AND REGULATIONS ADOPTED 6/25/2020

Ken Leetham reported that there were 58 pages of regulations that would be attached to the Resolution. He said there was a section related to the City's obligations and the Sewer District's coordination related to building permitting and land use approvals, which meant the City and the District would coordinate on any approvals or pending applications. The City would provide

details about the proposals so the District could work with businesses on what types of discharges they would make into the sewer system. He said most of the regulations were related to the District including discharge permits, enforcement, and powers to regulate. Mr. Leetham said the State required all the cities in the District adopt the same regulations that the Sewer District adopted before the end of the year.

Dal Wayment, South Davis Sewer District, commented that the City has had this ordinance in place since the 1980s but the Division of Water Quality required that it be updated. He said the key issue was that under the EPA's mandate the program must have the ability to assess a criminal penalty, which was why the cities must adopt this ordinance.

Council Member Porter asked if there was language in the regulations that could be misinterpreted such as the storage of small amounts of everyday items in a residential garage or the ability for a company to blame an employee that had minimal responsibility. He asked about water softener salt that may be dumped in the sewer. Dal Wayment replied that while water softener salt was a problem, it was not included in the regulations. He said to reuse waste water for irrigation would be problematic and in the future there would have to be an ordinance banning people from using sodium chloride. Mr. Wayment said it was the District's responsibility to implement and operate this plan.

Council Member Baskin asked about the criminal conduct in the 1970s. Dal Wayment replied that it was the discharge of large quantities of zinc by a company that made guardrails, etc. He said zinc was very toxic and the company, who did not have a discharge permit, was dumping it into a floor drain.

Ken Leetham said that as he read the document there was a similar enforcement process to what the City did related to Land Use Authority issues where if the party was brought into compliance, they would not issue a fine. Dal Wayment replied that they had issued a fine maybe two or three times. He said the Sewer District inspected, took routine samples, and tried to cooperate with industrial users. Mr. Wayment spoke on the four major refineries in the area and said even dentists could be a significant industrial user with silver fillings.

Council Member Baskin clarified that this resolution would be adopted by the City as an ordinance and provide for the authority to impose criminal sanctions if necessary. Ken Leetham said it would authorize the Sewer District and not the City.

Mayor Arave said this would be misdemeanor charges and the larger issues would be handled by the EPA.

David Church stated that the City would adopt this by ordinance, which would become City code as the District did not have police powers. The City would most likely be the prosecuting entity if the District brought forward a case.

Council Member Baskin commented that the City Council did not have the opportunity to review the regulations and asked if the City attorney had read it. David Church responded affirmatively and said it was similar to what the City already had in place from the 1980s. He said this updated the regulations.

Ken Leetham commented that the City had previously adopted two versions of these same regulations in 1984 and 1993. He said there was not a deadline so the City Council could review the regulations and then vote at a later date if necessary.

The City Council said that as David Church had read the regulations they felt comfortable adopting the resolution.

**Council Member Horrocks moved that the City Council adopt Ordinance 2020-16, which establishes uniform requirements and regulations for the discharge of effluent into the sanitary sewer system in the City of North Salt Lake. Council Member Porter seconded the motion. The motion was approved by Council Members Baskin, Horrocks and Porter. Council Members Gordon and Mumford were excused.**

Sherrie Pace recommended reordering the agenda to accommodate the applicants who were present.

3. CONSIDERATION OF FINAL PLAT APPROVAL FOR NSL CITY CENTER, PARK LOFTS, PHASE 2 AT 71 NORTH HIGHWAY 89, BRIGHTON HOMES, APPLICANT

Sherrie Pace reported that the Chaparral Fire Protection site of 1.55 acres would be added to the 3.6-acre City Center development to the South. The amended general development plan for City Center was approved by the City Council on August 18, 2020 and the P District rezone and preliminary plat were approved by the City Council on October 20, 2020. The Planning Commission reviewed the final plat on December 8<sup>th</sup> and made a favorable recommendation.

Ms. Pace stated that the project consisted of one plat with 35 townhome units with six units that were reconfigured from Phase 1. The final plat was reviewed for compliance with the development agreement and City code and was in compliance. She said all planning redline corrections had been verified as complete and all engineering redline corrections had been verified by the City engineer. The developer entered into an agreement with North Town Station HOA for improvement of their detention area expansion and open space maintenance. The residents of Park Lofts would have access to the open space and amenities, including a walking path, pavilion, basketball court, and dog park area. The developer would be replacing the existing fencing adjacent to Main Street as well as the townhome units with a decorative metal fence. The DRC reviewed the plan and found it in compliance with the requirements for final plat approval.

**Council Member Horrocks moved that the City Council approve the Final Plat for NSL City Center, Phase 2, Park Lofts at City Center located at North Highway 89. Council Member Baskin seconded the motion.**

Council Member Porter commented that he would be abstaining. Mayor Arave replied that the item would have to be tabled as a minimum of three votes in favor of the motion must be obtained.

Council Member Porter withdrew his abstention.

**The motion was approved by Council Members Baskin, Horrocks and Porter. Council Members Gordon and Mumford were excused.**

Paul Ottoson commented that all the redline corrections had been taken care of.

4. CONSIDERATION OF ORDINANCE 2020-15: AN ORDINANCE REZONING PROPERTY LOCATED AT 212 NORTH HIGHWAY 89 FROM HIGHWAY COMMERCIAL (CH) TO P DISTRICT AND APPROVING DEVELOPMENT AGREEMENT (2020-42A) FOR SILVER SKY LOFTS TOWNHOMES PUD, BEN OLSEN, APPLICANT

Sherrie Pace reported that the proposed property was a vacant parcel located on Highway 89. The City Council approved the general development plan on September 4, 2018 for 13 townhome units to be owner-occupied. The Planning Commission held a public hearing on September 22, 2020 and continued the hearing to a future date with instructions for the applicant to submit additional information. The Planning Commission reviewed the revised submittals on December 8, 2020 and made a favorable recommendation to the City Council with two conditions including that the private road right-of-way be continued full width to the east property line providing a vehicular and pedestrian cross easement on behalf of the property to the east and the landscape within the park strip along Highway 89 be verified as salt tolerant. She explained that the easement for the private road would accommodate a pedestrian walkway with the redevelopment of the adjacent parcel.

Each of the ten units on the north side of the property have a two-car garage with driveway parking for two vehicles. The units on the south side do not have driveways to accommodate parking. Additional parking would be provided on the site. The Planning Commission worked with the developer on revising the layout to provide full driveways and amenities such as useful open space. The total project landscaping would be 10,837 square feet or 25%. The Silver Sky Lofts would be two bedroom units, which require two parking spaces per unit for a total of 26 spaces plus 4 guest spaces for a total of 30 required spaces. The applicant has proposed 26 parking spaces including garages and 25 guest spaces for a total of 51 parking spaces overall.

The exterior would be modern architecture with flat roofs and balconies. The architecture would incorporate stone, stucco and metal in gray and white with black trim. Improvements to the landscaping would include 40% of the site.

Mayor Arave asked about comments from the public hearing. Sherrie Pace replied that resident concerns were related to the height of the structures, the setbacks from the property line, and if these units would be owner-occupied.

Council Member Horrocks asked if there was a condition in the CCRs that would restrict an owner from owning multiple units. Sherrie Pace responded that this condition could be added.

Council Member Baskin asked how the P District designation interfaced with the perspective form based code. Sherrie Pace replied that it would meet the same requirements as the form based code in this area.

**Council Member Horrocks moved that the City Council approve Ordinance 2020-15: An ordinance rezoning property located at 212 North Highway 89 from Highway Commercial (CH) to P District and approving Development Agreement (2020-42A) from Silver Sky Lofts Townhomes PUD with the following conditions:**

- 1) The private road right-of-way shall be continued the full width to the east property line providing a pedestrian and vehicular cross easement on behalf of the property to the east;**
- 2) The landscape within the park strip along Highway 89 be verified to be salt tolerant; and**
- 3) There cannot be a single owner of more than three units in this development.**

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

**5. CONSIDERATION OF PRELIMINARY PLAN APPROVAL FOR SILVER SKY LOFTS TOWNHOMES PUD LOCATED AT 212 NORTH HIGHWAY 89, BEN OLSEN, APPLICANT**

Sherrie Pace reported that this was the preliminary plan and administrative decision. The Planning Commission had the same conditions for approval for the plat to extend the easement to the property line and ensure the landscaping was salt tolerant.

**Council Member Baskin moved that the City Council approve the preliminary plan for Silver Sky Lofts PUD located at 212 North Highway 89 with the following conditions:**

- 1) **The private road right-of-way shall be continued the full width to the east property line providing a pedestrian and vehicular cross easement on behalf of the property to the east;**
- 2) **The landscape within the park strip along Highway 89 be verified to be salt tolerant; and**
- 3) **That the development agreement included language stating that no more than three units could be owned by the same individual.**

**Council Member Porter seconded the motion.**

Council Member Horrocks asked if it should be clarified that more than three units could not be owned by the same individual or entity.

**Council Member Baskin amended her motion to state in condition three that no more than three units could be owned by the same individual or entity. Council Member Porter seconded the amended motion. The motion was approved by Council Members Baskin, Horrocks and Porter. Council Members Gordon and Mumford were excused.**

#### 6. CONSIDERATION OF NEWSLETTER PUBLICATION AND DISTRIBUTION OPTIONS

Ken Leetham said this item was to address the fact that currently the City newsletter did not reach the entire population. He said there were several different options for reaching all residents and staff recommended separating the newsletter from the utility bill to mail it to every resident in the City. Mr. Leetham also suggested changing the frequency of the mailing to a bi-monthly newsletter and sending it out every other month. He said the content could be more effective and added that it would be nice for each elected official to provide content throughout the year.

Ken Leetham said that over the course of twelve months the cost would be approximately \$5,000 more than it currently cost.

Council Member Baskin said it appeared that approximately 5,000 more people would receive the newsletter with this method.

Mayor Arave asked about the increased cost. Linda Horrocks explained that currently the newsletter was mailed with the utility bills and if the newsletter was sent separately there would be an additional cost for mailing.

Linda Horrocks also mentioned that she would like to start a campaign to get residents to sign up for digital newsletters, which would hopefully bring down the mailing costs. Council Member Porter was in favor of the online version of the newsletter.

Ken Leetham clarified that about 3,000 households were currently not receiving the newsletter.

Council Member Porter asked if there was a way to see how many people had subscribed or viewed the digital version of the newsletter.

Ken Leetham said the City did not have to expand the paper outreach if there was desire to look at other ways for the City to reach out to residents who did not receive a utility bill.

Council Member Baskin said to try out the separate mailing of the paper newsletter to all residents. Council Member Porter was in agreement as he felt it would help to unite the community.

Council Member Horrocks was also in favor of sending out the paper newsletter and then encouraging residents to sign up for the digital version. Ken Leetham said staff would obtain more information on costs to provide the paper version to residents.

7. ADJOURN INTO CLOSED SESSION

**At 7:56 p.m. Council Member Porter moved to go into closed session to discuss imminent or pending litigation and the acquisition of real property. Council Member Horrocks seconded the motion. The motion was approved by Council Members Baskin, Horrocks and Porter. Council Members Gordon and Mumford were excused.**

8. RECONVENE INTO REGULAR SESSION

**At 8:37 p.m. Council Member Porter moved to go out of closed session and into the regular session. Council Member Horrocks seconded the motion. The motion was approved by Council Members Baskin, Horrocks and Porter. Council Members Gordon and Mumford were excused.**

9. ADJOURN

Mayor Arave adjourned the meeting at 8: 38 p.m.

*The foregoing was approved by the City Council of the City of North Salt Lake on Tuesday January 5, 2021 by unanimous vote of all members present.*



Linda Horrocks, City Recorder