

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
MARCH 2, 2021

FINAL

Mayor Arave called the meeting to order at 6:03 p.m.

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

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

OTHERS PRESENT: Curtis Koch, Davis County Clerk/Auditor; Lorene Kamalu, Davis County Commissioner. Via Zoom: Dee Lalliss, resident; 801-936-4817, Steve Rush.

1. ELECTION DISCUSSION-CURTIS KOCH, DAVIS COUNTY CLERK/AUDITOR

Curtis Koch, Davis County Clerk/Auditor, reported that the first time the County clerks reviewed ranked choice voting was in 2013 and they determined it was not something they were interested in pursuing at that time. In 2018, a bill passed that allowed for a pilot program to occur in municipalities with ranked choice voting to be a municipal decision. Recent House Bill (HB)75 provided a third alternative for administering ranked choice voting by allowing a City to choose whether to contract with their own County, another city, Dominion or ES&S, a county that offers the service, or a city could run ranked choice voting themselves.

Curtis Koch stated some facts about ranked choice voting, including that if ranked choice voting was fully implemented then it would save a city money by eliminating a primary election, and it also added a level of complexity to administration and to how voters interacted with a ballot. He asked how election administrators could overcome the complexity issue and said that through the current processes, accurate administration occurred through consistency by set methods and audits. Mr. Koch said that he would support ranked choice voting if there was consistency. This would allow him to build processes, educate voters, and have confidence in ranked choice voting. He said that Davis County is not afraid of being innovative, and pointed out that 2014 Davis County implemented vote by mail and in 2015, only about half the cities used this process. The County learned from this that it was a bad idea to administer two styles of elections at the

same time as it created confusion for residents. In 2018, due to this confusion, the County determined they would only administer vote by mail elections and cities could still offer traditional poll voting if they preferred.

Curtis Koch spoke on the administrative challenges of a ranked choice election including audit difficulties, as there were multiple iterations on each ballot. He said that the New York Board of Elections had to order a hand recount for a ranked choice election. Mr. Koch explained that overall the County did not have confidence in ranked choice voting. He gave several reasons for this including difficulties with multiple choice options, the difficulty with transparency, being unable to release election night votes, tabulation issues, recount triggers, and the overall complexity.

Council Member Mumford commented that he had been on the City Council for eight years and really liked the idea of ranked choice voting. He said primary elections added complexity because people had to vote twice. He pointed out the benefits of ranked choice and said that there would only be one election, which was cheaper and the potential to eliminate strategy or gamesmanship in voting per the current system. He explained that with two seats for City Council in the upcoming City election that many people may only vote for one candidate to help their candidate win.

Council Member Horrocks commented that residents could just vote for one candidate in ranked choice voting as well. Council Member Mumford replied that residents could just vote for one candidate but if that candidate was last place then you would no longer have a vote in that election. He said gamesmanship was wrong and ranked choice encouraged supporting multiple candidates.

Council Member Gordon said that there was gamesmanship in ranked choice voting as well. Council Member Mumford responded that if people were being encouraged to have a second choice and voted for multiple candidates then this was good gamesmanship and created kinder elections.

Council Member Mumford gave the example of the last presidential election and how some people were not voting for the candidate they wanted but just for who they disliked the least. He said that with ranked choice voting you would always get to vote for the candidate you supported.

Council Member Horrocks expounded on the presidential election example and said that in the case where the main two candidates were very divisive and there was a random third candidate, that everyone would vote for this third candidate as their second choice. He then said this third candidate would win, and nobody would get their first choice. Council Member Mumford replied that he would rather have a winner that most of the population could live with than someone half the people disliked.

Council Member Horrocks commented that this seemed like it would lead to mediocrity.

Curtis Koch addressed the issue of gamesmanship and said it could occur in both approval and ranked choice voting. He spoke on what should happen in elections, the need for consistency, and a fair and accurate study proving that ranked choice voting was the best method.

Council Member Baskin asked if success was measured by voter turnout. Curtis Koch replied that it was a right and a duty to vote and one of the successes of vote by mail allowed voters to educate themselves before election day. He said this was a representative government so voter turnout was a sign of success.

Council Member Baskin asked why a moderate candidate would be a mediocrity. Council Member Horrocks responded that it was only in the sense that the moderate was everyone's second choice and not the first.

Council Member Mumford commented that he liked the idea of consistency and a method. He said he needed to represent the citizens in the City and their best interest. He said if citizens were educated beforehand and expectations were set, that doing ranked choice voting could be clear and transparent.

Council Member Baskin that in the last legislative session straight party voting was eliminated. She said sometimes systems were in place that made democracy more difficult to achieve. She said although democracy may be inconvenient, messy, inconsistent, and inefficient, that it was not a reason to oppose improvements or changes liked ranked choice voting.

Mayor Arave asked about the state of the law and if the City chose to do ranked choice voting if the County had to assist or if the City would be required to find someone else. Curtis Koch replied that per HB75 the County would not be forced to administer ranked choice but the City could administer the election or find outside assistance.

Mayor Arave asked when the City had to determine whether they would have ranked choice voting or the traditional method in the November election. Ken Leetham replied that this item would be on the next City Council agenda for decision.

Mayor Arave spoke on unincorporated areas and what Commissioner Kamalu and Curtis Koch could do to eliminate this issue. He said the City could provide services to these areas cheaper than the County could. Commissioner Kamalu replied that the three commissioners in office right now had a great interest in incorporating these areas into the adjacent cities. She said there were ways to find a win/win situation for all.

Curtis Koch commented that speaking as the County Clerk this was something that definitely needed to be addressed. He said it was in the best interest of the citizens and from a budgetary

standpoint he would be supportive of contracts that would allow these areas to be serviced by cities.

Mayor Arave said that residents from the unincorporated areas benefited from accessing the City's police, parks, streets, etc. but did not share in the cost. He also felt the County was not very effective in providing services to these unincorporated areas. Curtis Koch replied that there were equity issues and agreed it was ineffective for the County to provide services. Commissioner Kamalu commented that the unincorporated areas should be addressed by the commission in the near future.

2. 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
MARCH 2, 2021

FINAL

Mayor Arave called the meeting to order at 7:00 p.m. Council Member Ryan Mumford offered the invocation and Council Member Natalie Gordon led those present in the Pledge of Allegiance.

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

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; Tyler Abegglen, Golf Course General Manager; Sherrie Pace, Community Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Curtis Koch, Davis County Clerk/Auditor; Lorene Kamalu, Davis County Commissioner. Via Zoom: Dee Lalliss, resident; 801-936-4817, Steve Rush.

1. CITIZEN COMMENT

Dee Lalliss, 74 East 300 North, asked about the City's Uniting Neighbors group potential name change and about Citywide emergency preparedness including the Great Shake Out earthquake drill. He also asked if the City could create a list of where items like batteries, florescent bulbs, tires, paint, electronics, and appliances could be disposed of or recycled. Mayor Arave replied that as these items are prohibited in the regular garbage cans, that staff would provide a list of where to recycle or discard of these items in the newsletter.

Council Member Porter said he had researched what other cities were doing relating to emergency preparedness. He said South Davis Metro Fire would not be administering this and the Bountiful Emergency Preparedness was not interested in participating with the City. He explained that the LDS Church had organized boundaries for emergency preparedness based on their stake/ward boundaries. This meant that areas of our City were divided and included in Woods Cross and Bountiful stakes and those emergency preparedness areas.

Mayor Arave asked why South Davis Fire was not interested in administering the emergency preparedness program. Ken Leetham replied that many of the other cities in the County already had programs in place.

Council Member Gordon asked if it was the best idea to organize by LDS Stake areas. Mayor Arave explained the LDS Church already had a system in place with a hierarchy of stakes, wards, and then street blocks in the neighborhoods. He felt like there were things the City could and should do related to resources, etc. but that the geographic boundaries were effective.

Ken Leetham said he would reach out to South Davis Fire regarding the Great Shake Out. He spoke on the September 2020 windstorm event and how the cities and County worked together during this incident. Mr. Leetham said that the City was able to communicate with residents via social media but phone trees would have been useful as well.

2. REMARKS, QUESTIONS AND ANSWERS BY DAVIS COUNTY COMMISSIONER LORENE KAMALU

Commissioner Kamalu reported that she was on the Kaysville Planning Commission before being on the County Commission. She said this gave her a certain perspective and congratulated the City on the progress, leadership, and direction they were going. Commissioner Kamalu then spoke on the library system and a study underway for the Bountiful library. She said there was a new library director who was chosen out of 70+ applications.

Commissioner Kamalu talked about health and human services including an arena facility with a drive thru and how convenient this had been with COVID. She spoke on vaccines and the need for a second facility to administer them. She also spoke on emergency operations and that the County needed to have a role of leadership and to work with cities on training.

Commissioner Kamalu said there was a need for an emergency preparedness training location. She said this might start in the work center but was the current location for Davis Behavioral Health receiving center, which bridged the gap for individuals that would normally go to jail or the emergency room. She said when the new receiving center was built in Farmington the work center would be free for the Davis County Emergency Preparedness Readiness Facility.

Commissioner Kamalu provided a list of what each County Commissioner was over and said they welcomed engagement with City staff and residents.

Commissioner Kamalu spoke on criminal justice and said she was on the Utah Indigent Defense Commission and the Pretrial Release and Supervision Committee. She then thanked the City for partnering with the County to figure out the paramedic services and animal care services.

Mayor Arave thanked the Commissioners for working with/for the cities.

Mayor Arave said that the City received seven applications for City attorney and the hiring committee would be conducting interviews at this time.

3. ADJOURN INTO CLOSED SESSION

At 7:33 p.m. Council Member Horrocks moved to go into closed session to discuss personnel issues. Council Member Porter seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter.

4. RECONVENE INTO REGULAR SESSION

At 9:00 p.m. Council Member Mumford moved to go out of closed session and into the regular session. Council Member Porter seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter.

5. CONSIDERATION OF ORDINANCE 2021-02: AN ORDINANCE GRANTING AN ELECTRIC UTILITY FRANCHISE AGREEMENT AND GENERAL UTILITY EASEMENT TO ROCKY MOUNTAIN POWER (AGR-2021-10A)

Ken Leetham reported that the City had a current franchise agreement with Rocky Mountain Power, which allowed them to work within City rights of way. These agreements were in five year increments and would expire May 2021. The proposed agreement would be nearly identical in substance to the agreement approved in 2016.

Council Member Horrocks moved to approve Ordinance No. 2021-02: An ordinance entering into a franchise agreement with Rocky Mountain Power. Council Member Mumford seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter.

6. CONSIDERATION OF RESOLUTION 2021-09R: A RESOLUTION APPROVING AN AGREEMENT FOR CONSULTING SERVICES FOR THE PREPARATION OF GENERAL PLAN AMENDMENTS TO THE CITY'S WATER AND STORM WATER MASTER PLANS AND FOR THE PREPARATION OF ASSOCIATED IMPACT FEE FACILITIES PLANS, IMPACT FEE STUDIES, IMPACT FEE ORDINANCES AND WATER AND STORM WATER RATE STUDIES WITH BOWEN, COLLINS & ASSOCIATES FOR AN AMOUNT NOT TO EXCEED \$231,725 (AGR 2021-11A)

Ken Leetham reported that staff had been working on this project for a long time and that it was critically important. He said the City was still growing and the consultant would review the condition and suitability of wells, storage, water modeling, growth, and capital facility plans. The consultant would also perform consumer rate studies and developing conservation strategies for the secondary/irrigation system. Other results would include new impact fee statutes, ordinances

for water and storm drain. The funding for these studies would be generated as follows: \$115,445 from the Culinary Water Fund, \$17,250 from the Secondary Water Fund, and \$99,030 from the Storm Water Fund for a total of \$231,725. These activities would all be eligible for the use of impact fees. The City held an open house and three firms submitted formal proposals. A subcommittee consisting of the Mayor, City Manager, Public Works Director, City Engineer, and Finance Director interviewed each firm and Bowen Collins provided the most comprehensive list of services and products.

Council Member Mumford moved that the City Council approve Resolution 2021-09R in an amount not to exceed \$231,725. Council Member Gordon seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter.

7. CONSIDERATION OF RESOLUTION 2021-05R: A RESOLUTION IN SUPPORT OF THE 2021 UPDATE TO THE DAVIS COUNTY PRE-DISASTER MITIGATION PLAN AND COMMITMENT TO CITY PARTICIPATION

Ken Leetham reported that this document was formally updated every five years and was a Federal and State required document. He said this document addressed potential risk and disasters in the County. The County received a grant to prepare an update to the plan, which was last updated in 2016. The terms of the plan require all cities to participate by passing the attached resolution. Mr. Leetham stated that Staff member, Ali Avery, would work with the County to complete the City's portion of the plan including natural disasters that could occur in the City. He added that the plan also allowed the City to make requests of FEMA including for the 2020 windstorm.

Council Member Porter spoke on districts and the need for good communication between the City and those in charge of emergency preparedness. Ken Leetham replied that the windstorm was a good opportunity for the city managers in the area to discuss sharing resources.

Council Member Horrocks commented that it definitely made sense for the City to work with the LDS Church as they already had procedures in place.

Council Member Porter moved that the City Council adopt Resolution 2021-05R supporting the 2021 update to the Davis County Pre-Disaster Mitigation Plan and committing to City participation with the following findings:

- 1) **The City participated in the 2016 Davis County Pre-Disaster Mitigation Plan, which enabled the submittal of grant applications to FEMA for pre-disaster mitigation funding.**
- 2) **The City is interested in applying for future grant funding for FEMA to make the City more resilient to natural hazards.**

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

8. CONSIDERATION OF A BID AWARD FOR FOXBORO DRIVE STREET RECONSTRUCTION PROJECT FROM FOXBORO ELEMENTARY SCHOOL TO FOX HOLLOW DRIVE ROUNDABOUT IN THE AMOUNT OF \$155,984

Paul Ottoson reported on the Foxboro Drive street reconstruction project which included the roundabout at Fox Hollow and the area in front of the elementary school. This project would be completed during the summer months when school was not in session as the road would need to be shutdown. The low bidder said the project could be completed in 10 to 14 days. He showed images of the alligator cracking on Foxboro Drive and said this would be a total reconstruction, which would require digging down 14 inches to lay geo grid fabric and installing new road base and asphalt. There were seven bidders on this project with Advanced Paving as the low bidder at \$155,984. This contractor was recently awarded the Eagleridge project on Mont Clair and was a good contractor. The existing budget was \$285,000, which would allow for any additional soft spots that may be discovered.

Council Member Mumford moved to award the Foxboro Drive street reconstruction from Foxboro Elementary school to Fox Hollow Drive roundabout to Advanced Paving and Construction, LLC for the price of \$155,984. Council Member Baskin seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter.

9. APPROVE CITY COUNCIL MINUTES

The City Council minutes of February 2, 2021 were reviewed and approved.

Council Member Mumford moved to approve the City Council minutes of February 2, 2021. Council Member Porter seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter.

10. ACTION ITEMS

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

11. COUNCIL REPORTS

Council Member Mumford reported on a street light issue at Tunnel Springs Park. He asked if the light coming from the fixtures was different than what was approved. Ken Leetham replied that he was unsure the City Council reviewed a lighting plan other than the locations of the light

Council Member Mumford commented that during new construction or when a road was dug up that it should be easy to run a fiber internet line. Ken Leetham replied that the City could adopt a standard for new construction including installation of a dedicated conduit to allow fiber.

Ken Leetham commented that there were several things the City could do including reaching out to providers like Utopia to see what options were out there and what would be required. He also said that the City could hire a consultant to review the City and provide options.

Council Member Horrocks asked if it was even the City's responsibility to provide internet service. Ken Leetham replied that residents in Kaysville voted for a city provided service.

Council Member Horrocks suggested using Qualtrics to determine if this was something that residents wanted.

Council Member Horrocks commented that there were things the City did well including snow plowing, providing water, streets, parks, public safety, waste management, etc., and these activities along with the administration accounted for much of the budget. He asked if with the available funds that one major project, such as the Foxboro Wetlands, Hatch Park, or the golf course clubhouse could be completed this year. Ken Leetham replied that the City was in a great position to do some of those projects. He said this could be discussed further during the budget meeting on Saturday.

Council Member Baskin said that the light post at Tunnel Springs Park was 20 feet tall. She then said she talked to a resident, with an autistic son, who told her that the legislature would be approving mandated awareness and sensitivity training related to autism for police officers. Council Member Gordon commented that she would send the information to Ken Leetham.

Council Member Baskin suggested that this training may need to be a budget item.

Council Member Baskin reported on the broken fence on Eaglewood Drive near the Wood Museum. She said there are now two large broken sections and the property owners have just strung metal fencing across the gaps held together with old rebar and zip ties. Mayor Arave replied that the property was located in Bountiful. Council Member Baskin stated that although the property was technically in Bountiful it was visibly within our city.

Ken Leetham commented that the broken fence was the property owner's responsibility to repair. Council Member Baskin said that as this property was located on one of the main thoroughfares in North Salt Lake that it could not remain dilapidated.

Council Member Baskin then reported that the resident, whom she had mentioned earlier, was impressed with the City's handling of the Centennial Drive water line break.

12. MAYOR' REPORT

Mayor Arave reported that the Sewer District recently raised rates and the settlements had been approved for the fines. He said Wasatch Waste Recovery was struggling with getting gas in the pipelines. He also said there were problems with algae and toxicity at the south plant.

13. CITY ATTORNEY'S REPORT

David Church was excused.

14. CITY MANAGER'S REPORT

Ken Leetham reported on the recent legislative session and said there were multiple bills related to local government including some that preempted local authority related to land use and permitting. He said he would provide a synopsis to the City Council via email. Mr. Leetham then spoke on a bill which would allow Davis County to move forward with a unified animal control.

Ken Leetham provided an update on COVID and said staff was back at City Hall and cases were falling in the County. He said a planning meeting would be held for Liberty Fest but was unsure if the event could be held this year.

Ken Leetham reported that the Hatch Park Steering Committee had already met several times related to the redesign of Park.

15. ADJOURN

Mayor Arave adjourned the meeting at 10:13 p.m.

The foregoing was approved by the City Council of the City of North Salt Lake on Tuesday March 16, 2021 by unanimous vote of all members present.



Linda Horrocks, City Recorder