

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
NOVEMBER 16, 2021

FINAL

Mayor Arave called the meeting to order at 6:00 p.m.

PRESENT: Mayor Len Arave
Council Member Lisa Watts Baskin
Council Member Natalie Gordon (via telephone)
Council Member Brian Horrocks
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; Brad Christopherson, City Attorney; Tyler Abegglen, Golf Course General Manager; Sherrie Pace, Community Development Director; Linda Horrocks, City Recorder; Traci Jump, Deputy City Recorder; Ali Avery, Long Range Planner.

OTHERS PRESENT: Kate Werrett, Lewis Young Robinson & Birmingham; Michael Lichfield, SNJ; Tammy Clayton, Alisa Van Langeveld, Dee Lalliss, residents; Scott Barney, Dorothy Owen, Sharon Pohlmon, Patti Jensen, G. Jensen, Dennis Bangerter, Jackie Bangerter, Salt Lake residents; Jack Ray.

1. 2021 ANNUAL REDEVELOPMENT AGENCY REPORT-LEWIS YOUNG
ROBINSON & BIRMINGHAM

Sherrie Pace reported that Lewis Young Robinson & Birmingham (LYRB) prepared the annual report for the Redevelopment Agency update.

Kate Werrett addressed the Council and stated that the Redevelopment Agency was required to submit an annual report related to the different project areas and that the report had historically been due November 1st but going forward would now be due on June 30th. She said this report would be submitted electronically to the Go Utah database by LYRB. The first project area Ms. Werrett reviewed was the 92 acre Eaglewood Village CDA which, she said, had six years remaining and lifetime revenue for the project to date had been approximately \$2 million. She stated that the types of development in the project included mixed use, residential, office, and retail.

Ms. Werrett then addressed the Redwood Road CDA and said \$950,000 had been received last year with \$2.9 million over the lifetime of the project to date. She reported that Amazon opened a facility in this project area last year, which provided 100 new jobs, Foxboro Marketplace had

tenants in all but one of their pads, and a 120-unit multi-family complex was completed last summer.

Kate Werrett spoke on the Orbit RDA, which did not trigger when it was initially set to start. She said there were several options including canceling this RDA or working with the taxing entities to create new interlocal agreements. She explained that as this RDA was not triggered due to the developer not meeting the requirements, that it may be prudent to look for different development opportunities in that area.

Mr. Werrett reported that the Highway 89 CDA included some areas of unincorporated Davis County, which meant that there were three taxing areas. The revenue was \$364,000 this year, which was less than expected but common due to the COVID pandemic. Development included townhomes approved at the City Center, apartments, and Golden West Credit Union to be completed in 2022.

Mr. Werrett then reported on Senate Bill SB6001 that allowed the Redevelopment Agency to extend the life of different project areas that were impacted negatively by COVID. She said if the City felt that any of the CDA areas were impacted that a resolution could be created detailing the hardship such as slowed development or impacts for a developer including increased construction costs. The City could then extend the requested CDA areas for two years.

Ms. Werrett explained that the request for an extension was not a requirement but an option for the City. This resolution would need to be written and approved by December 31, 2021 if the City wanted the two-year extension.

Ken Leetham recommended that the City participate and said several developers were willing to provide the necessary letters. He suggested a special meeting be held on November 30th to approve this resolution.

Council Member Horrocks asked if there was a reason to continue the Orbit CDA. Ken Leetham replied that Orbit did not have any interest in performing as planned. He suggested reviewing the area particularly regarding investments in roadways and other ways to incentivize redevelopment there.

Ken Leetham explained that the trigger date had already passed so this area would continue as an EDA dependent on a new plan and the participating taxing entities.

2. PRESENTATION OF ANNUAL REPORT REGARDING THE CITY'S MODERATE INCOME HOUSING PLAN

Ali Avery reported that per State code the City was required to adopt a moderate income housing plan. The City adopted a plan in 2020, which would be reviewed annually and updated every five

years. The City would also report annually to the State and Wasatch Front Regional Council regarding progress towards meeting the goals found in the adopted plan. She said that the City's plan had ten strategies along with several goals. Ms. Avery spoke on an issue related to the requirement for the submission of the five-year projection data per a projection calculator on the State's website which was not functioning. The State advised staff to submit last year's numbers in addition to the report and any internal data. She said the internal data that staff had available was building permits from the housing plan the City adopted last year. This plan stated that by 2030 the City would need an additional 725 housing units with 70 units for low income households which was less than or equal to 30% of the area median income (AMI).

Ali Avery explained that 45 of the low income housing units would need to be affordable to low income which was 30-50% AMI and 112 units affordable to moderate income which was 50-80% AMI. This year 72 housing units were built in the City but none of those units were targeted with a rent or purchase price affordable to individuals making 80% or lower than the County's median family income. However, the City had made progress for moderate housing in several ways including the approval of 13 accessory dwelling units (ADU), the potential for affordable units at the Williamsburg development, and referrals to Davis County Housing Authority for assistance through their housing programs. She said in 2020 there were 33 active Section 8 housing vouchers in the City and 40 vouchers in 2021. In 2021, there were four first-time homebuyers that received down payment assistance through the housing authority, one emergency home repair grant, and one roofing repair grant. Ms. Avery commented that one item of interest was that two housing voucher holders lived in ADUs.

Council Member Horrocks spoke on commercial real estate and how new Class A buildings would attract tenants from older Class B buildings, etc. and how this compared to residential units. He said he would not expect any of the new apartment buildings to fall into the below 80% category but by creating this new housing it would affect older units and potentially push down rents in a normal market. Ali Avery replied that this was addressed in the plan as natural attrition of housing which meant that older housing would become more affordable as new housing was developed. She spoke on other methods that could be reported to the State if new units were not being built in the City such as the use of RDA funds to deed restrict some new units or allowing ADUs, etc.

Ali Avery said that the City Council did not need to take any action other than reviewing the report that would be submitted to the State by December 1st.

Mayor Arave explained that the State would potentially become stricter regarding affordable housing so the more strategies the City had to address this issue the better. He said this would also help when applying for applicable grants. Ali Avery replied that she felt the plan was sufficient as they had ten strategies (many more than required) and that the City's plan was used as a template for other cities.

Ken Leetham addressed the comments made by Council Member Horrocks related to market rents and how the City was in a unique position. He said that in time the City would have over a million dollars in housing funds that could be used for down payment assistance, rental assistance, or other tailored programs to help LMI residents.

3. APPROVAL OF CITY COUNCIL MINUTES

The City Council minutes of October 19, 2021 were reviewed and approved.

Council Member Porter moved to approve the minutes of October 19, 2021. Council Member Baskin seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks and Porter.

4. 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 Stericycle. He asked if Stericycle would be leaving the City soon as they were a waste transport facility, which he did not believe was allowed in that zone.

Ken Leetham clarified that once Stericycle removed their incineration operation they desired to continue as a drop-off/transfer station and this was authorized under the current zoning or the overlay zone. Sherrie Pace replied that it was clear from the overlay zoning language passed in 2012 that the transfer of medical waste was a permitted use.

5. COUNCIL REPORTS

Council Member Horrocks commented that former mayor Jake Simmons passed away. He also reported City resident Skyler Ramseyer was crowned Mrs. Utah for 2022.

Council Member Horrocks said that there was a home at the bottom of the 14th fairway, that continually has a spring running down the driveway and asked about the status of the project that would be addressing that water. Ken Leetham replied that staff had discussed this issue and the storm drain project to correct the issue would go out for bid over the winter. He said that staff would also be looking at a decorative water feature at the prior request of the Council.

6. ADJOURN

Mayor Arave adjourned the meeting at 6:36 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
NOVEMBER 16, 2021

FINAL

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

PRESENT: Mayor Len Arave
Council Member Lisa Watts Baskin
Council Member Natalie Gordon (via telephone/excused at 9:00 p.m.)
Council Member Brian Horrocks
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; Brad Christopherson, City Attorney; Tyler Abegglen, Golf Course General Manager; Sherrie Pace, Community Development Director; Linda Horrocks, City Recorder; Traci Jump, Deputy City Recorder; Ali Avery, Long Range Planner.

OTHERS PRESENT: Jonathan Badger, Lee's Marketplace; Janet Welsh, Wes Welsh, Steven Moosman, Angie Keeton, Rachel Butterfield, Daniel Thompson, Dee Lalliss, Alisa Van Langeveld, Tammy Clayton, residents; Tyler Heath; Heather Limon, Dalon Hinckley, Cross E Ranch; Paul Westenskow, Cushman & Wakefield; Steve McCutchan, Dave Tolman, XCEL Development; Michael Lichfield, SNJ; Scott Barney, Dorothy Owen, Sharon Pohlmon, Patti Jensen, G. Jensen, Dennis Bangerter, Jackie Bangerter, Eric Orme Salt Lake/unincorporated residents; Jack Ray, Rudy Reclamation and Northpoint Reclamation; Paxton Guymon, York Howell & Guymon.

1. CITIZEN COMMENT

Steven Moosman commented that he resided on Gary Way and was here to address Resolution 2021-48R related to property damage that occurred on Gary Way due to proximity to Eaglewood Golf Course. He said earlier this year a golf ball hit one of his vehicles and in prior years the City would cover these types of damages. When he called the City for the most recent incident he was directed to the insurance company which denied his claim. Mr. Moosman explained that after reaching out to the City a second time that the claim was then paid after three estimates were obtained. He said he had over 30 golf ball impacts to the roof of his home and how this was a continued issue. Mr. Moosman expressed concern with the proposed resolution as it limited the frequency of claims to twice a year and the damages to \$500 and how previous incidents at his home had exceeded those amounts.

Mayor Arave said that this resolution would be tabled to allow the City attorney more time for review.

2. PUBLIC HEARING AND CONSIDERATION OF RESOLUTION 2021-42R: A
RESOLUTION APPROVING AMENDMENTS TO THE CITY OF NORTH SALT
LAKE ANNEXATION POLICY PLAN

Sherrie Pace reported that the last time the City's annexation policy plan was updated had been in 2003. The current policy was only two pages in length and standards had since changed. She said the annexation policy plan was a guiding document with a set of criteria and considerations to be reviewed when an annexation petition was received. State code required that input be received from affected entities including service districts, neighboring cities and counties, utilities, etc. A public meeting to receive comments from affected service districts was held in September, which has been included in the draft plan. As part of the update the plan also included statements of criteria that the City Council and Planning Commission would use to evaluate future annexations. These criteria included the character of the community, the need for municipal services, the plans for extension of services, the estimate of tax consequences to the property owners within the annexation area, and the interests of affected entities. Guidelines from State code included attempting to avoid gaps or overlays in expansion areas, consideration of population growth in 20 years, current and projected costs of infrastructure and services to those areas, consideration of the need for additional property or area in the City for residential/commercial/industrial development, statements to why agricultural areas would be included in annexation areas, boundaries drawn along local districts to eliminate islands or peninsulas of unincorporated areas, consolidate any overlap of services, and equitable distribution of community resources.

Sherrie Pace showed the draft annexation area plan expansion areas, which included Areas A, B, and C. These areas were already included in the existing plan with no changes to the boundaries. The Planning Commission reviewed these areas and discussed removing a portion of Area A, which included the State OHV park and Area C which contained forest service property. The Commission determined that the OHV park would remain as it could be redeveloped in the future and retaining Area C in the plan would allow the City some influence in U.S. Forest Service plans in that area. She showed Area A which consisted of mainly Chevron and the State OHV Park. Annexation Area B included the unincorporated between the City and Bountiful. She said this area was not part of Bountiful's annexation plan. Annexation Area C was mainly U.S. Forest Service property with a parcel owned by Salt Lake City for watershed protection.

Ms. Pace said the plan requirements also included growth projections for the next 20 years and presented her projections. She projected a current population of 23,430 residents based upon the 2000 census, as the 2020 census data was not yet available, and building permits per housing type. It was estimated that by 2041 the City's population would be 29,918 excluding any annexation. Additional information included the amount of open space in the City, land allocated

to residential, commercial, public, open space, and industrial uses. The plan also considered housing by type with 55% single family, 22% apartments, and then mobile homes, condos, townhomes, and duplex/triplex. A land analysis was also included, which showed the percentages of land by volume that was allotted to each use (residential, commercial, etc.).

Sherrie Pace reported that the annexation policy plan also included a proposal for annexation Area D, which was brought to the City by local property owners including Cross E Ranch and Dave Tolman (Misty River/River Ranch). Annexation Area D was original part of the main document; however, the Planning Commission requested that it be separated into a separate document as an addendum to the plan. She explained that the City Council had an update to Areas A, B, and C and an amendment to include the proposed annexation Area D. Ms. Pace showed a map with the proposed Area D, which was located across the Jordan River in Salt Lake County.

Mayor Arave asked if any of Area D was part of the nature reserve. Sherrie Pace replied that it did not include the nature reserve, which was on the east side of the Jordan River.

Sherrie Pace showed an outline of the boundaries for both Cross E Ranch and River Ranch on the map of the proposed annexation Area D. She explained that it was just an approximate boundary to give a general idea.

Mayor Arave clarified that by approving Area D that the City was not actually annexing any property but just allowing for future consideration to annex those areas. Sherrie Pace replied affirmatively and said that in order for a property owner to submit a petition for annexation that area would need to be part of the City's annexation policy plan.

Sherrie Pace presented a population chart that provided a population estimate if Areas D and B were annexed. The population would be 37,000 if these areas were annexed into the City. On August 9th the Planning Commission prepared the annexation policy plan, on August 17th the developer of River Ranch discussed the project with the City Council, on August 24th the Planning Commission held a public meeting that began a ten day period for input from affected public entities, on September 28th a public hearing was held during the Planning Commission meeting and several modifications to the plan were made, and on October 12th the Planning Commission made a recommendation to the City Council. The Planning Commission voted four to three in favor of forwarding the annexation plan to the City Council excluding Area D. The Commission was split on whether Area D should or should not be included in the annexation policy plan and expressed that while they liked the proposed development, the issue remained that it was located in Salt Lake County.

Steve McCutchan, XCEL Development, commented on the Planning Commission's recommendation. He said there was a lot of discussion and the main issues for the Commission was the annexation of property that was located in Salt Lake County as well as schools. Mr.

McCutchan said that one discussion point was if Area D could be incorporated into Davis County. He said this was not realistic because both Davis and Salt Lake counties would have to agree to the annexation of 400 acres. Steve McCutchan commented that the Draper City mayor, Troy Walker, met with Council Members Horrocks and Baskin as Draper City contained property in both Salt Lake and Utah counties. Mayor Walker suggested that it was doable and that Draper would assist in the process. He said the other prominent issue was schools and where those students in the annexed area would go. Mr. McCutchan said that at this time the only schools with space were those in Salt Lake's Granite school district. A discussion was also had about building a charter school and the quality of this type of school. He said there were already two charter schools in Foxboro including Wasatch Peak, which was highly rated.

Steve McCutchan also spoke on the discussion around the impact of 2200 West. He said there was a proposal in Salt Lake City to build a 6.2 million square foot manufacturing/business park on the west side of 2200 West. Mr. McCutchan suggested that the City, Salt Lake City, and Salt Lake County continue to work together to construct and maintain the road. He then spoke on financial reports prepared by Bob Springmeyer as well as the Lewis Young study and how River Ranch would make over \$24 million in revenue above the associated expenses. These reports did not include any income the City would receive from Cross E Ranch. Another aspect of these reports was the economic benefit of River Ranch to the commercial area, particularly Redwood Road, of the City. He said they estimated that \$8.8 million would be spent annually by residents of River Ranch principally in Redwood Road businesses.

Steve McCutchan commented on affordable housing and the opportunity to build homes in River Ranch that would be market rate affordability. He then read a statement made by one of the Planning Commissioner which said that allowing Area D to the plan would give the landowners the opportunity to refine their proposal and respond to the issues that have been conceptually identified. Mr. McCutchan said they were just asking for the opportunity to submit an application to begin the review process.

Dave Tolman, XCEL Development, spoke on the opportunity to create a community that was close to major employment centers in the Salt Lake City area with the ability to utilize existing transportation corridors. He said there was also the ability to build a market rate affordable project and provide utility access for Cross E Ranch. Mr. Tolman asked that Area D be added to the City's annexation policy plan for future review.

Heather Limon, Cross E Ranch, asked for the chance to petition for annexation and that the process would not end tonight.

At 7:42 p.m. Mayor Arave opened the public hearing.

Denise Payne, 2848 North 2200 West, commented that she would be affected by the potential annexation. She said Cross E Ranch was a great place and wished they could obtain sewer and

water access. Ms. Payne said she had concern about the proposed charter school and the affect on other schools in the area, traffic including 2200 West, water availability issues, and additional pollution. She asked the City Council to come view the area to see the existing issues.

Michael Lichfield commented that he was the attorney representing the landowners in unincorporated Salt Lake County that were north of the proposed Area D. He asked that the City Council consider a broader annexation policy plan, which would include areas along the western border of the City and north of Area D. Mr. Lichfield said State law required an annexation policy plan be in place before a petition for annexation could be considered. He said his clients had no development plans but would like to see additional areas included in the proposed annexation area for the purpose of future consideration. Mr. Lichfield said Area C was a prime example of this and that having these areas as part of the plan allowed for future conversations and that this type of planning was beneficial.

Scott Barney, 48 West Broadway, encouraged the City Council to include Area D in the annexation policy plan. He spoke on his relationship with Dave Tolman and explained that he had been the economic development lead for Millard County. Mr. Barney said that development could not be avoided and should be supported and guided. He felt that the City could handle being part of two counties.

Paxton Guymon, York Howell & Guymon, commented that he was representing the group that was applying for annexation of Area D. He said the only question was whether the City would expand their annexation policy map to include Area D. Mr. Guymon said by adding Area D that nothing would happen except for allowing entities to petition for annexation in the future. He explained that if the City did not include Area D then landowners in that area would not have the opportunity to file for annexation. Allowing Area D to be included in the policy plan did not mean a project would be approved or that any development would occur. Mr. Guymon suggested including Area D to the annexation policy plan as this would allow the City to keep their options open.

Jonathan Badger, Lee's Marketplace, thanked the City for the great relationship over the last five years. He spoke about difficulties being a business owner on Redwood Road. Mr. Badger then talked about growth and that Utah was growing at a rate of 18.6%, which was the highest in the U.S. right now. He said that the City needed to focus on how to grow and by annexing Area D, which would consist of families that it would be beneficial for the community. Mr. Badger said businesses pay for much of the infrastructure and as one of the biggest businesses in the City that Lee's wanted to be a support. He spoke on current issues they were facing including staffing, COVID expenses, more customers, and obtaining product. Mr. Badger asked the City to approve annexation of Area D as it was the right type of development.

Angie Keeton, 1065 Windsor Drive, spoke on her perspective as a Foxboro resident and commented that Dave Tolman and Steve McCutchan had been very responsive to the community

and had provided many details on the possibilities. She felt that the Planning Commission separating Area D from the other areas was a good idea as one development should not drive the viability of the annexation. Ms. Keeton also mentioned the aviation easement per the airport, which alleviated some concerns but said the City needed to change hindsight to forethought. This included spacing between certain uses, impacts to the neighborhood, support for commercial on Redwood Road, and other lessons learned from the Foxboro development.

Sharon Pohlman, 1987 West Sir Charles Drive, commented that this proposed development seemed very close to the airport and the potential noise impacts.

Dennis Bangerter commented that he lived near 3000 North and mentioned some of the considerations for the potential annexation including the roadways including Center Street and water access issues.

Dorothy Owen said she was the chair of the West Point Community Council. She said the City should learn from the past and consider the difficulties of this proposed development. Ms. Owen said that this project would need to be done in conjunction with Salt Lake County, Davis County, the school districts, etc. She spoke on her experience with other projects such as the Swaner property, the prison, and the inland port and how this project would not be at the top of the other entities list, which would make things more difficult. Ms. Owen suggested that the City should focus on options for saving Cross E Ranch as it was an important part of the community.

Jack Ray said he was a representative for Rudy Reclamation and Northpoint Reclamation, which owned 3,700 acres adjacent to the proposed annexation area. He commented that both entities opposed the annexation of Area D. Rudy Reclamation was formed over 100 years ago and had worked to diligently preserve their property. Mr. Ray stated that he had attended many meetings related to the annexation policy plan and said that the Planning Commission voted not to recommend the inclusion of Area D. He said some of the reasons were related to schools, county lines, and the character of the local community. Mr. Ray said Salt Lake City's master plan for the unincorporated areas emphasized preservation and conservation for this area and that this desire should be taken into consideration. He said expanding Area D may damage this unique area and suggested not including Area D in the City's annexation plan.

Dalon Hinckley, Cross E Ranch, asked that the City include Area D, as he would prefer to be a part of the City if the area was going to be annexed.

Patti Jensen, 3286 North 2200 West, spoke on the potential annexation and the issues in that area including mosquitos, a high water table, school issues, road/traffic issues, and noise from the airport.

Eric Orme stated he was a property owner in Area D and how this area had not previously been a priority. He said the potential to be part of the City would be beneficial to the residents in the

unincorporated area especially for municipal services. Mr. Orme commented that this area was already a part of the City in that they shopped at local businesses and that annexation would allow the City to have a say in the development.

At 8:26 p.m. Council Member Porter moved to close the public hearing. Council Member Horrocks seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks and Porter.

Council Member Porter thanked those who participated in the public hearing and said that many of the comments seemed to be against the proposed development. He explained that adding Area D to the City's annexation policy plan would just provide the opportunity to consider the development in the future. Council Member Porter said he did not see an issue in including Area D as there were options that could be explored related to schools, etc. but warned the developer that if Area D was included in the plan that it did not guarantee approval.

Council Member Baskin expressed appreciation for the preparation and the valid points that were made. She said the ideas of agribusiness and housing was compelling along with the interests including economic, educational, environmental, housing availability and affordability, and the options to control this development. Council Member Baskin commented that there was no reason not to move forward with including Area D in the annexation policy plan for further study of the possibilities.

Council Member Gordon said that the comment that had made the biggest impact to her was the Salt Lake County resident who said that they were not a priority to SL County and if the area was annexed they would become a City priority. She said she was elected by the current citizens who were not getting everything they currently needed, so she was not ready to place her priority elsewhere. Council Member Gordon said her vote would be not to add any out-of-county areas to the annexation policy plan.

Council Member Horrocks said he appreciated the comments and the time spent related to this issue. He felt it was a complex issue and could understand points from both sides. Council Member Horrocks disclosed that he managed warehouses located on 2200 West. He said that he had been present in discussions with Mayors Wilson (Salt Lake County mayor) and Mendenhall (Salt Lake City mayor) who were against the annexation. Council Member Horrocks spoke about issues related to county lines and school districts and that these could possibly be resolved, but with some difficulty. He said he was sympathetic to Lee's Marketplace and the need for growth in the area which may be partly assuaged by growth in Woods Cross. Other concerns included the cost to the City in providing services, the need to review costs for the residential areas, water needs, future resident complaints about the airport, mosquitos, and issues with Salt Lake and 2200 West. Council Member Horrocks mentioned the needs of the current City and its residents and said he did not believe this annexation would benefit the City enough to pursue this annexation.

Mayor Arave said that many times the cost of urban sprawl was underestimated and with the need for housing, this project would contribute toward filling that need. He spoke on issues such as air quality, water resources, and the residents in the unincorporated areas. Mayor Arave compared Foxboro to the proposed annexation Area D and how Foxboro was a wonderful addition to the City. He felt that Area D could also be a benefit to the City and was supportive of further review particularly as development of the area would support businesses such as Lee's and residents in the unincorporated area.

Council Member Gordon commented that this was a very important decision that would affect the future of the City in a multitude of ways. She said one of the questions was if more area in Salt Lake County should be included and felt that this item should be tabled until there was a full City Council.

Council Member Gordon moved to table Resolution 2021-42R. Council Member Horrocks seconded the motion.

Council Member Porter commented that it was unfair to table to item at this point after the Council had expressed what their vote would be.

Council Member Horrocks said that there was merit to having a full Council and also that he would not have a vote in the future at that point.

Council Member Baskin mentioned that there were outstanding issues with Salt Lake County jurisdictionally within the City boundaries. She said tabling this item did not gain anything and that it was time to make a decision.

The motion was approved by Council Members Gordon and Horrocks. Council Members Baskin, Porter and Mayor Arave (breaking the tie) voted in opposition to the motion.

Council Member Baskin moved that the City Council approve Resolution 2021-42R: a Resolution approving amendments to the City of North Salt Lake Annexation Policy Plan with the following findings:

Findings:

- 1) The proposed amendment is in accord with the comprehensive general plan, goals and policies of the City;**
- 2) The proposed amendment is in accord with State Statute 10-2-401.5 regarding the preparation of an Annexation Policy Plan;**
- 3) The proposed plan establishes guidelines and criteria for consideration of future annexation petitions; and**
- 4) The proposed plan requires detailed fiscal analysis specific to a proposed development to be considered with future annexation petitions.**

Conditions:

- 1) **The proposed amendment will include the proposed Addendum-Annexation Area D;**
- 2) **The plan is amended with corrections provided to staff; and**
- 3) **The criteria be added to the plan, that annexations to be considered, should be within Davis County.**

Council Member Baskin spoke on her revision to condition three and said that the annexation area should be in Davis County but did not have to be. Mayor Arave clarified that the preference was that the property should be in Davis County but this was not a requisite.

Council Member Porter seconded the motion.

Sherrie Pace said there was some text in the document that would need to be changed to reflect what was stated in Council Member Baskin's motion. She asked if staff was authorized to make those changes. Council Member Baskin replied that the plan could be amended with corrections provided to staff.

The motion passed with votes in favor by Council Members Baskin and Porter and Mayor Arave. Council Members Gordon and Horrocks voted in opposition to the motion.

3. PUBLIC HEARING AND CONSIDERATION OF RESOLUTION 2021-43R: A RESOLUTION AMENDING THE CITY OF NORTH SALT LAKE 2021-2022 FISCAL YEAR BUDGETS

Janice Larsen reported on amendments to the 2021-2022 fiscal year budget. This included amendments to the General Fund with a recommendation for an increase in the budgeted revenue by \$60,000 related to transportation tax received, which was higher than budgeted. These would be restricted funds, which would be transferred to the Road Capital Project Fund to fund additional projects. The second amendment would be related to the Redevelopment Agency and new debt issued for construction of the Foxboro Wetlands Park. The proposed budget adjustments included the proceeds, costs and debt payments related to that issuance. There was also an expenditure adjustment for the Park project. Changes in the Housing Fund were related to the grant revenue that was received in Fiscal year 2021 but was not expended. A budget adjustment was proposed for the expenditure of these funds in the current year. In the Capital Project Fund a transfer out from the General Fund to the Capital Fund was approved in September. An offsetting transfer in was proposed in the current budget adjustment as this was an oversight in September. An adjustment was also recommended for the City Hall Council chamber audio system in the amount of \$26,000. In the Road Capital Project Fund, a transfer in from the General Fund was recommended in the Road Capital Project Funds. Several new road capital projects were recommended including the replacement of a current waterline and road repair in conjunction with the construction of a project along US-89 with Weber Basin Water

Conservancy. This would reduce the cost for the City as Weber Basin would share the cost of the excavation and road repair. This project would impact the Road Fund and the Water Fund so staff recommended the US-89 road project in the current year, the reconstruction of 150 North would be rescheduled to a future fiscal year. In the Water Fund the budget increase would be for the US-89 to Center Street water line and delaying the replacement of the water line on 150 North. Staff also recommended a budget adjustment for the cost of repairing Hole #13 at the golf course for damage due to a water leak. A new project was also being added for PRV at Eaglewood Drive to match the timing of a road project at that location. A third project was being added to move valves and meters off property owned by Big West Oil to property owned by the City as the refinery has restrictions to access of the valves and meters located on their property.

Other amendments were for the Storm Water Fund including a French drain system that was required to ensure stability of the road where a natural spring was found and to the Golf Course Fund for new debt issued for construction of the Foxboro Wetlands Park with an adjustment for proceeds, costs, and debt payments related to this issuance as well as an expenditure adjustment for the Golf Course Club House and Grounds Capital projects.

Mayor Arave asked for the current balance in the Water Fund and what it would be after the \$4 million was used. Janice Larsen replied that at the beginning of the year there was \$5 million in unrestricted cash but there could be less due to water restrictions and as Big West Oil had drilled their own well which resulted in lower revenues. She said her estimate was \$1 million in impact fee revenue and \$2 million in unrestricted cash. Ms. Larsen said staff met every month and would watch the unrestricted cash before projects went out for bid.

Mayor Arave asked about the outstanding amount for bonds. Janice Larsen responded that she did not have that information on hand but estimated approximately \$2 million.

Ken Leetham commented that when staff reviewed the existing bonds recently it was approximately \$2 million.

Council Member Baskin asked what the total budget adjustment amount would be. Janice Larsen replied that she did not have the total amount but recommended viewing the adjustment by fund.

Ken Leetham explained that these budget amendments were mainly comprised of projects discussed in previous meetings.

Mayor Arave asked about debt payments for the new bond and when the first payment would be due. Ken Leetham replied that staff would research this.

At 9:05 p.m. Mayor Arave opened the public hearing. There were no public comments, and at 9:06 p.m. Council Member Porter moved to close the public hearing. Council

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

Council Member Baskin moved to approve Resolution 2021-43R: a Resolution amending the City of North Salt Lake 2021-2022 Fiscal Year Budget. Council Member Porter seconded the motion.

Ken Leetham said he had the schedule for the bond payment and that a bond payment was due in this fiscal year, which was reflected in the amendment.

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

4. APPROVAL OF CONCEPTUAL DESIGN FOR EAGLEWOOD CLUB HOUSE RENOVATION

Tyler Abegglen reported that he was seeking approval on the design concepts for the renovation of the Eaglewood Clubhouse. He presented the architectural renderings for the exterior and requested approval to go out for bid for construction. Mr. Abegglen said that there would not be any structural changes to the building other than the café extension with an outdoor covered patio and a new façade, fireplace, and faux timbers on the ceiling, and other upgrades to the event center. The Golf Committee recommended approval of the design to the City Council.

Council Member Porter asked if the building inspector had reviewed these plans. He asked that the building inspector be involved in the process now before it went out for bid. Tyler Abegglen replied that the building inspector had not yet reviewed the plans. He said the inspector would be more involved once a contractor had been selected.

Council Member Horrocks asked if the architect would be involved in construction management. Tyler Abegglen replied that per the contract the architect would be involved in the initial conversations with the contractor as well as any requests for information.

Mayor Arave asked that the front desk and downstairs operations be more connected going forward.

Council Member Horrocks moved to approve the concept plan for Eaglewood Clubhouse renovation to apply for RFP. Council Member Baskin seconded the motion. The motion was approved by Council Members Baskin, Horrocks and Porter. Council Member Gordon was excused.

Tyler Abegglen said he would send the plans to the City's building inspector for review now.

5. CONSIDERATION OF CITY COUNCIL APPOINTMENTS TO THE HEALTH AND WELLNESS COMMITTEE

The Mayor requested that the agenda be reordered to accommodate those who were present for the Health and Wellness Committee appointments.

Ken Leetham reported that Janet Welsh was Council Member Gordon's appointment.

Council Member Porter said his appointment was Mary Kay Porter.

Council Member Horrocks commented that his nomination was Corey Markisich who worked in the public health sector.

Council Member Baskin nominated Rachel Butterfield.

Mayor Arave commented on a recent survey performed by Communities Who Care for 6th to 12th grade students. He shared some of the results of the surveys and said that 1 in 20 sixth graders had attempted suicide with one who had succeeded as well as 1 in 5 five tenth graders who were self-harming.

Mayor Arave suggested that his appointment be filled by the new Council Members and asked if someone would be willing to serve until then. Council Member Baskin volunteered to serve as Mayor Arave's nominee until a new member was appointed.

Council Member Porter moved to accept the recommendations made by the City Council. Council Member Horrocks seconded the motion. The motion was approved by Council Members Baskin, Horrocks and Porter. Council Member Gordon was excused.

6. CONSIDERATION OF RESOLUTION 2021-49R: A RESOLUTION OF THE CITY COUNCIL ACTING AS THE MUNICIPAL BOARD OF CANVASSERS CONDUCTING AND APPROVING THE CANVASS AND ELECTION RESULTS FOR THE NOVEMBER 2, 2021 MUNICIPAL GENERAL ELECTION AS PREPARED BY THE DAVIS COUNTY CLERK/AUDITOR'S OFFICE

Sherrie Pace reported on the official results of the 2021 municipal general election, which was held on November 2, 2021. She said that these were the final numbers as submitted by the County Clerk's office. The final counts included in the canvass were 56 ballots, which were not counted including 39 ballots that were not timely, 12 ballots that did not have signatures that matched, 3 ballots with no signatures, 1 ballot of a resident that was no longer residing in the County, and 1 person who did not provide proof of identity. The County Clerk's office did try to contact those voters, minus those that were not timely, to correct their ballots.

Council Member Horrocks moved that the City Council, acting as the City of North Salt Lake's Canvassing Board, accept the 2021 General Municipal Election Canvass as presented. Council Member Porter seconded the motion. The motion was approved by Council Members Baskin, Horrocks and Porter. Council Member Gordon was excused.

7. CONSIDERATION OF RESOLUTION 2021-44R: A RESOLUTION ADOPTING THE DAVIS COUNTY PRE-DISASTER MITIGATION PLAN 2021 UPDATE

Ali Avery reported that in March 2021 the City Council agreed to participate in updating the Davis County Pre-Disaster Mitigation Plan, which was updated every five years. The adoption of the plan by Davis County, FEMA, and participating cities was a requirement by FEMA in order to qualify for post and pre disaster funding. She said the City had utilized this funding in the past for the Springhill Landslide. Ms. Avery explained that currently the City had an application under review by FEMA for the purchase and installation of generators to support the culinary water facilities, including wells and pump houses, in the event of a power outage. The potential award of that funding was contingent on the adoption of this plan. The plan addressed specific community hazards such as earthquake, flooding, landslides, severe weather, and wildfires. In the plan were strategies to mitigate any damage that might occur due to those natural hazards. The Development Review Committee (DRC) has reviewed the plan and agreed with the strategies specified.

Council Member Baskin said that when her brother was mayor of Logan that staff would perform training related to public outreach and the division of responsibilities. She asked if this was included in the proposed plan. Ali Avery replied that one of the strategies in the plan was the creation of an emergency management plan.

Council Member Horrocks commented that the City participated in the Great Shakeout each year to test out communication in a disaster situation. Ken Leetham replied affirmatively.

Council Member Baskin recommended that the Mayor or whoever was in charge of public outreach be trained for disaster situations.

Mayor Arave suggested that more thought be given to the emergency preparedness coordinator position.

Ali Avery said the plan included updating the emergency operations plan.

Council Member Porter moved that the City Council adopt Resolution 2021-44R adopting the Davis County Pre-Disaster Mitigation Plan 2021 Update, as required by the Federal Disaster Mitigation and Cost Reduction Act of 2000 with the following findings:

Findings:

- 1) **The Disaster Mitigation and Cost Reduction Act of 2000 requires all jurisdictions to be covered by a Pre-Disaster Hazard Mitigation Plan to be eligible for Federal Emergency Management Agency post-disaster funds; and**
- 2) **The proposed plan meets the requirements of the federal act to mitigate long-term risk to people and property in the City from the impacts of future hazards and disasters.**

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

8. CONSIDERATION OF RESOLUTION 2021-45R: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO SUBMIT APPLICATIONS TO WASATCH FRONT REGIONAL COUNCIL SOLICITING FUNDS FOR A TOWN CENTER MARKET STUDY, REDWOOD ROAD SIDEWALK CONNECTIONS, AND CENTER STREET WIDENING AND SIDEWALK CONSTRUCTION PROJECTS

Ali Avery reported that in September 2021 staff submitted letters of intent to Wasatch Front Regional Council (WFRC) for three projects including the Town Center Market Study through the Transportation and Land Use Connection Grant, the Redwood Road sidewalk connections through the Transportation Alternatives Program, and the Center Street widening & sidewalk construction through the Surface transportation program.

The estimated cost for the Town Center market study would be \$30,000 with staff proposing to request \$20,000 from WFRC with a \$9,900 City match. The estimated cost for the Redwood Road sidewalk connections would be \$283,300 with a request of \$226,640 from WFRC with \$56,600 City match. The Center Street widening project cost would be approximately \$555,900 with a request of \$472,515 from WFRC with a \$83,385 City match.

Council Member Baskin moved that the City Council approve Resolution 2021-45R authorizing the City Manager, or designee, to submit applications to Wasatch Front Regional Council soliciting funds for a Town Center Market Study, Redwood Road Sidewalk Connections, and Center Street Widening & Sidewalk Construction projects, and authorizing matching funds. Council Member Horrocks seconded the motion. The motion was approved by Council Members Baskin, Horrocks and Porter. Council Member Gordon was excused.

9. CONSIDERATION OF RESOLUTION 2021-47R: A RESOLUTION APPROVING AGREEMENTS 2021-35A WITH JORDAN RIVER FOUNDATION RELATED TO THE DONATION OF INTERPRETIVE SIGNAGE ALONG THE JORDAN RIVER TRAIL

Ali Avery reported that staff was contacted by representatives from Salt Lake County and the Jordan River Foundation (JRF) with an opportunity to assist with the design of interpretive signage along the Jordan River Trail. The JRF desired to donate the design, fabrication, and installation of the signage in exchange for the City's maintenance of the signs going forward. City staff met with representatives onsite to determine the locations and potential themes of the signage. It was determined that one to two signs would be appropriate with one to highlight the trail's proximity to the Legacy Nature Preserve. She then showed examples of the possible signage along the trail.

Mayor Arave asked if there was signage on other parts of the trail. Ali Avery replied that traditionally the main trail had more traffic but surprised at the amount of use on the City's section of the trail.

Council Member Porter moved that the City Council adopt RES 2021-47R authorizing the City Manager, or designee, to enter into an agreement with Jordan River Foundation for the donation of interpretive signage along the Jordan River Trail with the following findings:

Findings:

- 1) **The City of North Salt Lake has a continued interest in the improvement of the Jordan River Trail.**
- 2) **The Jordan River Foundation will incur costs in installing interpretive signage along the Jordan River Trail.**
- 3) **The City will provide continued maintenance of the signage.**

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

10. CONSIDERATION OF RESOLUTION 2021-46R: A RESOLUTION AMENDING THE CITY OF NORTH SALT LAKE PERSONNEL AND POLICY MANUAL RELATED TO SICK LEAVE CONVERSION FOR RETIRING PERSONS AND COMP TIME ACCURALS

Janice Larsen reported that the last approval of the Employee Handbook was in 2008. She explained that the City had grown and many of the practices and laws had changed since that time. Ms. Larsen said that this resolution reflected some of those changes and that review of the handbook resulted in reorganization. The first change made by staff was to section 13 regarding

employment classification. She explained that there was only one part-time employee who had benefits so it made sense to place a letter in that employee's file and remove the classifications from the handbook. This meant removing section 13-2(C) and combining sections (D) and (E). References to the eliminated classifications would be removed from other sections of the handbook.

Another change would be the addition of a further definition of employees as either General Employees or Sworn Officers. Ms. Larsen stated that Sworn Officers had different rules under the Fair Labor Standards Act.

An additional change was made to section 13 related to the work week and operating hours to reflect the change to a four-day work week and ten-hour day.

Council Member Baskin asked about the success of the four-day work week. Mayor Arave replied that he had not heard of any complaints with City Hall being closed on Fridays.

Council Member Horrocks commented that there were benefits to having staff available at City Hall before and after normal work hours. As well as benefits to staff on commuting one less day per week.

Janice Larsen said that there was also an employee available to take calls on Friday for utility billing. She also said that most services were accessible online for residents as well.

Council Member Baskin asked about employees working the full ten hours day. Janice Larsen explained that the majority of employees clocked in/out each day.

Janice Larsen reported on the next change, which was the removal of the specific FLSA exempt positions. Other changes included overtime which was redefined to clarify hours worked and department head approval prior to working overtime as well as adjustment to the sworn officers work period to earn overtime after 80 hours in a 14 day period rather than 86 hours in a 14 day period. Changes were also made to compensatory time with the goal to reduce the number of compensatory hours earned and reduce large balances carried over from one year to the next as this resulted in an increase in the cost to the City if the hours were cashed out after the employee received a COLA or step increase. She spoke on golf course employees as the course was closed several months of the year and very busy during the spring and summer months. Ms. Larsen also explained how overtime, callback pay, on call, stipends and special pay would work for the police department and public works. Additional changes included the removal of references to time sheets and signatures and a new section to reflect the use of an electronic timekeeping system with electronic approval by the employee and department supervisor/head.

Janice Larsen then reported on changes to Section 19 related to sick leave including addressing sick leave abuse and the conversion of sick leave at retirement.

Council Member Porter moved to adopt Resolution 2021-46R. Council Member Horrocks seconded the motion. The motion was approved by Council Members Baskin, Horrocks and Porter. Council Member Gordon was excused.

11. CONSIDERATION OF RESOLUTION 2021-48R: A RESOLUTION ESTABLISHING A POLICY STATEMENT AND POSITION RELATED TO PROPERTY DAMAGE THAT OCCURS ON GARY WAY DUE TO PROXIMITY TO EAGLEWOOD GOLF COURSE AND ESTABLISHING CRITERIA FOR HOW CERTAIN COSTS FOR QUALIFYING DAMAGE MAY BE REIMBURSED

Mayor Arave commented that this item should be further reviewed by the City Attorney. He asked for a motion to table this item.

Council Member Porter moved to table Resolution 2021-48R. Council Member Baskin seconded the motion. The motion was approved by Council Members Baskin, Horrocks and Porter. Council Member Gordon was excused.

12. CONSIDERATION OF NEW PUBLIC WORKS VEHICLE PURCHASES

David Frandsen reported that these five vehicles were recommended for replacement and met the 15-point system criteria that reviewed age, mileage, and maintenance costs. These vehicles were also reviewed by the Fleet Committee. He said that the proposed vehicles were 13-17 years old and the reason for the delay in replacement was that newer vehicles were not available. All five vehicles were part of the preliminary budget for this year including three Ford F-150 trucks and two Chevrolet Colorado trucks. Mr. Frandsen said these were the basic models with cloth seats and vinyl floors with the trailer tow package and spray in bed liner.

Mr. Frandsen stated that staff recommended the surplus of four of the five vehicles and retain the one Colorado to be utilized by the part-time inspector who managed the Google Fiber project.

Council Member Horrocks moved that the City Council approve the purchase, under State contract, of three (3) Ford F-150 trucks from Ken Garff Ford for \$38,365.22 each and two (2) Chevrolet Colorado trucks from Ken Garff for \$30,191.55 and also approve the surplus of vehicles, G01, W12, P5 and SW1 listed above. Council Member Baskin seconded the motion. The motion was approved by Council Members Baskin, Horrocks and Porter. Council Member Gordon was excused.

13. MAYOR'S REPORT

Mayor Arave reported that the Sewer District and Recreation District were still working on issues.

14. CITY ATTORNEY'S REPORT

Brad Christopherson had nothing to report.

15. CITY MANAGER'S REPORT

Ken Leetham proposed a special meeting be held on November 30th to meet some deadlines including the National Opioid Settlement, as well as the CDA extensions. He also announced City Council orientation dates for Alisa Van Langeveld on November 29th.

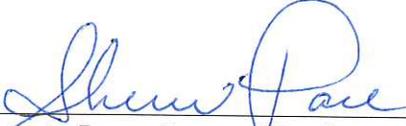
Ken Leetham reported on four waterline breaks on Lacey Way and the seriousness of the issues there. He showed the segment on a map and said one bid had been received at this time to reconstruct the lines. Mr. Leetham recommended that the City Council authorize staff to repair this section of the project as soon as possible as it was an emergency situation. He said that staff would send the cost estimates to the City Council and requested authorization to award the project to the lowest bidder.

Council Member Baskin asked that a discussion be held to address the situation at Foxboro Elementary and public outreach.

16. ADJOURN

Mayor Arave adjourned the meeting at 10:08 p.m.

The foregoing was approved by the City Council of the City of North Salt Lake on Tuesday January 4, 2022 by unanimous vote of all members present.



Sherrie Pace, Deputy City Recorder