

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
MAY 5, 2020

FINAL

This meeting was held electronically via Zoom. The host site was located at 10 East Center Street in North Salt Lake.

Mayor Arave called the meeting to order at 6:05 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 joined at 6:16 p.m.

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; Brent Moyes, Golf Course Director; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.
David Frandsen

OTHERS PRESENT: Dane Smith, Joseph Cook, Dee Lalliss, residents.

1. CITIZEN COMMENT

There were no citizen comments.

2. CONSIDERATION OF A PLAT AMENDMENT FOR THE RIDGE SUBDIVISION, AFFECTING THE FOLLOWING PROPERTIES: LOT 146, THE RIDGE; PARCEL 1, EDGEWOOD ESTATES, PHASE 2, PLAT J; LOT 1322-AR, EAGLEPOINTE ESTATES PHASE 13, AMENDED; AND LOT 1323R, EAGLEPOINTE ESTATES, PHASE 13. THE APPROVAL OF THE RIDGE SUBDIVISION, AMENDMENT 1 WILL CREATE ONE NEW BUILDING LOT AND DEDICATE THE REQUIRED ROAD RIGHT OF WAY TO COMPLETE WINTER LANE TO PARKWAY DRIVE, INCLUDING PARK STRIPS AND SIDEWALKS. CW LAND, ET. AL., APPLICANT

Sherrie Llewelyn reported that this plat amendment would complete the dedication of Winter Lane to Parkway Drive. She explained that the property on which the road was located was owned by the City as well as a small portion which was owned by EP Land and has since been purchased by CW Land. Additional right of way was also being dedicated from lot 1322, which

was owned by the Derricotts, as well as lot 1323, which was owned by the Cooks, in order to provide area for a park strip and sidewalk on Winter Lane. A small area was also being dedicated from lot 146 of The Ridge for the addition of the sidewalk, which was not previously possible without the additional right of way from the Derricotts and Cooks.

Sherrie Llewelyn displayed an aerial view of the properties on the screen. She highlighted the property owned by the City that would become part of the road, as well as the new lot 160, and the pipeline easements for Kern River and Dominion Energy. Mrs. Llewelyn then showed The Ridge subdivision amendment and explained that a portion of Winter Lane had greater than a 10% slope. The fire department required that a knuckle be provided in the road design with a slope of less than 10% to allow for emergency vehicle parking. She also presented the grading and utility plan and provided the location of the sidewalk, park strip, slope of the driveway, and the alignment of the trail.

The Planning Commission held a public hearing the previous week and recommended approval with the conditions that a building permit be obtained to install a concrete cutoff trench at the base of the rock retaining wall and that no charged irrigation lines be placed within 10 feet of the rock retaining wall per a note on the plat. The second condition required a bond, in an amount approved by the City Engineer, to be posted for the installation of the wall within one year from the date of the posting, prior to recording the plat.

Mayor Arave asked how the grade could be maintained at 10%. Paul Ottoson replied that the vertical difference was the same but by widening the road and increasing the length the slope was reduced.

Council Member Mumford asked about the trail easement and restrictions to citizens on private property. Sherrie Llewelyn replied that it was within the easement of the gas pipelines and said there would be an agreement that the property would not be fenced. She explained how there would be the resident's yard on one portion of the property and native vegetation on the other side.

Paul Ottoson commented that the plat would state that no grading could be done on the easement where the trail was located. He said they could plant vegetation and trees but that was all that could be done on that portion of the property.

Council Member Mumford commented on the requirement for native vegetation and asked if sod could be placed on the easement area of the pipeline. Paul Ottoson said the property owner would have to work with Kern River and Dominion. Sherrie Llewelyn responded that she was unsure of the intent for landscaping the property but suggested that the resident, Mr. Cook, could provide more information.

Council Member Mumford also asked about snow removal in relation to the emergency access knuckle in the road. David Frandsen replied that staff was working with the homeowner but felt that there would not be any issues.

Council Member Porter joined the meeting at 6:16 p.m.

Council Member Horrocks moved that the City Council approve the plat amendment for The Ridge Subdivision P.U.D. Phase 2 at approximately 766 South Winter Lane with the following conditions:

- 1) In accordance with the submitted geotechnical report for lot 160 the following actions are required:**
 - a. A building permit application shall be obtained for the existing rock wall and the advised installation of a “Portland cement concrete cut off trench at the base of the downslope of the current two-tiered rock wall” to achieve the noted stability results in the report.**
 - b. A note shall be placed upon the plat for lot 160 that no charged irrigation lines may be placed within 10 feet of the rock retaining walls.**
- 2) Prior to recordation of the plat a bond in an amount approved by the City Engineer will be posted for the installation of the rock wall improvements, which said installation shall occur within one year from the date of the bond posting.**

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

3. CONSIDERATION OF A PLAT AMENDMENT (LOT LINE ADJUSTMENT) FOR SAHARA REDWOOD CONDOMINIUMS LOCATED AT 460 NORTH REDWOOD ROAD AFFECTING UNITS 118 AND 119, MIKE WRIGHT, SAHARA REDWOOD LLC, APPLICANT

Sherrie Llewelyn reported that the majority of the units of Sahara Redwood Condominiums had one owner but were now interested in selling a unit to the tenant and the interior construction did not follow the lot lines for the condominiums. She said this was a simple plat amendment to units 118 and 119 to allow for the unit to be sold. A similar amendment was done when the condominium unit for Z Brothers Pizza was sold several years ago.

Council Member Horrocks moved that the City Council approve the plat amendment for Sahara Redwood Condominium Subdivision at 460 North Redwood Road with no conditions. Council Member Mumford seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter.

4. CONSIDERATION OF RESOLUTION 2020-11R: A RESOLUTION ADOPTING THE FISCAL YEAR 2021 TENTATIVE BUDGET AND SETTING A PUBLIC HEARING DATE

Ken Leetham reported that this resolution occurred every year in May to allow staff to present the tentative budget. This resolution would adopt the tentative budget for public display prior to a public hearing which would be set for June 2nd. He said the final budget would need to be adopted prior to June 22nd of every year. Mr. Leetham said this budget was essentially the same set of proposals, which was reviewed at the City Council meeting on April 21st.

Mayor Arave asked about the water line on Lacey Way and said this project was scheduled to be done in 2022. He said there seemed to be a lot of water line issues with this line and asked if the project should be postponed for that long. Paul Ottoson said staff reviewed this project and felt there were more important projects and that several projects were postponed due to budget reductions this year.

Mayor Arave asked if there was a proposed tax increase this year. Ken Leetham replied that there was no proposed property tax increase this year.

Council Member Baskin said the budget was \$25 million and with the projections it appeared the budget was \$300,000 off. Ken Leetham responded that there were several adjustments and reductions in the General Fund. He said the budget was balanced.

Mayor Arave asked if reserves were being used. Ken Leetham replied affirmatively and said that there was a change in the Fund Balance of \$46,800.

Janice Larsen commented that the budget was balanced in every fund, which could be seen in the second column. She said the summary sheet also showed that each fund was separately balanced.

Council Member Baskin moved to approve Resolution 2020-11R adopting the tentative budget for fiscal year of July 1, 2020 through June 30, 2021 as provided in Exhibit A. As the governing body we will direct that a public hearing be held to consider the adoption of the final budget to be held on June 2, 2020 as published seven days prior to the hearing. Council Member Porter seconded the motion.

Council Member Mumford asked about the transfers out and in between the Redevelopment Agency, the Housing Fund, and Local Building Authority. Janice Larsen explained that the transfer from the Redevelopment to the Housing Funds were revenues collected and were restricted for housing only. She said cash was needed in the Local Building Authority fund for the debt service payment and funds were used from the RAP tax. She said a transfer of funds was made from the debt service fund (RAP tax) to the Park Fund and then money was transferred to

the Park Fund into the Local Building Authority to pay the debt on property acquired for the expansion of Hatch Park.

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

5. CONSIDERATION OF RESOLUTION 2020-12R: A RESOLUTION PROCLAIMING MAY 16, 2020 AS ARBOR DAY IN THE CITY OF NORTH SALT LAKE

Ken Leetham reported that this was an annual resolution as part of the Tree City USA designation. He said the City's Arbor Day celebration was scheduled for May 16th.

Council Member Baskin said that she was particularly in favor of this resolution as it stated that trees provided spiritual renewal and felt in this time of the pandemic that planting a tree was very hopeful. She explained that the proposed celebration including planting seven ornamental trees at Fox Hollow Park.

Council Member Baskin moved to adopt Resolution 2020-12R proclaiming May 16, 2020 as Arbor Day in the City of North Salt Lake. Council Member Gordon seconded the motion.

Council Member Horrocks said that normally the City would encourage residents to attend the Arbor Day celebration and asked how this should be handled this year with the restrictions of groups of twenty and social distancing.

Council Member Baskin commented that she had discussed the twenty person limit and social distancing requirements with staff and asked if there could be more than twenty individuals if it was groups of families that were 30 feet apart from other families. Mayor Arave clarified that he felt more than twenty individuals total was considered a mass gathering.

Mayor Arave suggested that residents could sign up to participate via a sign up sheet and could rotate through at half hour intervals. Council Member Baskin said if enough individuals signed up that maybe the plantings could be done at other locations.

Ken Leetham said that staff had discussed pre-registration to determine how many residents were interested. He said there were seven trees to be planted along Fox Hollow Drive at the park. There was the ability to have a second project if there was enough interest.

Linda Horrocks commented that since only a small group was allowed that interested individuals could email her directly. She clarified that individuals could sign up for a 30 or 45 minute interval.

The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter via Zoom chat.

6. CONSIDERATION OF APPOINTMENT OF EAGLEWOOD GOLF COURSE
GENERAL MANAGER

Ken Leetham suggested that this item be moved to the end of the agenda to be discussed during the closed session.

7. APPROVE CITY COUNCIL MINUTES OF APRIL 21, 2020

The City Council minutes of April 21, 2020 were reviewed and approved. **Council Member Porter moved to approve the City Council minutes of April 21, 2020 as written. Council Member Mumford seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter.**

8. ACTION ITEMS

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

9. COUNCIL REPORTS

Council Member Mumford reported that there had been multiple odor events from the South Davis Sewer District over the last two weeks. He said he reached out to Dal Wayment with the Sewer District but felt there was no immediate solution. He asked what the options might be to keep residents informed beyond social media and the City newsletter.

Mayor Arave said that the City issued a citation to the Sewer District that day which required the Sewer District to stop the smells by May 31st. He said the Sewer District provided a list of what they were working on.

Ken Leetham confirmed that placing information in the City newsletter would be appropriate.

Mayor Arave said several experts were coming out the following day to provide advice. He also said the Sewer District had a plan to take care of the trickling filter and remove the sludge beds. He felt that the Sewer District was working hard to find a solution.

Council Member Mumford reported that he also met with the Misty River developers to review their proposal. He said they have resubmitted their annexation application and asked about the City's response to water issues, preparation, other facility work, and impact fee revenue. He asked that this be a future agenda item. Ken Leetham replied that the City Council could hold a

work session to review the annexation. He said the City had hired Lewis Young to prepare a study to determine the impacts to the City, which the development group would pay for.

Mayor Arave asked if Salt Lake City was still strongly opposed to the project. Sherrie Llewelyn said that while she had not met with anyone recently the developer was working with the board members of the Salt Lake Airport Authority on the overlay zones.

Council Member Gordon said she also met with the development group and anticipated that they would ask for the City to pay for infrastructure or set up a tax increment for Cross E Ranch. She agreed with having a work session to discuss the annexation.

Council Member Mumford commented that when he met with the developer they mentioned that Salt Lake City and the airport were still in opposition to the development.

Council Member Gordon reported that it had been difficult to recruit new members and elect leaders for the upcoming Youth City Council (YCC). She said this may need to be postponed until fall. She then said the YCC would be interested in helping with the community garden but would need more information from Council Member Porter.

Council Member Horrocks mentioned the Arbor Day celebration and asked if the Parks Department could have the holes prepared prior to May 16th, as that was very helpful. He then asked about potential options if the Sewer District was not able to resolve the odor issue.

Mayor Arave commented that part of the issue was the food waste recovery project, which was generating ammonia. He said the Sewer District should be able to fix the problem and discussed the potential sources of the odor and the proposed solutions.

Council Member Porter stated he would have the new community garden coordinator work with Council Member Gordon on volunteer work with the YCC.

Council Member Baskin reported on the new Deer Hollow Park pump house and said it was very noisy during the night. She also mentioned ongoing issues with Waste Management. Ken Leetham said staff was obtaining proposals from other solid waste companies and would provide those to the Council.

Council Member Baskin mentioned park strip trees and also those trees damaging the sidewalks in the City. She said she reviewed the City code and found that in section 7-9-7B that tree removal was the owner's responsibility. She said this was tied to public safety or nuisance and that while park strip trees were publicly owned but on a public easement and therefore residents were responsible for maintenance of those trees.

Paul Ottoson commented on the Deer Hollow pump house and said staff had been investigating the noise issue. He said that the pumps were the original pumps and thought that the air conditioning unit may be the source of the noise.

Council Member Baskin said she thought it was the pumps and also heard rushing water. She said the noise was occurring during the middle of the night. Paul Ottoson said he was unsure where the noise was coming from but staff would continue to investigate.

10. MAYOR'S REPORT

Mayor Arave reported that the South Davis Rec District would re-open with limited use on May 21st. He said the amenities that would be open with limited access included the swimming pool, fitness equipment, and ice skating.

11. CITY ATTORNEY'S REPORT

David Church had nothing to report.

12. CITY MANAGER'S REPORT

Ken Leetham reported that City employees would be back to work at City Hall on Monday May 11th. He said they would continue to practice social distancing and policies were in place for any who become ill. Mr. Leetham said it would be a benefit to have employees back working as a group. He also spoke on an update from the Davis County Health Department and said there was only one new case this week.

Ken Leetham then reminded the City Council that the budget did not include funding of Liberty Fest including the car festival or the firework show. He said these events were essentially cancelled. Mr. Leetham said he was on a call with the Lieutenant Governor and reviewed the orange and yellow risk categories. He said these categories limited gatherings to 50 people and felt that the City would have to cancel these events this year.

Ken Leetham reported that the City received a request from the Bountiful Arts Center for a monetary donation to Summerfest. He said the City generally donated \$500 annually and that Bountiful Arts Center had requested \$1,000 this year.

13. CONSIDERATION OF APPOINTMENT OF EAGLEWOOD GOLF COURSE GENERAL MANAGER

Mayor Arave asked if this item should occur before or after the closed session. Ken Leetham recommended discussing this item in a closed session to be voted on at a future open meeting.

David Church clarified that this was an opportunity for the City Council to discuss the qualifications and competency of the individual in a closed session before the City Council approved the appointment publicly.

14. ADJOURN INTO CLOSED SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION; TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL; TO DISCUSS COLLECTIVE BARGAINING; OR TO DISCUSS THE PURCHASE, EXCHANGE, SALE, OR LEASE OF REAL PROPERTY

At 7:20 p.m. Council Member Horrocks moved to go into closed session to discuss the competence or physical or mental health of an individual. Council Member Mumford seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter.

15. RECONVENE INTO REGULAR SESSION

At 7:37 p.m. Council Member Porter moved to go out of closed session and into the work session. Council Member Gordon seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter via Zoom chat.

Mayor Arave asked when the City Council should resume in-person meetings. Ken Leetham said that the City could accommodate a meeting but would need to maintain a twenty-person limit.

Council Members Gordon and Baskin felt that the in-person meetings should be resumed after the public hearing on June 2nd. The Council agreed and determined that the June 16, 2020 City Council meeting would be held at City Hall.

16. ADJOURN

Mayor Arave adjourned the meeting at 7:40 p.m.

Mayor

City Recorder