

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-WORK SESSION  
OCTOBER 3, 2017

**FINAL**

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

PRESENT: Mayor Len Arave  
Council Member Brian Horrocks  
Council Member Stan Porter  
Council Member Matt Jensen  
Council Member Ryan Mumford  
Council Member James Hood

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.

OTHERS PRESENT: Andrew Coulam, Jonathon Scott, Enoch Huffman, residents/Youth City Council.

1. DEPARTMENT REPORT-COMMUNITY DEVELOPMENT

Sherrie Llewelyn reported on fee ordinance updates which included fees for business licensing, planning/community development, engineering, and building permits. Some of the changes for business licensing included clarifying the types of businesses, removal of outdated business types, addition of new business types, updated requirements to comply with State law, and the creation of new event fees. She said one of the new requirements per State law was a specialty tobacco store license for tobacco stores, and also explained that a specialty tobacco store could not be situated a certain distance from trails, parks, churches, schools, and residences which would limit where this type of store could be located.

Mrs. Llewelyn then said that the other State code update pertained to home occupations and the removal of business license fees. To reduce staff time and expenses, the City has determined that business licenses would not be required for home occupation going forward. Those residents with a home occupation would still be required to meet all of the standards of a home occupation.

Council Member Mumford asked if the change to the requirements for a home occupation would affect sales tax. Sherrie Llewelyn replied that the resident would still be required to obtain a sales tax license.

Sherrie Llewelyn reported on City sponsored and private events such as a farmers market or food truck rally to be held on City property and proposed that the event organizer pay \$100 per day, a \$300 cleaning deposit, and \$35 event permit for a maximum of three days. The \$35 event permit would help to cover the City's administrative costs per event. City sponsored events, such as a mobile food vendor, would pay \$35 per event with an additional \$135 for City supplied power. She presented a chart which compared the proposed City event, community development, and engineering fees with those charged by neighboring cities.

Council Member Jensen commented that some cities charge race organizers for races that go through the city and use public streets, and asked if the purpose of event fees was for the City to make money or just to help cover potential costs. Council Member Horrocks said that not all events were equal and that if the City was expending money for an event then the vendors should participate in the cost.

David Church said there were two separate issues being discussed, including what the City could charge for a business license, which State code clarified would be for regulation and not revenue, and would allow the City to recover its costs. The other issue was if the City held an event they could legally charge vendors any fee to participate. He also explained that there would be a separate ordinance for mass gatherings that would cover an event that has more than a certain level of attendees and would have separate requirements and fees.

Sherrie Llewelyn reported on community development fees that needed to be added for planning and zoning, including appeal fees, public hearing fees, an increase for rezoning application fees, a site plan review fee based on the size of the project, annexation fees for projects larger than ten acres, and natural resources excavation. She said there had also been the addition of Geotechnical review fees for a scoping meeting and Geo Hazard Investigation permits and review.

Engineering fees were added for items such as applications, road cuts and excavation, sealing, indemnity bonds, grading permits, curb and gutter cuts, and sidewalk replacement. Additional fees for improvement bonds with amounts set by State code, infrastructure inspection fees set at 1% of the City Engineer's estimate, and storm water violation and inspection fees were also included. It was determined that staff time should be adequately covered at these fee amounts. It was determined that building permit fees in the City code would remain the same.

Mayor Arave commented on the secondary water service fees and if there would be fees for the east side of the City. Ken Leetham replied that staff would need to research storm and secondary water regarding service and impact fees.

Sherrie Llewelyn said that the Public Safety/South Davis Metro Fire Agency fire impact fees were impacted due to an amendment by the South Davis Metro Fire Agency. She also spoke on the police and court fees which were added for items that would take staff time to complete. Additional fees in the Comprehensive Fee Schedule included the cost of oversized photocopies and a \$200 refundable cleaning deposit on all park reservations.

Sherrie Llewelyn provided an update on the mining ordinance and said it would combine the mining regulations into Title 7, that it would clarify the approval process, expand the mining buffer distances to 200 feet from a property line, a buffer of 400 feet for crushing, and a buffer of 100 feet from a public road. Mayor Arave recommended that the buffer for mining activities be 200 feet from nonresidential and expanded to 300 feet from a residence.

Sherrie Llewelyn said that other regulations that were added to the mining ordinance included fencing and berming with landscaping and signage, landscaping with a minimum depth of 30 feet, berming at a minimum height of 10 feet, and landscape installation and bonding. There is also a section to allow special hours of operation for UDOT outside of normal operational hours.

David Church clarified that the legislature specified that UDOT may work with cities for special hours for road work but cannot require or force cities to allow mining to occur during special hours.

Council Member Mumford commented that some activities may be acceptable to be performed after hours such as hauling gravel away as long as it does not disturb residents, but that other activities like mining and blasting could not be performed at night. Ken Leetham replied that staff could identify the different mining activities that were not objectionable and allow for them in the ordinance.

## 2. ADJOURN

Mayor Arave adjourned the meeting at 7:02 p.m. to being the regular session.

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-REGULAR SESSION  
OCTOBER 3, 2017

**FINAL**

Mayor Arave called the meeting to order at 7:09 p.m. Council Member James Hood offered the invocation and led those present in the Pledge of Allegiance.

PRESENT: Mayor Len Arave  
Council Member Brian Horrocks  
Council Member Stan Porter  
Council Member Matt Jensen  
Council Member Ryan Mumford  
Council Member James Hood

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.

OTHERS PRESENT: Alisa Van Langeveld, Lisa Baskin, residents; Matt Thompson, Jake Thompson, Z Brothers Pizza.

1. CITIZEN COMMENT

There were no citizen comments.

2. NEW EMPLOYEE INTRODUCTION

Ken Leetham introduced Holly Christensen, who will be the City Manager's administrative assistant. She previously worked with the Kaysville Police Department and the Davis County Sheriff's Office. He said the City received 40 applications for this position and felt that Holly will be a great asset to the City.

3. CONSIDERATION OF A BEER LICENSE FOR Z-BROTHERS PIZZA, 460 NORTH REDWOOD ROAD

Sherrie Llewelyn reported that Z Brothers Pizza, located at 460 North Redwood Road, owned by Jake and Matt Thompson, has been in operation in the City since 2015. They have requested a beer license and the Alcoholic Beverage Control Commission issues licenses to restaurants for on premise consumption of beer when served with a meal. Local (city) consent is also required for these licenses. The City code, Section 3-2-3 classifies the proposed use as a Class B license and requires the posting of a faithful observance bond in the amount of \$2,000 payable to the City for violation of any City ordinance, submission of a Health Department permit, and a \$300 application fee.

The State of Utah requirements that regulate proximity to churches, schools, public parks and playgrounds, and libraries stated that the restaurant could not be located within 300 feet of these community locations. The restaurant is located 990 feet from Wasatch Peak Academy and 456 feet from the entrance to the school property line.

The Development Review Committee (DRC) found this application to meet the requirements of the City ordinance and State code and recommended approval of the Class B Beer License for Z-Brothers Pizza.

Council Member Jensen asked for clarification that the any restaurant could apply for a beer license for approval as the number of licenses was not limited. Chief Black confirmed that there were not a limited number of beer licenses.

**Council Member Hood moved that the City Council approved a Class B Beer License for Z-Brothers Pizza at 460 North Redwood Road, Suite E. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

4. CONSIDERATION OF RESOLUTION 2017-23R ENDORSING AND SUPPORTING A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR PRE-DISASTER HAZARD MITIGATION FUNDS FOR MITIGATION OF THE EAGLEPOINTE LANDSLIDE

Ken Leatham reported that this item was an authorization for the submittal of a FEMA grant for assistance with the Eaglepointe Landslide. The resolution would instruct staff to put together a grant application, gather funding, and then obtain authorization for City staff to submit the application. He said the deadline for submittal to the State was October 5<sup>th</sup> and the State would

then submit the application to FEMA. The application would not obligate the City to spend the funds and the Council could make a determination if the City is awarded the grant.

Mr. Leetham explained that he felt this was an, and potentially the only, opportunity to get the landslide repaired. He said if the City was awarded the grant it would be difficult for the City to gather the 25% match but other entities would most likely assist with the repair at that point.

Council Member Mumford thanked staff for researching a solution to the landslide and said that this grant would be a good opportunity. Council Member Horrocks agreed with Council Member Mumford's comments and said if other parties continued to pursue litigation at that point that he would prefer the City walk away from the problem.

Mayor Arave asked if the City could change the engineered solution at a later date. Ken Leetham replied that the scope could potentially be reduced at some point.

Mayor Arave then asked if staff had spoken with the GeoStrata about taking additional weight off the top of the landslide and if there was a cheaper method to achieving this. Paul Ottoson replied that they had not discussed moving the road at the top further south but they were in favor of taking weight off the top of the slope.

**Council Member Porter moved that the City Council approve Resolution 2017-23R FEMA Grant application submission and instruct staff to complete the grant application for the Parkway Landslide repair, direct staff to set aside the required 25% matching funds, authorize the City manager to sign and submit the grant application. Council Member Jensen seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

#### 5. APPROVE CITY COUNCIL MINUTES

The City Council minutes of September 19, 2017 were reviewed and amended. **Council Member Mumford moved to approve the City Council meeting minutes from September 19, 2017 as amended. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Jensen, Mumford and Hood.**

#### 6. ACTION ITEMS

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

Council Member Mumford asked in regards to potentially extending the fall cleanup to two weekends. Ken Leetham replied that the extra cleanup would cost an additional \$7,000, which included the dump fees.

David Frandsen commented that in the past the City was charged for contamination fees and loads from contracts which would be prevented this year. He said the cost would include staff hours for six employees.

Council Member Mumford recommended holding the cleanup for one weekend this year to determine if there was a need for an additional weekend next year. David Frandsen responded that the spring cleanup usually saw bigger loads and said that the City could potentially have two weekends dedicated to the cleanup then.

Council Member Porter commented that some residents would be unhappy that the cleanup would be occurring at the Public Works building instead of having dumpsters placed in the neighborhoods.

## 7. COUNCIL REPORTS

Council Member Hood reported that the Youth City Council (YCC) was a large group this year. He said YCC would be working with the Bountiful Food Pantry and had a need for turkeys.

Council Member Horrocks asked if there would be a limitation on who could attend the YCC conference in Logan. Council Member Hood replied that there were requirements the youth had to meet to be able to attend the conference, including attending City Council meetings, attending 80% of activities and meetings, and pay a contribution toward the trip.

Council Member Mumford reported that a resident had approached him about purchasing and placing more trees near the roundabout and the elementary school in Foxboro when the trees are purchased for the Legacy Trail.

Council Member Mumford asked if there was any recourse for contractors that were behind on project completion and specified that residents were frustrated with the overlay replacement project being performed by Dominion Energy. Ken Leetham replied that the City would review this issue particularly in regards to future agreements and contracts. He said that the City had considered completing the project and then charging Dominion for the work.

Council Member Jensen reported that the Second Sunday Concert would be held October 8<sup>th</sup> at City Hall. He said the deadline for the NSL Live writing contest had passed and that the event

would be held October 12<sup>th</sup>. The Halloween 3K would be October 21<sup>st</sup> at 9:30 a.m. at Hatch Park.

#### 8. MAYOR'S REPORT

Mayor Arave reported that Wasatch Integrated Waste would start engineering the transfer and recycling facilities. He then said that South Davis Sewer District was also moving forward with their food waste facility.

#### 9. CITY MANAGER'S REPORT

Ken Leetham reported that the Colosimo repair work was completed and staff would continue to monitor the area. He showed images of the repair work to those present and said it would catch the spring and also allowed for the removal of the plastic drainage pipes from both the Plowman and the Colosimo backyards.

Mr. Leetham said that Lacey Way would be closed this week between David and Nancy Way to allow MC Green to repair street flooding issues.

Ken Leetham reported that the new golf carts had been delivered and were in use at the golf course.

Mr. Leetham then presented the RAP Tax mailer to those present and asked if the Council had any changes.

Council Member Horrocks asked about the division of sales tax. Mayor Arave explained that the sales tax is based on population and said the RAP Tax is not the same as sales tax. He said the sales tax formula is 1% with half allocated to the point of sale and the other half percent allocated to cities based on population.

Mayor Arave recommended that the RAP Tax mailer be integrated into a voter information packet to include information on the RAP Tax and the candidates running for office.

David Church suggested wording changes to make the "for" and "against" arguments more clear.

The City Council asked that staff present a revised RAP Tax mailer to the Council at the next meeting. The Council also asked that the mailer only be sent to registered voters.

10. CITY ATTORNEY'S REPORT

David Church had nothing to report.

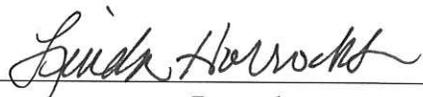
11. ADJOURN

Mayor Arave adjourned the meeting at 8:11 p.m.



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Mayor



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Recorder