

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-WORK SESSION  
MARCH 5, 2019

**FINAL**

Mayor Pro Tem Mumford called the meeting to order at 6:04 p.m.

PRESENT: Council Member Brian Horrocks  
Council Member Stan Porter  
Council Member Ryan Mumford  
Council Member James Hood  
Council Member Lisa Watts Baskin

EXCUSED: Mayor Len Arave

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen, Public Works Director; Janice Larsen, Finance Director; Troy Johnson, Assistant Police Chief; David Church, City Attorney; Brent Moyes, Golf Course Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

1. CITY OF NORTH SALT LAKE BUDGET OVERVIEW FOR FISCAL YEAR 2019-2020

Ken Leetham presented a schedule of the 2020 budget with an overview of the General Fund, COLA's and health insurance on March 5<sup>th</sup>, water utility rates and conservation efforts on March 19<sup>th</sup>, a potential review of golf course management on March 26<sup>th</sup>, an overview of the capital facilities projects including roads, water, and parks on April 2<sup>nd</sup>, and a potential meeting on April 30<sup>th</sup> if needed. He said the budget retreat was tentatively scheduled for April 16<sup>th</sup> starting at 5p.m.

Mr. Leetham said that the City Council would need to make policy decisions regarding COLA's and health insurance benefits, water conservation strategies and utility rates, golf course management, capital facilities projects and plan related to roads, water, parks, new employee positions, and priorities and projects this year.

Council Member Horrocks spoke on water conservation and questioned whether the City could provide water for the potential Misty River annexation. Ken Leetham replied that water was an issue and it was good business practice to conserve as it saved money and resources. He said that the water conservation plan was due in part to because of the State's emphasis on conservation and metering of secondary water, to educate the public, and to help the current system to have sufficient water for the City's needs at peak times. Mr. Leetham also said that staff planned to present a study on how the annexation would impact the water system.

Janice Larsen reported on the general fund budget overview and said that this was a draft as sales and property tax for the year had not yet been received. She spoke on property tax from last year and said it came in below budget as the Redevelopment Area (RDA) revenues reduced the general fund property tax, along with other reductions such as the increase in property tax for the Fire District. These revenues include taxes (property, sales and use, franchise), licenses and permits, intergovernmental revenues, charges for services, fines and forfeitures (courts), interest, miscellaneous. Ms. Larsen also said that the sales tax increase was generally between 6-8% in recent years but would possibly be closer to a 2% increase in the Fiscal Year 2019-2020. She said that the legislature was looking to make some changes on how sales tax was collected and distributed. The 2018 actual total revenues were \$11,504,000. The 2019 budget total revenues would be \$11,605,000 and the 2019 projected ending total revenues would be \$11,894,000. The preliminary 2020 recommended budget total revenues would be approximately \$12,072,000.

Janice Larsen reviewed the General Fund expenditures included general government (legislative, administrative, buildings, judicial), public safety (police department, fire department), public works (streets, engineering), community development (planning and zoning, building inspection), and parks. She said the proposed fire department increase was considerable this year but has not yet been approved by the fire district.

Ken Leetham commented that he served on the administrative board of the fire district and that the amount may decrease.

Council Member Baskin asked how the fire district accounted for the increase. Ken Leetham replied that it was based on a formula and that this year's formula had generated a large increase for all the cities. He is hopeful that the formula could more closely reflect cost of living adjustments plus new growth.

Janice Larsen continued to review the General Fund expenditures and explained the reasons for decreases and increases due to changes in planned equipment purchases, unfilled seasonal and fulltime positions, etc. The 2018 actual total expenditures were \$9,720,000. The 2019 budget total expenditures would be \$10,449,000 and the 2019 projected ending total expenditures would be \$10,275,000. The preliminary Fiscal Year 2019-2020 recommended budget total expenditures would be \$10,727,000. The current year budget was setup to move any excess over \$139,000 to Capital Support and an additional \$200,000 of unrestricted funds from the General Fund balance to help with projects in the Road Fund.

The 2019 budget total revenues were \$11,605,000 and the budget total expenditures were \$10,449,000 with projected ending revenues of \$11,894,000 and projected ending expenditures at \$10,275,000. The preliminary 2020 recommended budget was \$12,072,000 and the recommended budget total expenditures were \$10,727,000, however these are preliminary numbers and likely to change before the tentative budget is presented to Council.

Ms. Larsen reported on health insurance and said that while there had been no increase for 2018/2019 there may be a potential rate increase for the 2019/2020 year no higher than 4.7%. The budget showed a potential cost increase of \$46,065 for health insurance based on the estimated 4.7% rate. She then said that the health savings account (HSA) contributions would remain the same. Staff recommended a cost of living increase of 3% based on information from the Bureau of Labor and Statistics and Zions Bank Consumer Index.

Ken Leetham commented that Mayor Arave had asked staff to identify the COLA's from neighboring communities. He then said the merit increase would be approximately 2% as previously adopted on our merit increase wage schedule.

Ken Leetham commented that the department heads would not be reporting on operations during the budget retreat unless the Council requested it. He said the budget was very straightforward this year and the Council could focus on policy needs related to the budget and addressing overall objectives.

Council Member Horrocks asked how changes to the way sales and other taxes were collected would affect UTA or RAP tax, etc. Ken Leetham replied that boutique taxes would stay the same but the base would broaden and the rate would be adjusted downward. He said the same amount of money would be collected.

David Church commented that the rates would remain the same but the windfall would be locked and then analyzed to see which rates should be lowered in certain cities.

Ken Leetham said that the proposed formula under consideration would still require that 1% be collected for local sales tax at the point of sale.

David Church commented that the sales tax could extend to water and land transfers. Ken Leetham said this may have the effect of having larger companies contracting with out of state vendors, which would harm Utah based companies.

Council Member Baskin asked why the State would implement this change. Ken Leetham replied that the State wanted to broaden the tax base to introduce stability into the revenue stream and protect against fluctuations in the retail market. He also said that rural cities and the resort communities may be at risk if this legislation passed.

David Church explained that the concern was the eroding sales tax base and that income tax, per the constitution, had to go towards education. He said that the State wanted to lower the income tax rate and then stabilize the sales tax rate by broadening the base. It was then determined that services like hair stylists, real estate agents, and lawyers should be taxed to help broaden the base.

Mayor Pro Tem asked that staff prepare a report on the debt service for the homes/properties that the City had purchased around Hatch Park as a part of the upcoming budget presentations.

## 2. APPROVE CITY COUNCIL MINUTES

The City Council minutes of February 19, 2019 were reviewed and approved. **Council Member Baskin moved to approve the City Council minutes of February 19, 2019 as amended. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Mumford, Hood, and Baskin. Council Member Porter abstained from voting.**

Council Member Porter abstained from voting on the approval of the City Council minutes as he was absent from the February 19<sup>th</sup> meeting.

## 3. ACTION ITEMS

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

Ken Leetham commented that staff would review the house bills per the legislative session during the regular session of the Council meeting.

Mayor Pro Tem Mumford asked if there was an update on the Scenic Byways. Council Member Baskin replied that there was an effort to install billboards along Legacy Highway and to disband the Scenic Byway Committee.

Mayor Pro Tem Mumford asked staff to research how this bill could affect Legacy Highway and if the City already had regulations regarding billboards in place if that would supersede the legislation. He suggested that the City implement regulations or restrictions if this was the case.

Sherrie Llewelyn said that the City currently only allowed billboards in the S3 Overlay Zone and the MD Zone along the freeway.

Mayor Pro Tem Mumford asked for an update on the Tunnel Springs Park lighting plan. David Frandsen replied that the Parks and Arts Committee recommended that five lights be installed and asked staff to obtain pricing on additional lights at the tennis courts.

Council Member Horrocks asked if there was an update on the damages to Tunnel Springs Park. Ken Leetham replied that the revised cost estimate was less than \$10,000. He said that staff would meet with the perpetrators and their families to discuss a resolution.

Mayor Pro Tem Mumford asked about the legal recourse for the damages at the park. Ken Leetham replied that it was considered a felony but his recommendation was to see if the families would pay to have the park repaired.

#### 4. CITY ATTORNEY'S REPORT

David Church had nothing to report.

#### 5. CITY COUNCIL REPORTS

Council Member Horrocks reported that he traded his gas-powered lawnmower for a new electric lawnmower through the State of Utah Lawn Mower Exchange program.

Council Member Baskin reported that the bill to continue the truck ban on Legacy Parkway did not pass. She said the current ban would expire in 2020.

Council Member Baskin said that the NSL Tree City USA Board would be working with a landscape architect to amend the tree ordinances to make them more enforceable. She also said that she would be involved with establishing a committee for the 2020 census.

Mayor Pro Tem asked when and where the Arbor Day Celebration would be held this year. David Frandsen replied that the celebration would be held on April 27<sup>th</sup> at Tunnel Springs Park.

Council Member Baskin asked if there was a Council vote or an administrative decision declining to celebrate the Golden Spike sesquicentennial. Mayor Pro Tem Mumford explained that as there were no other Davis County events scheduled the Parks and Arts Council recommended against holding an event.

The Council directed staff to research the cost to participate in the planned fireworks show on May 10<sup>th</sup> related to the Golden Spike celebrations.

Council Member Porter commented that he had several candidates for the upcoming opening on the Parks and Arts Board.

#### 6. ADJOURN

Mayor Pro Tem Mumford adjourned the meeting at 7:01 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-REGULAR SESSION  
MARCH 5, 2019

**FINAL**

Mayor Pro Tem Mumford called the meeting to order at 7:11 p.m. Council Member Lisa Watts Baskin offered the invocation and led those present in the Pledge of Allegiance.

PRESENT: Council Member Brian Horrocks  
Council Member Stan Porter  
Council Member Ryan Mumford  
Council Member James Hood  
Council Member Lisa Watts Baskin

EXCUSED: Mayor Len Arave

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen, Public Works Director; Janice Larsen, Finance Director; Troy Johnson, Assistant Police Chief; David Church, City Attorney; Brent Moyes, Golf Course Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Jim Allen, Nicole Green, Dee Lalliss, Kristine Pepin, John Pepin, Miles Keeton, Angie Keeton, residents; Brian Knowlton, Knowlton General; Leslie Mascaro, Maverik.

1. CITIZEN COMMENT

Jim Allen, 902 Ramsey Court, asked how the City code was being enforced regarding daycare centers. He explained that he placed a complaint ten months ago about an individual that had 13 children at their daycare which was over the allowable number of children. Mr. Allen said that this was a traffic and pedestrian safety issue.

Assistant Chief Johnson replied that the goal for the ordinance officer was voluntary compliance and that in this situation the officer was working with the State. He said that the State would do three visits starting with a written warning, followed by a finding, and then potential fines. The end result was to have the daycare center move to another location with a date for compliance set for the end of March.

Nicole Green, 1023 Adelburg Drive, said she was a member of the Save Legacy Parkway Citizen Committee. She said the goal of this committee was to push for the extension of the truck ban on Legacy. Ms. Green thanked the Council for their support including passing resolutions, etc. She said that several bills regarding the inland port and the potential for billboards on Legacy could affect the City and asked that the Council adopt an ordinance banning billboards within City

limits. Nicole Green also asked that a council member represent the City at a meeting to be held on March 20<sup>th</sup>.

Council Member Porter clarified that the City did not allow billboards in the zone near Legacy Highway.

2. APPOINTMENT OF KRISTINE PEPIN TO THE PARKS TRAILS ARTS AND RECREATION ADVISORY BOARD (STAN PORTER)

Council Member Porter introduced Kristine Pepin and said that she was also a member of the NSL Chorus.

Kristine Pepin commented that she had been a resident for 20 years. She previously worked for a non-profit and was now employed by Salt Lake County. Ms. Pepin said that her father instilled in her the importance of community service.

**Council Member Porter moved to appoint Kristine Pepin to the Parks Trails Arts and Recreation Advisory Board. Council Member Baskin seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

Kristin Pepin also reported that the NSL Chorus had a concert on March 11<sup>th</sup> at the Eaglewood Golf Course.

3. CONSIDERATION OF A GENERAL DEVELOPMENT PLAN FOR HEPWORTH TOWNHOMES AT 155 NORTH MAIN, KNOWLTON GENERAL, APPLICANT (CONTINUED FROM 1/15/2019 COUNCIL MEETING)

Sherrie Llewelyn reported that the prior proposal for eight townhomes was tabled at the January 15<sup>th</sup> Council meeting. The Council directed the developer to prepare an alternate plan. The revised plan consisted of three duplexes each with a single car garage and driveway parking that would accommodate three to four additional parking spaces. The six driveways would access the lot from 150 North as opposed to the alley access for the previously proposed townhomes. The duplexes would each have three bedrooms compared to the two bedroom townhomes. Mrs. Llewelyn showed visual renderings of the architecture and examples of the layout with three bedrooms on the second story.

Other changes from the eight townhome plan to the six duplexes included three bedroom units for a total of 18 bedrooms for the project, six covered carport parking spaces and 17-18 driveway parking spaces, a maximum building height of 35 feet, and no standards for architecture or landscaping per the current Residential-7 (RM-7) zoning.

Brian Knowlton, Knowlton General, said that sometimes less was more and that even though they reduced the unit count to six the bedroom count was increased by two. He also said the aesthetic of the duplexes was inferior to the previous plan.

Council Member Porter commented that after meeting with the neighbors they voiced a concern with the close proximity of the proposed development to the house on the west. He asked the developer if they would consider building seven units instead of eight as there appeared to be no space between the driveway and the property line. Brian Knowlton replied that there would be a buffer of 20 feet including the 12 foot driveway and a one 2 foot and one 6 foot landscape buffer.

Council Member Hood said that he liked the decreased number of units as well as the four spaces per unit. He said that ideally the developer would respect the current layout of the neighborhood.

Council Member Porter and Hood asked if these would be rental units and if they could be reconfigured as “for sale” units. Brian Knowlton replied that initially these units would be rentals and could be converted to for sale units. He said that the main goals were sustainability and affordable housing as well as creating quality place to live.

Council Member Porter asked about the neighbor who was concerned about access to their garage. Brian Knowlton replied that while the gate was no longer used consistently they would not block it.

Mayor Pro Tem Mumford asked what the target rental price for the duplexes versus the townhomes. He also asked if there were higher costs associated with building a duplex. Brian Knowlton replied that the townhomes would be approximately \$925 and the duplexes would be \$1450 to \$1650. He also said that the duplexes were higher square footage, which increased the cost.

Council Member Baskin asked for clarification on how far the setback was from the street. Sherrie Llewelyn replied that there was a 5 foot park strip, a 4 foot sidewalk and would be a total of 19 feet from the curb.

Mayor Pro Tem Mumford asked about the driveway depth on the duplexes. Sherrie Llewelyn replied that it was 42 feet from the back of the sidewalk to the front of the porch.

Council Member Porter said that the residents he met with preferred the proposed plan with seven or eight townhomes.

**Council Member Porter moved that the City Council approve the proposed general development plan for Hepworth Townhomes located at 155 North Main Street with the following conditions to be incorporated within the final zone change and development agreement approval:**

- 1) Final architecture design, materials, colors;

- 2) **A provision for a future cross easement access be provided, with specific terms and conditions to be required of future connecting developments to the west, in the event the city exercises the future shared access;**
- 3) **Placement of traffic directional signs for the private alley shall be required and clearly visible;**
- 4) **Parking shall be provided at the rate of 2.75 spaces per unit;**
- 5) **Submittal of a required development agreement; and**
- 6) **Final approval of the P-District Rezone.**

**Council Member Baskin seconded the motion. The motion was approved by Council Members Horrocks, Porter and Baskin. Council Members Mumford and Hood voted in opposition to the motion.**

4. CONSIDERATION OF A PLAT AMENDMENT: NORTH SALT LAKE INDUSTRIAL PARK-PLAT A. AMENDING LOTS 1 AND 2 (24 NORTH REDWOOD ROAD)

Sherrie Llewelyn reported that the proposed plat amendment was to divide existing lot 1 and 2 into three lots in North Salt Lake Industrial Park Subdivision located at 24 North Redwood Road. These lots consist of two businesses and are functionally divided as lots that run east to west. The proposed lot 1A would be 6.58 acres and consisted of Mobile Mini. Lot 2A would be the corner lot at 4.92 acres to be occupied by Maverik. The final lot 3A would be 1.60 acres and contained the existing truck shop building occupied by Schneider Trucking.

Mrs. Llewelyn explained that Maverik would be constructing a second gas station across from their existing gas station on Redwood. The proposed gas station would have a seven island canopy structure with two pumps with the ability to fuel 28 vehicles. This location would also have an outdoor seating area to the south of the store as well as another island canopy structure for semi-trucks. There would be an entrance off 700 West for semi-truck access with a separate access off Center Street for passenger vehicles. The site would also contain a sewer dump station and truck scale.

The total landscaping would be 40,627 square feet or 18.9% which exceeded the 10% minimum requirement. Improvements to the site included a sidewalk on Redwood Road including landscaping with required street trees, sod and shrub areas. Mrs. Llewelyn explained that due to an underground storm detention and 65 foot easement, which was owned by Davis County, that there would be an additional 40 foot wide landscaping on the front and side street which exceeded the 24 foot requirement. A landscape buffer of between 9 and 22 feet would be added along the north property line between the site and the mobile mini business.

The Planning Commission held a public hearing and recommended approval with the completion of any engineering redlines.

Council Member Porter commented that this development would improve the corner.

Council Member Horrocks said that it was a strange business model to have two Maverik stores adjacent to each other.

Council Member Hood commented that there was a Maverik store on both sides of 9000 South in Sandy and that both stores seemed to be busy.

Council Member Porter explained that the new location would have space for semi-trucks.

Leslie Mascaro, Maverik, expressed gratitude towards staff for providing a quick development review. She explained that Maverik had been successful in building stores adjacent to each other and that it generally made it easier on the consumer due to street medians and other barriers. Ms. Mascaro said that they would keep both stores open at this time while analyzing the performance of each.

Mayor Pro Tem Mumford asked about the future use of lot 3A as well as lot 1A. Leslie Mascaro replied that there was an existing building on lot 3A that they would sublease. She also said that Mobile Mini would most likely continue to lease lot 1A.

Mayor Pro Tem Mumford commented that he assumed Flying J would go out of business as there would no longer be a left turn out after road construction was completed. He asked that staff review the site plan for possible access routes. Sherrie Llewelyn showed the potential route that trucks could make to access the property.

Leslie Mascaro clarified that the site was designed to separate the passenger and semi-trucks as well as forcing them to enter and exit in certain way.

Council Member Hood asked if Maverik would be able to obtain an access onto Redwood Road. Leslie Mascaro replied that they were currently working with UDOT who had been positive in regards to granting access onto Redwood.

**Council Member Porter moved that the City Council approve the plat amendment for North Salt Lake Industrial Park Subdivision Plat A at 24 North Redwood Road with the following condition:**

- 1) Completion of Engineering Redlines, if any.**

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

- 5. AWARD BID FOR ORCHARD DRIVE NORTH STREET RECONSTRUCTION PROJECT (CITY LIMIT LINE TO EAGLEWOOD DR.)**

Staff asked that this item be continued until the next City Council meeting.

6. AWARD BID FOR ORCHARD DRIVE SOUTH STREET RECONSTRUCTION PROJECT (CENTER STREET TO ROUNDABOUT AND CONTINUING TO HWY 89)

Staff asked that this item be continued until the next City Council meeting.

**Council Member Baskin moved to continue the Orchard Drive North and South Street reconstruction projects until the next agenda. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

Council Member Baskin asked when the work would commence. Paul Ottoson replied that construction on the Orchard Drive North project could commence at any time. He said The Winnie/Winegars redevelopment would occur in the spring and could potentially cause a conflict on the Orchard Drive South project. He said the City placed a restriction that the Orchard Drive North project be paved and completed by August 15<sup>th</sup> for the Tour of Utah.

Paul Ottoson then reported on the Orchard Drive South project and said that staff was going out for bid on the second phase soon but a portion of the curb and gutter would be subject to federal requirements. He said a portion of the Orchard Drive South project would go out for bid in April and would potentially be done in mid-August.

Council Member Horrocks commented that after street work was done and patches were made on existing roads that the roads were never the same. Paul Ottoson said that The Winnie project would not have this issue as there were no utilities to tie in as they were already stubbed out.

Council Member Horrocks asked if there a better way to restrict street cuts. Paul Ottoson replied that there was a permit fee required for street cuts. He also said that there was an ordinance that stated new streets could not be cut for three years.

Ken Leetham commented that the City should consider being more restrictive about road cuts and that three years was not enough time. He suggested that staff could review this issue.

Council Member Porter asked if the City had considered concrete roads. Paul Ottoson replied that based on the cost that he would prefer to do concrete roads in the industrial park area.

Council Member Mumford asked about Orchard Drive South and the need for improving pedestrian safety at the round-about. Ken Leetham replied that this was one of the reasons for tabling this item.

7. CITY COUNCIL REPORTS CONT.

Council Member Hood reported that the Youth City Council (YCC) conference would be held next week at Utah State. He said only 12 youth qualified as there were stricter requirements this year. Other changes includes the cancellation of the banquet, increased leadership training, and the need for two weekends of conferences to accommodate the attendees.

The YCC have also been spending time filling Easter eggs for the Easter Egg Dash on April 20<sup>th</sup>. He said they had received a lot of gift cards and coupon donations from local businesses.

Council Member Horrocks commented that the banquet had some value in that the youth dressed up and practiced etiquette in a formal setting. He also suggested that the conference be split into southern and northern Utah. Council Member Hood said that it was based on cost and that the per person average was down \$30. He also said that the least expensive option was the Utah State location.

Council Member Hood then reported that on April 1<sup>st</sup> he would become the President of the Utah Association of Youth City Councils.

#### 8. MAYOR'S REPORT

Mayor Arave was excused.

#### 9. CITY MANAGER'S REPORT

Ken Leetham reported that the City received an invitation from the Wasatch Resource Recovery Plant to tour the facility.

Sherrie Llewelyn then reported on the house bills including HB315 Land Use and Development Amendments. This bill was intended to clean up the enabling legislation for subdivisions of property and to clarify "critical infrastructure" that must be bonded for regardless of its status of private or public. The following primary changes of the bill would define "infrastructure improvement" as permanent infrastructure that is essential to public health and safety, is required for human occupation, is required by published standards, and is public or private to record a subdivision plat or obtain a building permit. Other changes would be defining the term "municipal utility easement", defines "public street", vacation or public street process, would change the language regarding the Planning Commission process to review rather than prepare amendments to land use regulations and provides that if a planning commission fails to make a timely recommendation on a proposed regulation that the Council may consider it a negative recommendation, and required a Council submit amendments to the Planning Commission prior to making changes in the land use regulation.

Additional changes included that a city may not withhold a certificate of occupancy (COO) except for requirements essential for public health, safety, and welfare, established that a city must have two acceptable forms of completion assurance, that a city cannot require a bond for

improvements that are not essential, removed the requirement for a historic perseveration appeal authority, that if a decision of an appeal authority is appealed to district court the court must remand the matter to the land use authority with instruction to issue a decision consistent with the court ruling, provided a way for the award of attorney fees if a party initiated a challenge in bad faith, and that a city may not deny a building permit or COO because of incomplete improvements that are not essential to building or fire code for which a bond was placed.

Sherrie Llewelyn then reported on HB343 Development Advertising Amendments and said that the changes required a city to notice of a public hearing to political subdivisions, owners of parcels within 500 feet, and other parties with an outdoor advertising permit of proposed unified commercial development illuminated signs or signs within any planned unit development, and the city must require property owners to commence construction of commercial or industrial development associated to the sign within one year of approval of any change in the sign regulations.

Mayor Pro Tem Mumford asked what signage HB343 would apply to. Sherrie Llewelyn replied that her interpretation was that this applied to signs that were not on the premise. She gave the example of the sign for Traverse Mountain and that it was not located on the same parcel as the shopping center.

Council Member Baskin asked why there was a one year approval restriction. Sherrie Llewelyn replied that she assumed this was related to a sign being constructed before the commercial construction was completed so essentially the sign was competing with billboards.

David Church commented that billboards were not allowed in the area and a development obtained approval and placed a large electronic sign. The sign was then leased and competed with the billboard companies along the highway prior to the construction of the development.

Council Member Baskin spoke on HB119 which would make it more difficult for referendums and initiative to get onto a ballot on the city and county level. She said she drafted a letter addressing the issues specifically that it would make it much more difficult for citizens to legislate which was a guaranteed right in the State constitution.

Ken Leetham commented that he had cautioned the League of Cities and Towns staff about raising the requirements for signatures, creating geographical areas that would make it more difficult for citizens to have input.

Council Member Baskin said that other issues with the bill included the requirements for a public meeting with specific times that the City Council would allow presentations for a referendum, jurisdictional and sub-jurisdictional requirements, confusing land use restrictions, and that allowing City communication before a referendum was approved was unconstitutional as a content based restriction on political speech.

Mayor Pro Tem Mumford asked if there were other bills related to the League of Cities and Towns. Ken Leetham replied that HB320 Container Regulations Act would restrict local government from placing restrictions on plastic bags. He suggested that the Council reach out to the Representative Melissa Ballard as this was more about State overreach.

David Church commented that Moab and Park City already had ordinances banning plastic bags and that they would be grandfathered in if the bill passes.

David Church then reported that the other bill of interest was related to gravel pits. He said that when Tooele County started to revise their ordinances that this motivated the gravel industry to push for this bill. This bill would create special zones for gravel property which would affect a city's abilities.

10. ADJOURN INTO CLOSED SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION

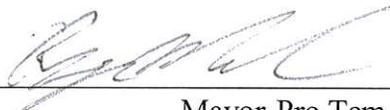
**At 8:44 p.m. Council Member Horrocks moved to go into closed session to discuss strategy on pending or reasonably imminent litigation. Council Member Baskin seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

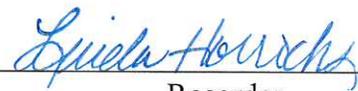
11. RECONVENE INTO REGULAR SESSION

**At 9:10 p.m. Council Member Hood moved to go out of closed session and into the regular session. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

12. ADJOURN

Mayor Pro Tem Mumford adjourned the meeting at 9:11 p.m.

  
\_\_\_\_\_  
Mayor Pro Tem

  
\_\_\_\_\_  
Recorder