



CITY OF NORTH SALT LAKE

CITY COUNCIL MEETING NOTICE & AGENDA February 18, 2020

Posted February 13, 2020

Notice is given that the North Salt Lake City Council will hold a regular meeting on **FEBRUARY 18, 2020** at City Hall, 10 East Center Street, North Salt Lake, Utah. The Council will meet for photos at 6:00 pm and a work session will be held at 6:30 pm in the Council Conference Room. The regular session will begin at 7:00 pm in the Council Chambers. Some members may participate electronically. The following items of business will be discussed; the order of business may be changed as time permits.

WORK SESSION – 6:30 p.m.

Note: CC Photos 6:00 p.m. – 6:30 p.m.

1. Subdivision ordinance discussion
2. Approve City Council Minutes of February 4, 2020
3. Action Items
4. Council Reports
5. Adjourn

REGULAR SESSION - 7:00 p.m.

1. Introduction by Mayor Len Arave
2. Invocation and Pledge of Allegiance ~ Council Member Natalie Gordon
3. Citizen Comment
4. Senior Lunch Bunch Presentations
5. **Public Hearing** and consideration of **Resolution 2020-03R**: a resolution amending the 2019-2020 City of North Salt Lake General Fund, Redevelopment Agency, Housing Fund, Capital Fund, Roads Capital Fund, Water Fund and Storm Water Fund Budgets.
6. **Public Hearing** and consideration of **Ordinance 2020-08**: an ordinance vacating a portion of Orchard Drive south of Eaglegate Drive to the Frontage Road.
7. Consideration of site plan for Village Station at Eaglewood, buildings 1, 2, & 3 located at approximately 420 South Orchard Drive, Brighton Homes Utah, applicant.
8. Consideration of **Resolution 2020-06R**: a resolution authorizing the issuance of water revenue refunding bonds; and related matters.
9. Consideration by motion to approve a beer license for Maverik at 24 North Redwood Road.
10. Consideration of **Resolution 2020-04R**: a resolution creating a Golf Course Oversight Committee.

11. Consideration of **Resolution 2020-05R**: a resolution approving a program for corporate memberships at Eaglewood Golf Course and amending the City’s Consolidated Fee Schedule.
12. Consideration by motion to authorize the City Manager to seek bids from qualified contractors for Eaglewood Golf Course clubhouse repairs and improvements.
13. Consideration of **Ordinance 2020-09**: an ordinance amending Title 4, Chapter 4 related to prohibited noise and business hours of operation.
14. Consideration of **Resolution 2020-02R**: a resolution adopting guidelines related to City employees and volunteers interacting with minors.
15. Mayor’s Report
16. City Attorney Report
17. City Manager Report
18. Adjourn

CLOSED SESSION

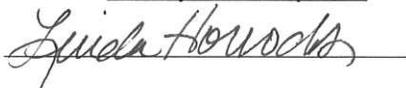
1. Possible closed session for the purpose of discussing pending or reasonably imminent litigation; to discuss the character professional competence, or physical or mental health of an individual; to discuss collective bargaining; or to discuss the purchase, exchange, sale, or lease of real property. *Utah Code 52-4-205*

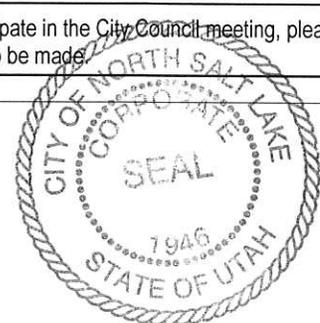
The public is invited to attend all City Council meetings. If you need special accommodations to participate in the City Council meeting, please call the City office at 801-335-8709. Please provide at least 24 hours' notice for adequate arrangements to be made.

Notice of Posting:

I, the duly appointed City Recorder for the City of North Salt Lake, hereby certify that the foregoing agenda was posted on the Utah Public Notice website, at city hall, and sent to the required newspapers this 13th day of February, 2020.

Dated this 13th day of February, 2020.





1 CITY OF NORTH SALT LAKE
2 CITY COUNCIL MEETING-WORK SESSION
3 FEBRUARY 4, 2020

4
5 **DRAFT**
6

7 Mayor Arave called the meeting to order at 6:03 p.m.
8

9 PRESENT: Mayor Len Arave
10 Council Member Brian Horrocks
11 Council Member Stan Porter
12 Council Member Ryan Mumford (arrived 6:12 p.m.)
13 Council Member Lisa Watts Baskin
14 Council Member Natalie Gordon
15

16 STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen,
17 Public Works Director; Craig Black, Police Chief; David Church, City Attorney; Brent Moyes,
18 Golf Course Director; Sherrie Llewelyn, Community Development Director; Linda Horrocks,
19 City Recorder; Marty Peterson, Emergency Preparedness Manager; Andrea Bradford, Minutes
20 Secretary.
21

22 OTHERS PRESENT: Chris Simonsen, Eric Hattabaugh, Osmond Seangsuwan, Rob Vandegrift,
23 Bountiful City Veterans Park Foundation; Dee Lalliss, resident.
24

25 1. BOUNTIFUL VETERANS MEMORIAL PARK PRESENTATION
26

27 Chris Simonsen, Chairman of the Bountiful City Veterans Park Foundation, explained that they
28 were there to make a presentation on the proposed Bountiful City Veterans Park and how the
29 City could be involved with this project.
30

31 Eric Hattabaugh, President of the Bountiful Veterans Foundation, said he was there representing
32 the Bountiful American Legion. This legion included North Salt Lake, Bountiful, West
33 Bountiful, Woods Cross and Centerville and the residents from these cities would be included in
34 the Memorial. He said the park would honor those who had served, who were currently serving,
35 and those who would serve. Mr. Hattabaugh said there was a need to advertise that they were
36 looking for the names of these veterans.
37

38 Osmond Seangsuwan, Board of Directors for Bountiful City Veterans Foundation, commented
39 that he was over the communications and marketing for the Foundation. He said this park was
40 being built to honor veterans who had lived or had ties to this area. Mr. Seangsuwan said they
41 believed there were approximately 1,200 names of veterans in North Salt Lake but only 40 had
42 been obtained. The goal was to begin construction on the park in the spring of 2020 with opening
43 ceremonies on November 11, 2020. He said they had marketing material available for cities to

44 use to reach out to the community to obtain the names. Bountiful City donated the land and the
45 park would be funded by the community through donations including granite pavers and
46 engraved plaques.

47
48 Council Member Horrocks commented that since the memorial park would be honoring all the
49 veterans of the south Davis area, if the park should be named something like the South Davis
50 Veterans Memorial Park. Osmond Seangsuwan replied that as it was located in Bountiful it
51 would be called the Bountiful Veterans Park but it would honor all South Davis veterans. He
52 explained that there would be educational aspects to the park for schools and families and to
53 unite the community.

54
55
56 Rob Vandegrift, Board of Directors for Bountiful City Veterans Foundation, showed a 3D
57 rendering of the park. He said this would be an educational park with information about all of the
58 wars from the War of 1812 until now. Mr. Vandegrift explained that they had \$800,000 that had
59 been donated either in cash or in-kind donations. He said they needed \$1.2 million to complete
60 phase one.

61
62 Chris Simonsen said he had pushed for this park for the last 20 years as a way to recognize those
63 who had served, and added that this park would be a hallowed place of healing, particularly for
64 Vietnam War veterans. Mr. Simonsen said Bountiful was chosen for the location, donation of
65 land, and how old the city was. He said the goal was to fill the memorial wall with names to
66 ensure all veterans were honored.

67
68 Council Member Porter asked about respecting the privacy of veterans. Chris Simonsen replied
69 that a veteran or their family member had to submit the name, and that no names would be
70 included without permission.

71
72 2. APPROVE CITY COUNCIL MINUTES

73
74 The City Council minutes of January 21, 2020 were reviewed. **Council Member Baskin moved**
75 **to approve the City Council meeting minutes of January 21, 2020 as amended. Council**
76 **Member Mumford seconded the motion. The motion was approved by Council Members**
77 **Horrocks, Porter, Mumford, Baskin and Gordon.**

78
79 3. ACTION ITEMS

80
81 The action items list was reviewed. Completed items were removed from the list.

82
83 Ken Leetham reported that there would be a neighborhood meeting at North Foxboro Clubhouse
84 to address the South Davis Sewer District odors on February 19th at 7 p.m.

85

86 Mayor Arave then requested that staff research implementing a community wellness program
87 similar to what Centerville offered.

88

89 4. COUNCIL REPORTS

90

91 Council Member Mumford thanked the staff for organizing the neighborhood meeting with
92 South Davis Sewer District. He said the smell was still pervasive and constant. Council Member
93 Horrocks commented that he was under the impression that the problem would self-correct but
94 apparently this was not happening.

95

96 Mayor Arave said that South Davis Sewer thought they had resolved the issue and had already
97 made several fixes. He said they now thought it was due to the vents on the digesters not
98 generating enough gas. Council Member Mumford commented that these issues had led to a loss
99 in public trust and felt the meeting would be a good start to rebuild that trust.

100

101 Council Member Baskin reported that the City Council would be honoring the Dillinghams and
102 Judy Naranjo for the efforts with the senior citizens on February 18th.

103

104 Council Member Horrocks reported on cyber security/hacking issues and how devastating it
105 could be. He said that whatever security measures the City had in place were probably not
106 enough. Council Member Porter explained how ransomware worked and how it was becoming
107 more prevalent. He said antivirus software could not prevent these issues as it was user activated.

108

109 5. MAYOR'S REPORT

110

111 Mayor Arave reported that on April 25th, Just Serve, the volunteer website, would be hosting a
112 day of service in Davis County cities. The City Council then provided suggestions for service
113 projects including cleanup for sections of the Jordan River Parkway Trail and removing the
114 spurge in Wild Rose Park.

115

116 Council Member Horrocks referred back to the presentation about Bountiful's proposed
117 veteran's park and commented that North Salt Lake had its own Veterans Memorial Park at City
118 Hall and that rather than putting resources in to Bountiful's project that the City could do more
119 with that park already in existence. Council Member Porter said it was difficult to obtain names
120 for a memorial particularly as negative things still happened to veterans, and many do not want
121 to be named.

122

123 The Council discussed the Bountiful Veterans Park and determined that while the proposed park
124 would serve the South Davis area, the City should focus on its own park. Council Member
125 Baskin expressed concern about having several members of the same family on the board for the
126 Bountiful Veterans Park foundation. It was suggested that the City could assist with obtaining

127 the names of veterans, and potentially providing in-kind donations such as labor/service/trees
128 instead of a cash donation to Bountiful

129

130 6. ADJOURN

131

132 Mayor Arave adjourned the meeting at 7:00 p.m. to begin the regular session.

133

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
FEBRUARY 4, 2020

DRAFT

Mayor Arave called the meeting to order at 7:08 p.m. Council Member Stan Porter 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 Ryan Mumford
Council Member Lisa Watts Baskin
Council Member Natalie Gordon

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen, Public Works 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: Jeff Barrett, Rocky Mountain Power; Alisa Van Langeveld, Manuel Delgado, NSL Parks, Trails Arts and Recreation Advisory Board; Julie McLachlan, North Salt Lake Recreation Program; Dee Lalliss, resident.

1. CITIZEN COMMENT

There were no citizen comments.

2. PRESENTATION BY PACIFICORP (ROCKY MOUNTAIN POWER) ON LONG-RANGE ELECTRIC POWER PLANNING

Jeff Barrett, Rocky Mountain Power/Pacificorp reported that his role was to work with South Davis cities and Salt Lake City on coordinating development, facilities, and managing outages. He said the City had 8,003 Rocky Mountain customers with an annual energy use of 301,271 megawatt hours divided into 26% for commercial use, 53% industrial use, 21% residential use, and less than .5% for street lighting and irrigation use. The franchise tax for the City was \$1,053,751 and the Wattsmart incentive to customers was \$494,068. The Blue Sky and subscription solar participation related to renewable energy in the City had 16 commercial customers, 3 industrial customers, and 359 residential customers with 225 customers with on-site solar generation.

176 Council Member Mumford asked if the renewable energy was generated out of state or if the
177 Renewable Energy Act required the energy be generated in state. Jeff Barrett replied that there
178 was no requirement for the energy to be generated in state. He said some of the best resources
179 might not be in the state with a focus on wind from Wyoming and then solar from Southern Utah
180 and Oregon.

181
182 Jeff Barrett then spoke on the Rocky Mountain Power Foundation, which supported non-profits
183 and government activities. He said they currently did not have any in the City and spoke on grant
184 cycles for receiving applications for projects. He also said they had funds to support City events
185 such as a farmers market or summer festival.

186
187 Mr. Barrett reported on Rocky Mountain Power's 20-year plan and said they ran models every
188 two years. The 2020 generation portfolio mix by capacity was broken down into 37% coal, 20%
189 gas, 24% renewable, 5% hydro, 7% efficiency/load control, and 7% wholesale/existing
190 purchases. He explained the load control options were related to irrigation, cooling, etc. and the
191 addition of megawatts per the different renewables (wind, solar, storage) in the next four years
192 and the next 20 years.

193
194 Jeff Barrett said they would be closing coal fueled generation over the next 20 years. He said the
195 2038 generation portfolio mix by capacity reflected 5% coal, 16% gas, 46% renewable, 3%
196 hydro, 11% storage, 14% efficiency/load control, and 5% wholesale/existing purchases.

197
198 Mayor Arave asked if rates would increase or decrease due to the decrease in price for carbon,
199 coal, and natural gas. Jeff Barrett said that the price of natural gas was the chief driver of their
200 resource planning but he did not want to make assumptions.

201
202 Mayor Arave also asked about nuclear power. Jeff Barrett replied that nuclear power plants were
203 usually built in places with a lot of water as it was used for cooling. He said a plant was proposed
204 to be built in Idaho but would be a research and development project.

205
206 Council Member Baskin said California was trying to go away from using natural gas. Jeff
207 Barrett replied that it was due to carbon/greenhouse gas emissions. He said that in 2035 Rocky
208 Mountain Power hoped to use considerably less coal and natural gas.

209
210 Mayor Arave asked about the increase in energy utilization between 2020 and 2038 particularly
211 with electric cars, etc. Jeff Barrett replied that he did not see a large increase in energy usage. He
212 said there was a push to electrifying as there was an air quality benefit but did not see huge load
213 growth associated with that.

214
215 Jeff Barrett spoke on coal closure and "company towns" which would result in significant job
216 losses in those towns. He said they had been communicating with those communities to plan and
217 stage retirement to allow for natural attrition. He said it would not be easy for many of those

218 communities as 21% of the coal fueled generation portfolio would be closed between now and
219 2025 with 75% closed by 2038. He said the only units left on the system by that time would be
220 plants in Utah and Wyoming.

221
222 Council Member Mumford asked about the Hunter and Huntington plant closure dates. Jeff
223 Barrett replied Hunter was proposed for 2042 and Huntington was 2038 or 2040.

224
225 3. PARKS, TRAILS, ARTS AND RECREATION ADVISORY BOARD UPDATE AND
226 DISCUSSION

227
228 Alisa Van Langeveld presented a 2019 review on the Parks, Trails, Arts and Recreation Advisory
229 Board. She spoke on board membership, administrative changes, parks and policies decisions,
230 and events. The 2019 board membership included Alisa Van Langeveld, Manuel Delgado,
231 Naomi Hall, Rachel Conway, and Kristin Pepin. She said several board members had left or were
232 leaving the board and there were two vacancies that needed to be filled by City Council
233 appointments. Others who attended the meetings included David Frandsen, Jon Rueckert, TJ
234 Riley, Sally Beyer, and Council Member Mumford.

235
236 Alisa Van Langeveld then spoke on the scope of work provided by the committee. She said they
237 met once a month and provided 15-20 hours of event planning each month. They also established
238 a chair and chair elect system for a smooth transition, decreased the meeting schedule,
239 standardized the meeting agenda, created a marketing plan, brand and brand identity, attended a
240 City Council work session, created board orientation binders, and an annual report to the
241 Council. She added that they also assisted with the creation of a parks brochure and a review of
242 the parks, and park policies. She provided an overview of the parks including priorities,
243 redesigns, replacement equipment, and budgeting. The Board also discussed food trucks, a dog
244 park, pickle ball, Foxboro Wetlands, Eagle Scout projects, etc.

245
246 Ms. Van Langeveld reviewed past and upcoming events including the Kite Festival, Summer
247 Trail Series, Sunset Concert Series, NSL Reads, Halloween Fun Run, and the NSL Master
248 Chorus. The Liberty Fest 5K and the Eaglewood car show were moved out of the purview of
249 Parks and Arts and put under City organizers. She then addressed 2020 and said the Board
250 recommended amending the Parks, Trails, Arts and Recreation resolution (on the agenda that
251 night), better integration with the recreation director, and being more proactive in parks planning.

252
253 Mayor Arave thanked Alisa Van Langeveld and all the members of the Parks and Arts Board.
254 Council Member Mumford also thanked the Board and said that as Alisa was his appointment to
255 that board he would need to fill that position, as she would be serving on the Planning
256 Commission.

257
258 Ken Leetham thanked the volunteers and said he was impressed with their level of commitment.
259 He said this committee had grown into something very valuable and was a success.

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4. CONSIDERATION OF ORDINANCE 2020-04: AN ORDINANCE AMENDING THE ENABLING STATUATE FOR THE PARKS, TRAILS, ARTS AND RECREATION ADVISORY BOARD FOR THE CITY OF NORTH SALT LAKE AND ESTABLISHING AN EFFECTIVE DATE

Ken Leetham reported that the proposed changes for the ordinance were to more accurately establish and clarify the role of the Board by changing the description of the duties and responsibilities. The first set of changes included a purpose statement, which provided immediate direction and clarity into why the Board exists, captured the City’s overall objectives related to quality of life, access to and quality of services, and meeting the complex and changing needs of the public. The second set of changes was in the Duties and Responsibilities section of the ordinance. Changes were made to reflect the activities and tasks of the Board, simplify the core idea that the Board could and should make recommendations to the City Council, and removal of duties and responsibilities that the Board was not performing and should be carried out by the Council or City staff. This included coordination with governmental agencies, integration with the South Davis Recreation District, and detailed implementation strategies like funding, property acquisition or detailed management of tasks performed by staff.

The third addition to the ordinance addressed the City Council’s request for compensation of Board members with a stipend for expenses or meeting attendance. The proposed language was almost identical to the language in the existing City code for the Planning Commission.

Council Member Porter commented that there was a great Parks and Trails Board that was established in 2005. He suggested that the date for creation of 2014 that was shown in the ordinance be changed to 2005.

Mayor Arave asked for opinions on the stipend for the Parks, Trails, Arts and Recreation Board. Ken Leetham commented that the Planning Commissioners were paid \$50 per meeting and suggested an annual stipend for the Parks Board.

Council Member Mumford suggested \$3,000 annually as that would be \$50 per meeting for the ten meetings each year. Ken Leetham said that \$100 per month may be appropriate as it could be difficult to track meeting attendance.

Council Member Gordon said that \$100 per month was appropriate for this committee as they met once a month and volunteered their time for the events. The Council was in agreement.

Council Member Mumford moved that the City Council adopt Ordinance No. 2020-04 as amended. Council Member Porter seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Baskin and Gordon.

301 5. NORTH SALT LAKE RECREATION PROGRAM UPDATE

302

303 Ken Leetham said that the North Salt Lake Recreation program was also a success and that Julie
304 and Kristin, who managed the program, had done a wonderful job.

305

306 Julie McLachlan reported that she had been involved in recreation with the City for a long time.
307 She addressed the creation of the spring 2019 soccer league and said the reason behind
308 establishing the league was filling a need for the residents.

309

310 Alisa Van Langeveld spoke on her family's experience with the soccer league and said it was
311 great to have local games, a program for younger kids, and the chance to play with neighbors.

312

313 Julie McLachlan said they teamed up with Utah Youth Soccer Association (UYSA) and had 114
314 participants in spring of 2019, fall of 2019 had 88 participants, and 10 sign ups so far this year
315 for ages three to eight years old. The league also had sponsorships with Land of Frost and Jimmy
316 Johns. The fees for 2019 were \$45 a session with a \$5 non-resident fee. Registration for both fall
317 and spring session would be \$80 a player with an \$85 fee for no-residents. Costs were \$8,917 for
318 spring of 2019 and \$7,658 for fall 2019 for a total cost of \$16,575. Revenue for spring was
319 \$5,973 and \$7,131 with \$897 for fall with total revenue of \$17,000. She spoke on resident and
320 non-resident fees and said it was originally \$5 but was raised to \$10 to be competitive with South
321 Davis Recreation.

322

323 Julie McLachlan spoke on summer recreation for 2019 and said they offered 13 classes and had
324 826 registrations. There were 25 teachers and classes were \$35 to \$60 with \$5 off for early bird
325 registration. She said the revenues were \$29,748 and City staff was working on the total costs for
326 the 2019 year.

327

328 Mayor Arave asked if that was 826 participants or just registrations. Julie McLachlan said that
329 was 826 participants.

330

331 Ken Leetham said the 25 teachers were 14 years old and up. Julie McLachlan said that they
332 started with the NSL Youth City Council was invited them to apply. She also said that the youth
333 were excited as this was the first job for many of them, and they made great employees.

334

335 Julie McLachlan reported on the classes offered including archery, arts and crafts, drawing,
336 football, kids' camp, science, soccer, tiny tots, etc. She also spoke about the Liberty Fest 5K and
337 said that they worked with City staff on this event.

338

339 Julie McLachlan spoke on the future of City recreation and suggested including pickle ball,
340 snowshoeing, etc.

341

342 Mayor Arave said the South Davis Recreation District has offered free days for each City, once
343 per year, and the City could schedule that free day at the Rec Center.

344
345 Council Member Mumford said that the Parks and Arts Board tried to cater events to different
346 ages and interests and said that the recreation program could focus on providing activities for
347 other age groups, such as seniors.

348
349 Ken Leetham commented that the City received pushback from the Rec District when they
350 formed their own soccer league. He said he informed them that there was a need in the
351 community for soccer and the City would continue to provide it as it paid for itself.

352
353 Council Member Baskin asked about the golf course recreation program and if that was separate
354 from the Recreation Program. The golf course runs its own summer lesson program, but Ken
355 Leetham said that some integration or class offerings could be reviewed.

356
357 **The City Council took a brief recess at 8:37 p.m. and reconvened at 8:50 p.m.**

358
359 6. CONSIDERATION OF ORDINANCE 2020-06: AN ORDINANCE AMENDING
360 TITLE 10, CHAPTER 10 RESIDENTIAL AND MULTI-FAMILY RESIDENTIAL
361 ZONES AND ESTABLISHING AN EFFECTIVE DATE

362
363 Sherrie Llewelyn reported that in August 2019 the City Council approved a moratorium on the
364 R1-7, RM-7, and RM-20 zones with specific instructions to review the subdivisions ordinance,
365 specifically the base density calculations for subdivisions and PUDs. She said the Planning
366 Commission was still reviewing the subdivision ordinance. On January 28, 2020 the Planning
367 Commission held a public hearing on the proposed amendments to these residential zones and
368 amendments to the subdivision ordinance. She said the proposed amendments addressed the
369 issues related to the ambiguity in the code related to the calculation of density within multi-
370 family developments and would take effect upon the expiration of the moratorium on February 7,
371 2020.

372
373 The proposed amendments to Title 10 Chapter 10, residential districts included: clarifying that
374 subdivisions were a permitted use as required by State code, making residential swimming pools
375 a permitted use, providing for temporary model homes, sales pavilions or construction trailers as
376 permitted uses, clarifying the lot size requirements for the residential zones (specifically
377 increasing the minimum lot size for two, three, or four family lots), clarifying the allowed
378 density for PUDs, and common development plans (more than one building on a single lot in
379 multi-family developments) and specifically removing private street or access ways to be
380 considered in the calculation of maximum density, removing the Multiple Use (MU) zone from
381 the code, clarifying that the minimum width of a lot is measured at the front setback line,
382 clarifying setbacks for accessory structures and pools and reducing the setback to three feet for
383 accessory structure and five feet for pools, requiring certain infrastructure to be completed prior

384 to issuing building permits in multi-family developments, updating requirements for Assisted
385 Living Facilities for Disabled Persons in compliance with Federal and State Fair Housing Acts,
386 and adding definitions for “Acre, Net”, “Dwelling, Attached”, “Density, Gross”, “Density, Net”
387 and updates the definition of a “Dwelling Unit”, and organizes the language and uses for clarity.
388

389 Sherrie Llewelyn gave an example of what these proposed changes would do. She gave the
390 example of The Yard site plan and said the total acreage was 1.42 or 6,100 square feet and
391 divided by 8,500 which would allow for 14 dwelling units or 7 duplexes. She said under the new
392 code they would have been allowed to have 10 dwelling units per acre.
393

394 The Council discussed the density in the R1-7, RM-7, and RM-20 zones and the feedback they
395 had gotten from residents that several projects had been too dense.
396

397 Council Member Porter spoke on the encroachment of privacy and asked about buffering for
398 multi-story buildings. He suggested a setback formula that also included the height of the
399 building. Sherrie Llewelyn replied that this could be incorporated into the PUD subdivision
400 changes.
401

402 Mayor Arave asked if domestic farm animals were allowed in every zone. Sherrie Llewelyn
403 replied that they were allowed dependent on the lot size and based on a point system.
404

405 Mayor Arave referred to 10-1-46 Definitions related to “Acre, Net” which should be revised to
406 read “A measurement of the developable portion of an area, after excluding the area required for
407 public or private streets, access ways, adjacent park strip and sidewalk(s).
408

409 Council Member Porter asked about unbuildable land, which “is land with a slope greater than
410 thirty percent (30%)” and how to prevent developers from removing significant amounts of dirt
411 to meet the requirement. Sherrie Llewelyn said it was difficult to regulate natural grade.
412

413 Council Member Mumford spoke on the RM-7 and RM-20 zones and how to avoid issues with
414 future redevelopment by allowing these zones to remain. He suggested that some zone changes
415 may need to be enacted or lots that needed to be rezoned including the seven lots east of Orchard
416 Drive. Ken Leetham said that staff would review the properties to find an appropriate zone that
417 would fit the land use rather than making nonconforming lots. He said staff would review and
418 make a recommendation.
419

420 Sherrie Llewelyn said that the future land use map could also be updated for these properties.
421 She explained that if the City Council did not adopt this ordinance tonight then it would revert
422 back on February 7th to the ordinance as written.
423

424 **Council Member Mumford moved that the City Council approve Ordinance 2020-06**
425 **amending the land use code pertaining to the R1-7, RM-7, and RM-20 zones. Council**
426 **Member Porter seconded the motion.**

427
428 Mayor Arave commented on the discussed changes to the ordinance.

429
430 **Council Member Mumford amended his motion to include “with the clarifying changes**
431 **based on the discussion.” Council Member Porter seconded the amended motion. The**
432 **motion was approved by Council Members Horrocks, Porter, Mumford, Baskin and**
433 **Gordon.**

434
435 7. CONSIDERATION OF ORDINANCE 2020-07: AN ORDINANCE AMENDING
436 TITLE 9, CHAPTER 9 FIRE CODE AND REGULATIONS AND ESTABLISHING
437 AN EFFECTIVE DATE

438
439 Sherrie Llewelyn reported that this amendment request was from the South Davis Metro Fire
440 Agency. She said that as the International Fire Code was updated each year that the verbiage in
441 the code should be revised to the “most current fire code as adopted by the State of Utah”. The
442 other proposed amendments to Title 9 Chapter 8, Fire Code and Regulations included providing
443 for penalties for violation of the fire code, updated the name of the Fire Authority (currently
444 referred to as Agency), corrected spelling errors, and amended the requirement for fire sprinkling
445 of residential homes in conformance with State code. She explained that the requirement for fire
446 sprinkling in a residence was over 10,000 square feet.

447
448 Council Member Horrocks commented that the updates were sometimes nonsensical and gave
449 the example of having to install push button call stations in an open stairwell.

450
451 **Council Member Mumford moved to approve Ordinance 2020-07 amending City Code,**
452 **Title 9, Chapter 8 Fire Code and Regulations. Council Member Baskin seconded the**
453 **motion. The motion was approved by Council Members Horrocks, Porter, Mumford,**
454 **Baskin and Gordon.**

455
456 8. COUNCIL RATIFICATION OF LETTER OF COMMITMENT TO NSL LEGACY,
457 LLC, RELATED TO THE ACQUISITION OF PROPERTY AT 170 SOUTH
458 REDWOOD ROAD

459
460 Ken Leetham said that the City Council previously had a closed session discussion about the
461 acquisition of this property. He said that the City Council approved the letter of commitment and
462 term sheet to be sent to the property owner shortly after the January 21st City Council meeting.
463 Mr. Leetham explained that he reported to the City Council via email that the Kimballs had
464 rejected the original conditions. He then obtained the individual consent from each Council
465 Member prior to signing and submitting a letter of commitment. This formal item on the agenda

466 would be to ratify those individual approval so there was a formal record of the Council's
467 decision regarding the matter.

468
469 Ken Leetham explained that the City agreed to facilitate the sale of the Kelly's parcel, which was
470 2.5 acres of property, to the Kimballs who owned the adjacent property to assemble a 70-acre
471 development site. Approximately 12 or 13 acres would be on the frontage road. The City would
472 reimburse the Kimballs \$770,000 of the total property purchase out of the tax increment
473 generated from the development of any of their (or their successors) land holdings.

474
475 Ken Leetham then showed images of the property and the concept plan. He also explained that
476 all above ground improvements on the Kelly properties would be demolished within 18 months
477 of them taking possession of the property.

478
479 Council Member Baskin commented that she had responded to Ken Leetham in an email but was
480 unsure if she had responded to all of the City Council. She confirmed that she did agree to the
481 letter of approval. Mayor Arave explained that the City was coming up against a deadline,
482 which led to the informal email poll. Council Member Porter also clarified that the items were
483 discussed in a closed session.

484
485 **Council Member Horrocks moved that the City Council ratify the terms contained in the**
486 **letter of commitment dated January 23, 2020 together with the associated term sheet.**
487 **Council Member Mumford seconded the motion. The motion was approved by Council**
488 **Members Horrocks, Porter, Mumford, Baskin and Gordon.**

489
490 9. CITY ATTORNEY'S REPORT

491
492 David Church was excused.

493
494 10. CITY MANAGER'S REPORT

495
496 Mayor Arave reported that the State Legislative evening at the theater would be held February
497 18th and tickets would be \$15.25 each if any members of the Council wanted to attend

498
499 Council Member Porter reported that he attended a session on drones at Weber State University.
500 He said it included UDOT, professors from Utah State and University of Utah, and several
501 businesses. He said it was amazing and UDOT would be implementing taxi drones by 2025.

502
503 Ken Leetham reported on parking citations related to street parking during the recent snowstorm.
504 He said most of the citations were issued in Foxboro and parking enforcement would continue to
505 focus on this.

506

507 Ken Leetham then said the City had contracted with GeoSyntec on the design of the Eaglepointe
508 landslide mitigation repair. He said the progress meetings would be held in March. Once the
509 repair design was finished, the project would go out for bid. Staff also met with the property
510 owners that were affected. Mr. Leetham then reported that the Council was invited to tour the
511 animal shelter in Fruit Heights on February 11th or 25th. He said there was a push for a better
512 shelter and asked when the Council would be available. The Council agreed to tour the Davis
513 County Animal Care facility on February 11th and would meet in the City Hall parking lot at 4:15
514 p.m.

515
516 Ken Leetham then said the annual budget planning meeting would be held March 28th at 9 a.m.
517 at City Hall. He also reported that the City Council was invited to take FrontRunner to Provo and
518 tour the Utah Valley Express (UVX) UTA transit line. Staff would set up this tour.

519
520 Mayor Arave commented that the golf course concessionaires had been invited to come to a City
521 Council work session to address concerns and issues.

522
523 11. ADJOURN

524
525 Mayor Arave adjourned the meeting at 10:01 p.m.

526
527
528
529

Mayor

City Recorder

530

Action Items for February 18, 2020

Item	Staff	Description
New		
1	CD Dept.	Staff to work with Bountiful Veterans Park Foundation to reach out to the community to obtain the names of veterans in the community that would like to be honored on the memorial wall at the park. Staff to also work with Stan Porter and the PTAR Board to plan for next phases of possible improvements in the City's Veterans Memorial Park.
2	Sherrie, Ken	Mayor Arave requested setting up a community wellness committee by ordinance so that we could make efforts similar to Centerville related to wellness in the community.
3	Linda	Add Spurge removal (Purge the Spurge) to the JustServe project list for 4/25/20 Davis County Day of Service (See also Jordan River clean-up project below).
4	Linda	Staff to advertise openings on the PTAR Board (Mumford, Porter and Mayor appointments). <i>Done – will also include in the Feb-Mar newsletter.</i>
5	Linda	Coordinate an afternoon time with UTA and Council for Frontrunner/UVX tour to Provo. <i>Contact Hal Johnson.</i>
6	Linda	Advertise the Sewer District Information meeting at the Foxboro North Clubhouse for 2/19/20. <i>Posted and sent copy to Dal Wayment.</i>
7	Ken	Renewed effort to discuss and prepare for cyber security (see also assignment below).
8	Ken	Contact the SD Rec District and see if there is a possibility of a "free" North Salt Lake day.
9	Brent, Julie Mc	Look at the possibility of expanding a recreation program up at the golf course. Clinics, lessons, paid classes/workshops, etc.
10	Sherrie, DRC	Council requested zoning recommendations from staff for two parcels on the east side of Orchard Drive north of Center Street, Odell Lane, and the RM-20-zoned neighborhood on the west side of Orchard Drive south of Center Street.
Current		
1	Ken, etc.	Obtain pricing on the cost of a plan for the redesign of Hatch Park. Staff to look at funding options such as impact fees, loans, etc. with the potential to put together a proposal to fund a plan and reconstruction. <i>Ken is working on a cost estimate.</i>
2	Ken, David Church	Staff (David Church) to review current law related to annexation of unincorporated areas and to send an email to Senator Weiler ASAP (for the current legislative session) if the current law is not sufficient for the City's needs.
3	Paul David	Staff to review and update standards/specifications related to road cuts (better requirements including slurry seal, etc.) <i>Staff has reached out to all Utah cities for research related to best practices, standards and specifications and should have a report and recommendation on 2/18/20 CC meeting.</i>
4	Sherrie Ken etc.	Get number for Jeremy Holt at LDS Hospital from Mayor re: partnering with NSL on mental illness outreach. Also, the Council discussed the possibility of staff preparing outreach/educational information in the newsletter and on the City's website some sources of help for suicide and mental illness. Council also discussed working with LDS Hospital, League of Cities and Towns, creating a citizen committee/group, hosting an educational class, and preparing a packet related to mental illness. <i>Ken has spoken with a non-profit group who may host a social services open house in NSL.</i>
5	Ken/ETS	Staff to prepare a report on cyber security and how the City is preventing this. <i>Ken is discussing options with ETS</i>
6	Ken	Staff would prepare a proposal related to small insurance claims and a fund to pay for these types of items in-house rather than submitting them through insurance.
7	Linda	Digital PDF of new resident information packet on the website with link on social media – <i>Linda is working on new packet.</i>
8	David Ken	Staff to work with Woods Cross to improve their dog park and discuss potential for a new dog park in the area. <i>City Staff is reviewing other communities' dog parks and preparing a recommendation for the City Council. Woods Cross City has tentatively indicated a willingness to participate.</i>

9	Ken Craig	Staff to work on emergency preparedness reporting and coordination with Davis County rather than NSL – and whether it should be organized and run by South Davis Fire. <i>Staff is working with surrounding communities and Fire District to evaluate staffing needs and possible employee sharing</i>
10	Paul David Ken	Various assignments related to water and water planning including: collection of water usage data by area, analysis and recommendation related to water conservation rate structure, and long-range planning for water needs. <i>Comments have been received from Weber Basin Water Conservancy District. Staff will make a recommendation to the City Council on 2/18/20.</i>
11	David, Ken	Staff to follow-up on adding trees to park strips on Fox Hollow at roundabout. <i>Ken will report during FY21 budget meetings.</i>
12	Linda Ken	CM Porter asked for recognition/formalization of the City's History Committee on a future agenda. <i>Staff reviewing history committees of other cities and will draft resolution.</i>
13	Linda	Staff to arrange a tour of Wasatch Resource Recovery Plant for interested City Council members and staff. <i>Schedule with Matt Myers (Wait until plant is fully operational.)</i>



CITY OF NORTH SALT LAKE FINANCE DEPARTMENT

10 East Center Street
North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

Len Arave
Mayor

Janice Larsen
Finance Director

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Janice Larsen, Finance Director

DATE: February 18, 2020

SUBJECT: Resolution adopting staff recommended budget adjustments.

A detailed schedule of the staff recommended adjustments is attached. Below is a summary explanation of the adjustments for each of the Funds:

General Fund

In the General Fund several categories of actual revenue received to date are significantly higher than budgeted. As a result, a budget increase is recommended for Sales Tax and several Development revenues. Because of the significant increase in revenues, staff is also recommending a large Transfer-out to reduce the unrestricted fund balance and stay below the State mandated 25%. There is also a need for small increases in a variety of general fund expenditures. The single largest expenditure increase is related to the Tour of Utah event in August, 2019.

Redevelopment Agency

The budget adjustments in this fund are primarily related to Tax Increment revenues. The actual revenues in all three taxing areas are expected to exceed the current year budget. A large percentage of the Tax Increment revenues are due to developers or are required to be set aside for low to moderate income housing projects. As a result, staff is recommending an increase in the budget for development related expenditures and transfer-out to the Housing Fund. There is also a \$25,000 matching grant available from Davis County for a project to improve building facades in the Highway 89 area. The total project expenditure will not exceed \$50,000.

Housing Fund

The adjustment is to increase the transfer-in from the Redevelopment Agency and to increase the CDBG related grant revenue and expenditures.

Capital Fund

As mentioned above, a significant budget increase is required for a Transfers-in from the General Fund. An expenditures budget increase is needed for the City Hall HVAC project. The net of the transfer-in and expenditure increase, result in a decrease in the Use of Fund Balance.

Road Capital Fund

Several projects are expected to exceed budget in the Road Capital Fund and one new project has been added for the Main Street Reconstruction. Two of the projects will be funded with Impact Fee Revenue, one is funded with State of Utah Grant revenue and the final project will use C-Road Funds. There is a net increase in the Use of Fund Balance.

Water Fund

Staff is recommending a budget increase for several operating expense accounts and one capital project. There is no budget increase recommended in Water revenues. The increase in expenditures will increase the Use of Fund Balance.

Storm Water Fund

Staff is recommending a budget increase for one capital project in the Storm Water Fund. There is no budget increase recommended in Storm Water revenues. The increase in expenditures will increase the Use of Fund Balance.

FISCAL YEAR 2019-2020 BUDGET ADJUSTMENT -FEB 2020

FUND	ACCOUNT TITLE	CURRENT BUDGET	BUDGET ADJUSTMENT	TOTAL BUDGET	NOTES
GENERAL FUND					
	SALES AND USE TAX	\$ (4,669,600)	\$ (350,000)	\$ (5,019,600)	INCREASE SALES TAX - ACTUAL HIGHER THAN BUDGET
	PERMIT FEE - INSPECTION	(420,000)	(200,000)	(620,000)	INCREASE REVENUE - ACTUAL HIGHER THAN BUDGET
	PLAN CHECK	(150,000)	(50,000)	(200,000)	INCREASE REVENUE - ACTUAL HIGHER THAN BUDGET
	INFRASTRUCTURE INSPECTION	-	(70,000)	(70,000)	INCREASE REVENUE - NEW CATEGORY OF INSPECTION FEE
	TRANSFERS TO CAPITAL PROJECTS	-	647,500	647,500	TRANSFER NET BUDGET ADJUSTMENTS - REV EXCEED EXP
	PROF & TECHNICAL SERVICES	60,000	6,000	66,000	INCREASE EXPENSE FOR QUALTRICS
	GENERAL & CONTRACTED SERVICES	1,466,000	(115,000)	1,351,000	FIRE DISTRICT CONTRACT LOWER THAN ORIGINAL BUDGET
	RENTAL OF EQUIPMENT & VEHICLES	8,000	12,000	20,000	INCREASE EXPENSE FOR RENTAL EQUIPMENT
	GROUNDS CARE	48,000	15,000	63,000	GROUNDS CARE (Fertilizer, painted restroom floors)
	MISC. COUNCIL EVENTS	1,200	12,000	13,200	INCREASE EXPENSE FOR TOUR OF UTAH
	OPERATING SUPPLIES	25,000	20,000	45,000	OPERATING SUPPLIES (Splash pad equipment, pump replacement)
	FUND BALANCE - USE OF	(72,500)	72,500	-	DECREASE USE OF FUND BALANCE
REDEVELOPMENT AGENCY					
	RDA INCREMENT-EAGLEWOOD	\$ (413,500)	\$ (30,400)	\$ (443,900)	TAX INCREMENT REVENUE - ACTUAL HIGHER THAN BUDGET
	RDA INCREMENT - REDWOOD	(508,500)	(94,300)	(602,800)	TAX INCREMENT REVENUE - ACTUAL HIGHER THAN BUDGET
	RDA INCREMENT-HWY 89	-	(324,000)	(324,000)	TAX INCREMENT REVENUE - NEW INCREMENT REVENUE
	CAPITAL GRANTS - LOCAL GVRNMT	-	(25,000)	(25,000)	DAVIS COUNTY GRANT - FACADE
	PROFESSIONAL & TECH - HWY 89	5,000	50,000	55,000	HWY 89 DAVIS COUNTY GRANT - FACADE
	PROFESSIONAL & TECH - HWY 89	-	60,500	60,500	DEVELOPER AGREEMENT - POWERLINE UNDERGROUND
	DEVELOPER REIMBURSEMENT	697,800	328,500	1,026,300	TAX INCREMENT REVENUE - ACTUAL HIGHER THAN BUDGET
	TRANSFER TO HOUSING FUND	50,900	9,400	60,300	TAX INCREMENT REVENUE - ACTUAL HIGHER THAN BUDGET
	FUND BALANCE - CONTRIBUTION TO	129,300	25,300	154,600	INCREASE CONTRIBUTION TO FUND BALANCE
HOUSING FUND					
	CAPITAL GRANTS - FEDERAL	\$ -	\$ (87,500)	\$ (87,500)	HOME REPAIR GRANT AWARD
	TRANSFERS FROM RDA	(50,900)	(9,400)	(60,300)	TAX INCREMENT REVENUE - ACTUAL HIGHER THAN BUDGET
	GRANT EXPENDITURES	60,000	87,500	147,500	HOME REPAIR GRANT AWARD
	FUND BALANCE - CONTRIBUTION TO	-	1,300	1,300	INCREASE CONTRIBUTION TO FUND BALANCE
	FUND BALANCE - USE OF	(8,100)	8,100	-	DECREASE USE OF FUND BALANCE
CAPITALPROJECTS FUND					
	TRANSFERS FROM GENERAL FUND	-	(647,500)	(647,500)	INCREASE TRANSFER IN FROM GENERAL FUND
	HVAC REPAIR	-	250,000	250,000	INCREASE EXPENSE - HVAC
	FUND BALANCE - USE OF	(1,313,152)	372,500	(940,652)	DECREASE US OF FUND BALANCE
ROADS CAPITAL FUND					
	NSL CITY CENTER 25 EAST-REIMB	\$ -	\$ 231,000	\$ 231,000	INCREASE PROJECT EXPENSE - IMPACT FEE RELATED
	MAIN STREET RECONSTRUCTION	-	112,000	112,000	INCREASE PROJECT EXPENSE
	1100 NO RR CROSS WIDEN (60-80)	75,000	165,000	240,000	INCREASE PROJECT EXPENSE - IMPACT FEE RELATED
	REDWOOD RD SIDEWALK	45,572	12,000	57,572	INCREASE PROJECT EXPENSE - GRANT
	FUND BALANCE - USE OF	(824,830)	(520,000)	(1,344,830)	INCREASE USE OF FUND BALANCE
WATER FUND					
	PROF & TECHNICAL SERVICES	\$ 60,000	\$ 15,000	\$ 75,000	INCREASES EXPENSE FOR GIS WORK
	RENTAL OF EQUIPMENT & VEHICLES	20,000	7,500	27,500	INCREASE EXPENSE FOR CITY CONSTRUCTION PROJECT
	EAGLEWOOD PUMP ST MORTON BY	633,515	350,000	983,515	INCREASE PROJECT EXPENSE - BID EXCEEDED ESTIMATE
	FUND BALANCE - USE OF	(1,220,994)	(372,500)	(1,593,494)	INCREASE USE OF FUND BALANCE
STORM WATER FUND					
	DEER HOLLOW PARK-UPPER BASIN	\$ 60,000	\$ 28,000	\$ 88,000	INCREASE PROJECT EXPENSE
	FUND BALANCE - USE OF	(563,454)	(28,000)	(591,454)	INCREASE USE OF FUND BALANCE

RESOLUTION NO. 2020-03R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NORTH SALT LAKE ADOPTING AN AMENDMENT TO ADJUST
THE FISCAL YEAR 2019~2020 GENERAL FUND,
REDEVELOPMENT AGENCY, HOUSING FUND, CAPITAL
PROJECTS FUND, ROAD CAPITAL FUND, WATER FUND, AND
STORM WATER FUND BUDGETS.**

WHEREAS, the City of North Salt Lake has considered the adoption of an amendment to increase the 2019~2020 budget for General Fund, Redevelopment Agency, Housing Fund, Capital Projects Fund, Road Capital Fund, Water Fund, and Storm Water Fund, and finds that it is in the best interest of the citizens and the City as a whole to adopt the aforesaid budget; and

WHEREAS, a public hearing was properly noticed and held on Tuesday February 18, 2020 for public comment concerning the adoption of said budgets; and

WHEREAS, such action is authorized by statute; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF NORTH SALT LAKE AS FOLLOWS:

A change in the General Fund budget is hereby adopted for the 2019~2020 fiscal year in the following amounts:

Increase revenues in the amount of (\$670,000)
Decrease expenditures in the amount of (\$50,000)
Decrease in use of fund balance in the amount of \$72,500
Increase transfer-out in the amount of \$647,500

A change in the Redevelopment Agency budget is hereby adopted for the 2019~2020 fiscal year in the following amounts:

Increase revenue in the amount of (\$473,700)
Increase expenditures in the amount of \$439,000
Increase in transfer-out in the amount of \$9,400
Increase contribution to fund balance in the amount of \$25,300

A change in the Housing Fund budget is hereby adopted for the 2019~2020 fiscal year in the following amounts:

Increase revenue in the amount of (\$87,500)
Increase transfer-in in the amount of (\$9,400)
Increase expenditures in the amount of \$87,500
Net change use/contribution to fund balance in the amount of \$9,400

A change in the Capital Projects Fund budget is hereby adopted for the 2019~2020 fiscal year in the following amounts:

Increase in transfer-in in the amount of (\$622,500)
Increase expenditures/transfer-out in the amount of \$250,000
Decrease use of fund balance in the amount of \$372,500

A change in the Road Capital Fund budget is hereby adopted for the 2019~2020 fiscal year in the following amounts:

Increase use of fund balance in the amount of (\$520,000)
Increase expenditures in the amount of \$520,000

A change in the Water Fund budget is hereby adopted for the 2019~2020 fiscal year in the following amounts:

Increase use of fund balance in the amount of (\$372,500)
Increase expenditures in the amount of \$372,500

A change in the Storm Water Fund budget is hereby adopted for the 2019~2020 fiscal year in the following amounts:

Increase use of fund balance in the amount of (\$28,000)
Increase expenditures in the amount of \$28,000

Immediately after its adoption, this resolution shall be signed by the appropriate officers of the City of North Salt Lake, shall be recorded in the official records of the City of North Salt Lake and shall take immediate effect.

Passed and approved by the City Council of North Salt Lake this 18th day of February, 2020.

CITY OF NORTH SALT LAKE

By:

Len Arave, Mayor

Attest:

By:

Linda Horrocks, City Recorder

City Council Vote as Recorded

Council Member Baskin _____
Council Member Gordon _____
Council Member Horrocks _____
Council Member Mumford _____
Council Member Porter _____



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Sherrie Llewelyn, Community Development Director
DATE: February 18, 2020
SUBJECT: Consideration of ORD2020-08: an ordinance vacating a portion of Orchard Drive south of Eaglegate Drive to the Frontage Road.

RECOMMENDATION

The Development Review Committee recommends adoption of ORD2020-08 vacating Orchard Drive from Eaglegate Drive to the Frontage Road.

On January 28, 2020, as part of the recommendation from the Planning Commission to approve the Village Station Site Plan, the Planning Commission recommended that Orchard Drive not be vacated and that the site plan be approved to include on street parking as proposed.

BACKGROUND

The City and Brighton Development Utah entered into an agreement amending to the Eaglewood Village Development Agreement on August 6, 2019. The agreement provides for construction of various buildings 27,000 sq. ft. of commercial/retail, 16,000 sq. ft. of office space and up to 424 dwelling units in 4 story buildings. The amendment to the general development plan depicted on street parking on Orchard Drive. The developer believes that on street parking is necessary for the success of the commercial and retail portion of the mixed use development.

REVIEW

The Development Review Committee reviewed the site plan application for Village Station and had several concerns regarding the proposed on street parking. Those concerns include difficulty in snow removal, traffic safety from vehicles backing into travel lanes, and vehicular traffic conflicts between passenger cars and truck traffic from the gravel pits to the south of the location. The DRC requested the developer reconfigure the street and parking. The intent of the redesign was in conjunction with the DRC recommendation to vacate the street and make it part of a parking lot which the developer would own and maintain. The redesign would also signify drivers that they were leaving a public street and entering a private parking area, thus reducing speed. Additionally the vacation would prevent truck traffic from using this area and producing a conflict with passenger vehicles and pedestrians.

The Planning Commission when reviewing the site plan, disagreed with the DRC recommendation to vacate the street. The Commission believes that it is not in the best interest of the city to vacate the street, as the right of way may be needed or desired in the future for transit, regular vehicle traffic, as well as pedestrian and bicycle use. The Commission stated that they would like to see the street remain a public street in the configuration depicted on the site plan with the parking in the middle of the street. They believe that this will have a traffic calming effect on speed. They further believe that the City Council has the ability to reduce the allowed speed limit on the street. They felt that those changes would naturally discourage truck traffic from using the street and instead use Beck Street to access I-15 southbound. The Commission recommended the Council consider adopting an ordinance restricting truck size and weight on the street if the truck traffic continued and conflicted with the new residential and commercial retail traffic. As to the snow removal the Commission commented that other cities are able to remove snow effectively and still have on street parking. They suggested a public/private partnership with the developer to remove the snow from the parking spaces if necessary.

Vacation of public streets is provided in state code section 10-9a-609.5. The statute requires the City Council to hold a public hearing on a proposed street vacation to determine if good cause exists for the vacation and if the public interest or any person will be materially injured by the proposed vacation. Notice of the hearing must be mailed to the owners of land adjacent to the public street between the two nearest public street intersections and to property owners that exclusively access the road or are within 300 feet of the road. Notice were mailed to the following:

1. LRP Investments, Inc. (Lakeview Rock Products)
2. EV Commercial LLC (Eaglewood Village Developer)
3. UDOT
4. North Salt Lake
5. 6271BLDG LLC (The Stop)
6. Eaglewood Lofts LLC
7. South Davis Sewer District
8. Kern River Gas
9. Mountain Fuel Supply Co

POSSIBLE MOTION

Motion to Approve:

I move that the City Council approve ORD2020-08: an ordinance vacating a portion of Orchard Drive south of Eaglegate Drive to the Frontage Road with the following findings:

1. Good cause exists for the vacation to support the economic stability of the city and reduce traffic hazard and conflict; and
2. Neither the public interest nor any person will be materially injured by the vacation, noting that access can be provided to the south via the Frontage Road for the gravel pits.

Motion to Deny:

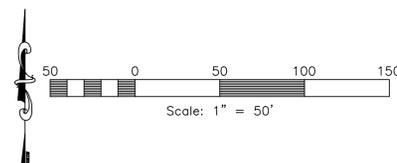
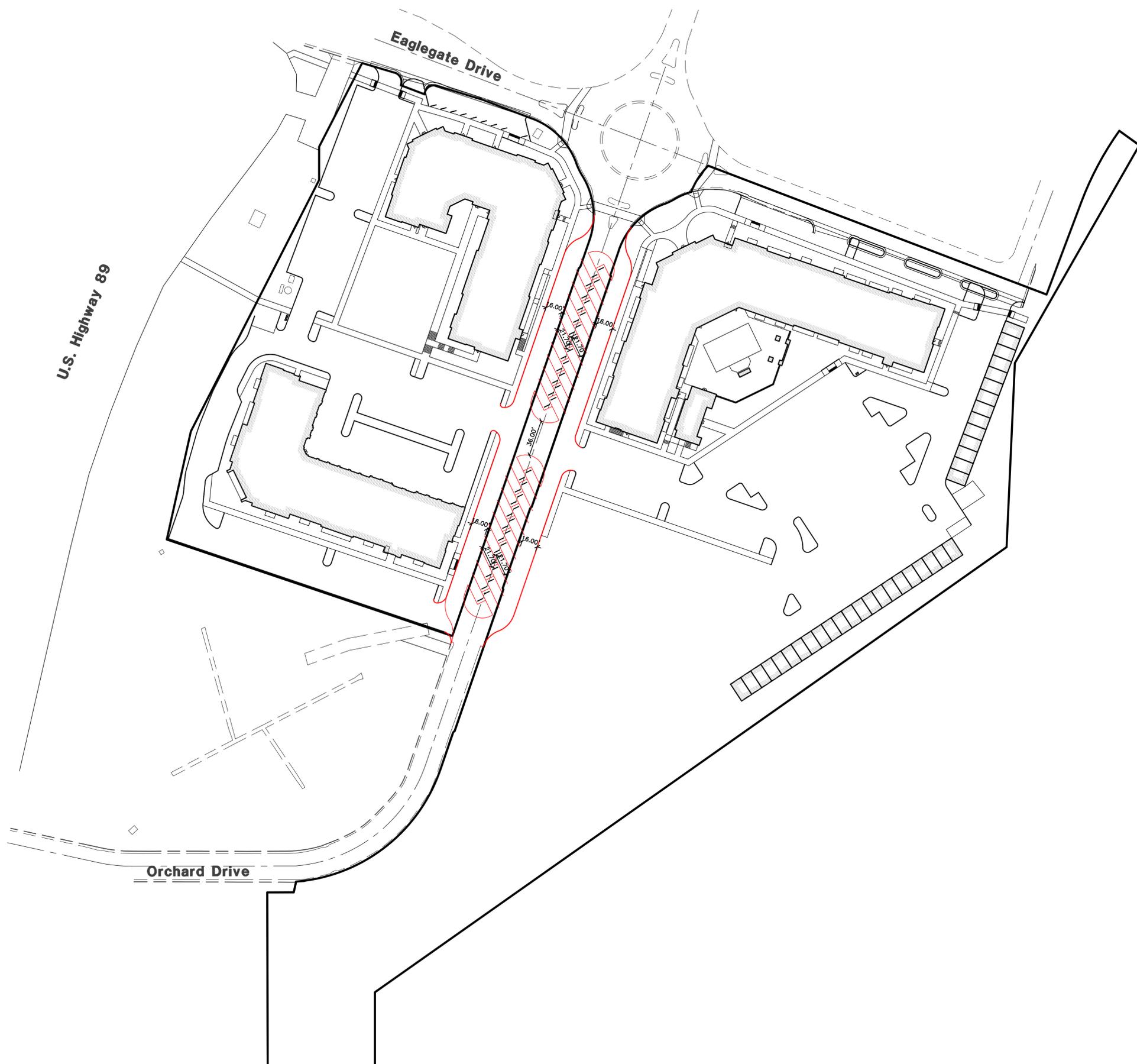
I move that the City Council deny ORD2020-08: an ordinance vacating a portion of Orchard Drive south of Eaglegate Drive to the Frontage Road with the following findings:

1. There is not good cause for the vacation of the street; and
2. The proposed vacation may harm the public interest or may cause material harm to a person.

Attachments

- 1) Aerial Map
- 2) Village Station Site Plan
- 3) ORD2020-08





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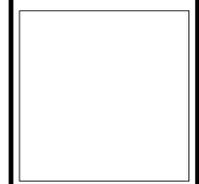
Reeve & Associates, Inc.
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 TEL: (801) 621-3100 FAX: (801) 621-2666 www.reeve-associates.com
 LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
 TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS



REVISIONS	DESCRIPTION
DATE	

Eaglewood Village
 NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

Parking Exhibit



Project Info.
 Engineer: JEREMY A. DRAPER, P.E.
 Drafter: R. HANSEN
 Begin Date: NOVEMBER 8, 2019
 Name: EAGLEWOOD NORTH SALT LAKE
 Number: 6440-17



ORDINANCE NO. 2020-08

AN ORDINANCE VACATING A PORTION OF ORCHARD DRIVE SOUTH OF EAGLEGATE DRIVE TO THE FRONTAGE ROAD IN THE CITY OF NORTH SALT LAKE, UTAH AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of North Salt Lake is an incorporated city in Davis County Utah; and

WHEREAS, the City desires to reduce the liability and maintenance associated with a right-of-way that will be used almost exclusively for one mixed use development; and the property owner shall become responsible for all maintenance of the improvements; and

WHEREAS, the city shall retain an easement for all public utilities within the right-of-way; and

WHEREAS, lawful notice of a public meeting has been given pursuant to 10-9a-609.5 of the Utah Code and North Salt Lake City Code; and

WHEREAS, the North Salt Lake City Council has conducted a public hearing on this matter and determined that there is good cause for vacating the street and that neither the public interest nor any person will be materially injured by the vacation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH SALT LAKE, STATE OF UTAH, AS FOLLOWS:

Section 1. Pursuant to Utah Code 10-9a-609.5, the portion of Orchard Drive south of Eaglegate Drive to the Frontage Road is hereby vacated as attached in Exhibit A.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective upon publication or posting.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH SALT LAKE, STATE OF UTAH, THIS 18th DAY OF FEBRUARY, 2020.

CITY OF NORTH SALT LAKE

By: _____
Len Arave, Mayor

ATTEST:

City Recorder

City Council Vote as Recorded:

<u>Name</u>	<u>Vote</u>
Council Member Gordon	_____
Council Member Horrocks	_____
Council Member Baskin	_____
Council Member Mumford	_____
Council Member Porter	_____

Exhibit A
Legal Description



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Sherrie Llewelyn, Community Development Director
DATE: February 18, 2020
SUBJECT: Consideration of a Site Plan for Village Station at Eaglewood, buildings 1, 2, & 3 at approximately 420 South Orchard Drive

RECOMMENDATION

The Planning Commission recommends to the City Council approval of a site plan for Village Station at Eaglewood, for buildings 1, 2, & 3 at approximately 420 South Orchard Drive with a recommendation of:

1. Orchard Drive at Eaglegate Dr. roundabout to the Frontage Road not be vacated and remain a public street with the allowance of on-street parking as depicted and configured in the proposed site plan.

And Conditions:

1. Lot 3 that had been separated for taxing purposes will be re-combined or a plat amendment approved;
2. The rock fall hazard will be mitigated to the satisfaction of the City engineer and City geological consultant by removing the largest rock fall hazards and providing barriers for any future rock fall; and
3. Correction of engineering redlines; and
4. Within the on-street center parking on Orchard Dr. that the landscaping islands be increased in size and a pedestrian crosswalk be provide at midblock thru the island at the driveway intersections.

BACKGROUND

The city and the developer entered into an agreement amending to the Eaglewood Village Development Agreement on August 6, 2019. The agreement provides for construction of various buildings 27,000 sq. ft. of commercial/retail, 16,000 sq. ft. of office space and up to 424 dwelling units in 4 story buildings. The proposed application is for buildings 1, 2, & 3. Buildings 1 and 3 are residential apartments and building 2 is a mixed use building with apartments and commercial retail space on the first floor.

REVIEW

The four story buildings include amenities for a swimming pool and club house, bike and ski equipment lockers and extensive landscaping. The developer is required to improve the property between the property line and the curb along Highway 89, which includes the city trail. This area will be planted with lawn and trees.

The proposed architecture is contemporary modern style with high quality materials of brick, masonry, stucco, with metal accents and balconies. The architecture is consistent with the existing apartments in the vicinity and the approved development agreement. Buildings has tuck under garages with carports and detached garages being provided for buildings 1 and 2. The height is 50 feet and conforms to the maximum height allowed per the agreement. The club house area is in the 1st floor of building 1.

The amended development agreement established the required parking ratios. The table below outlines the required and provided parking counts. The proposed site plan utilizes on street parking with 45 spaces on Orchard Dr. which would require the widening of the right of way and the shifting of travel lanes to one-way direction with parking in the middle aisle of the road. Additionally there are 10 parking spaces that are adjacent to and outside the right of way (4 on Eaglegate and 6 on Orchard).

The DRC recommended to the Planning Commission that Orchard Drive be vacated south of the roundabout at Eaglegate to the Frontage Road. The Commission had a lengthy discussion regarding the possible vacation of the road and recommended that the road remain a public street. They further recommended that the on street parking remain as presented on a public street as a traffic calming measure. The Commission noted that the City Council has the ability to pass an ordinance restricting truck traffic on the street and believes that will adequately address any other safety concerns without losing future interest in the public right of way for transit, pedestrian, bike, and vehicular access.

Residential Uses					
Bed Count	Units	Required Ratio	Total	Total provided	Total
Studio	7	1.25	8.75	Garage	54
1 bedroom	111	1.5	166.5	Carport	193
2 Bedroom	94	1.75	164.5	Surface (on-site)	79
3 Bedroom	14	2	28	Surface (on-street)	45
				Surface (street adj.)	10
	226		368 spaces	Total	382 spaces
Commercial Uses					
	Sq. Ft.	Required Ration	Total		
Retail/Comm	14,000	1/1,000	14		
Office		3/1,000 sq. ft.			
		Total Comm.	14		
Shared Use/Peak Usage Table					
	7 am-6 pm	6 pm-12 am	12 am-6 am		
Residential	75% (276)	80% (295)	100% (368)		
Office	100% (0)	5% (0)	5% (0)		
Commercial	100% (14)	80% (11)	0% (0)		
Parking Demand	290	306	368 (peak demand)		

Landscaping is required to be 25% of the site, but may be reduced to 20% if the UDOT parcel along Highway 89 is landscaped. The site is 7 acres in size. The proposed landscaping is 1.55 acres on site (22%) with an additional 1.1 acres of landscaping on the UDOT parcel. Approval to landscape the site has been received from UDOT. The developer will be responsible to maintain the landscaping between the property line and the curb in the same manner that other property owners are required. At the request of the Planning Commission, the landscape islands on Orchard Drive were doubled in size and a pedestrian crosswalk and pathway was added to the middle island.

The site will not be fenced and will provide pedestrian access to the Hwy 89 trail and the hillside trail. Lighting is shown on the plan and is required to be the city adopted residential standard. Lot 3 of the development property was split into 2 parcels for taxing purposes and must be recombined prior to the issuance of any building permits on the site.

The upper portion of lot 3 contains a rockfall hazard for which a geotechnical analysis has been completed. The study requires the removal of the large boulders in the hillside and the addition of a protective barrier for any additional rockfall that may occur to protect damage to persons and property on the site. The developer is proposing to install a rockfall barrier fence system that is installed with a micropile foundation, anchor bars and posts, and mesh wiring fence material. See attached photo samples. Staff recommends the fencing material be colored black if possible to minimize the aesthetic impact on the site.

The proposed site plan has been evaluated based upon compliance with the amended development agreement and the site & landscape plans approved within the General Development Plan. The site plan complies with requirements for circulation, & traffic, as well as health, safety & noise. Additional information is required to determine compliance with the required landscaping standard. There are only minor engineering redlines remaining.

POSSIBLE MOTION

I move that the City Council approve the site plan for Village Station at Eaglewood, for buildings 1, 2, & 3 at approximately 420 South Orchard Drive with a recommendation of:

1. Orchard Drive at Eaglegate Dr. roundabout to the Frontage Road not be vacated and remain a public street with the allowance of on-street parking as depicted and configured in the proposed site plan.

And Conditions:

1. Lot 3 that had been separated for taxing purposes will be re-combined or a plat amendment approved;
2. The rock fall hazard will be mitigated to the satisfaction of the City engineer and City geological consultant by removing the largest rock fall hazards and providing barriers for any future rock fall; and
3. Correction of engineering redlines.

Attachments

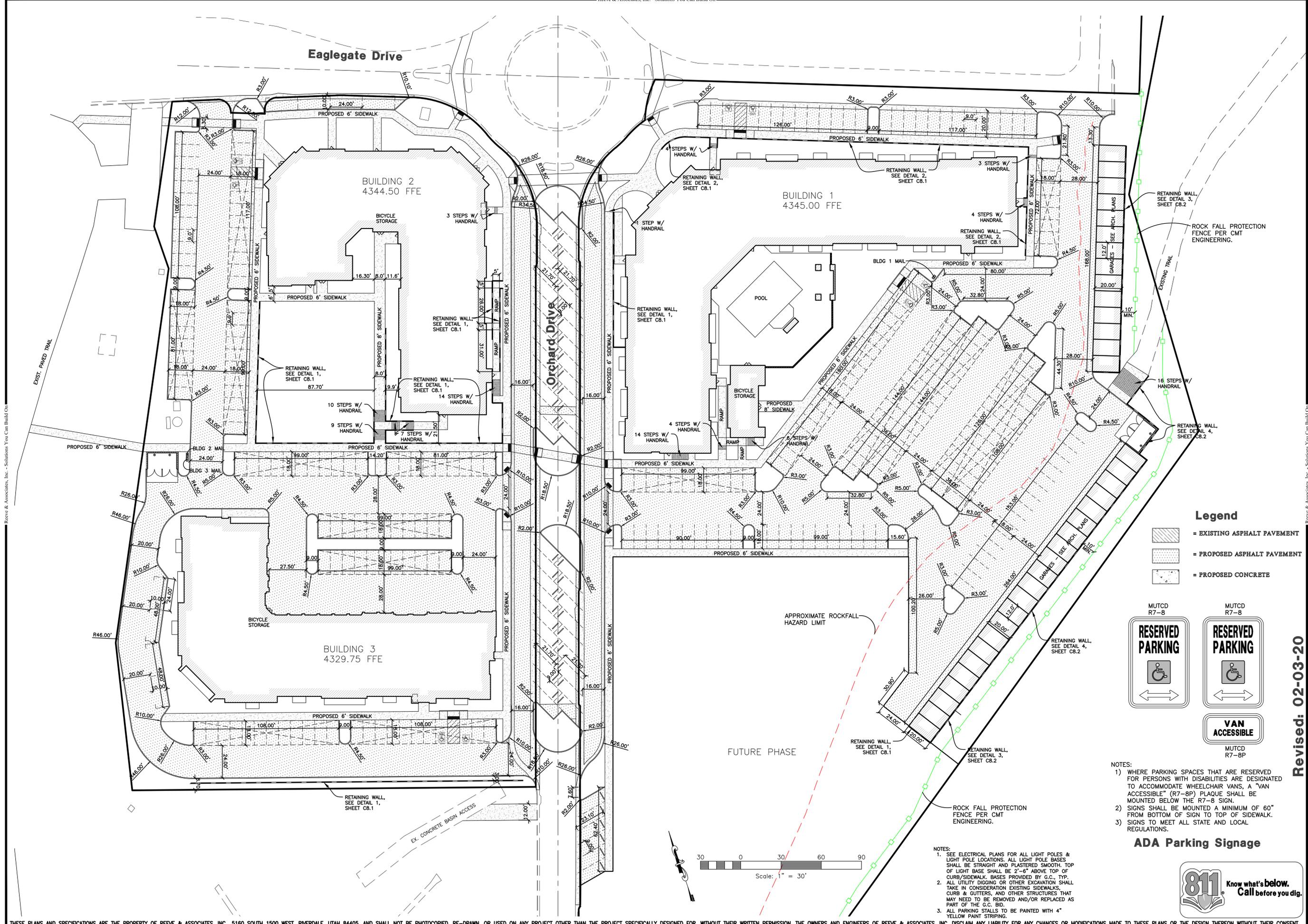
- 1) Aerial Map
- 2) Site Plan

- 3) Landscape Plan
- 4) Architecture
- 5) Rockfall Fencing System Photos



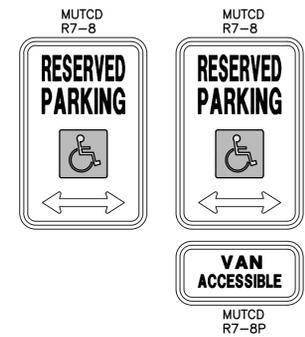
Village Station at Eaglewood Site Plan Aerial





Legend

- = EXISTING ASPHALT PAVEMENT
- = PROPOSED ASPHALT PAVEMENT
- = PROPOSED CONCRETE



- NOTES:
- WHERE PARKING SPACES THAT ARE RESERVED FOR PERSONS WITH DISABILITIES ARE DESIGNATED TO ACCOMMODATE WHEELCHAIR VANS, A "VAN ACCESSIBLE" (R7-8P) PLAQUE SHALL BE MOUNTED BELOW THE R7-8 SIGN.
 - SIGNS SHALL BE MOUNTED A MINIMUM OF 60" FROM BOTTOM OF SIGN TO TOP OF SIDEWALK.
 - SIGNS TO MEET ALL STATE AND LOCAL REGULATIONS.

ADA Parking Signage



- NOTES:
- SEE ELECTRICAL PLANS FOR ALL LIGHT POLES & LIGHT POLE LOCATIONS. ALL LIGHT POLE BASES SHALL BE STRAIGHT AND PLASTERED SMOOTH. TOP OF LIGHT BASE SHALL BE 2'-6" ABOVE TOP OF CURB/SIDEWALK. BASES PROVIDED BY G.C., TYP.
 - ALL UTILITY DIGGING OR OTHER EXCAVATION SHALL TAKE IN CONSIDERATION EXISTING SIDEWALKS, CURB & GUTTERS, AND OTHER STRUCTURES THAT MAY NEED TO BE REMOVED AND/OR REPLACED AS PART OF THE G.C. BID.
 - ALL PARKING STALLS TO BE PAINTED WITH 4" YELLOW PAINT STRIPING.

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 TRAFFIC ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS	DATE	DESCRIPTION
01-28-20	RH	City Comments
02-03-20	RH	City/Client Grmets

Village Station at Eaglewood
 NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

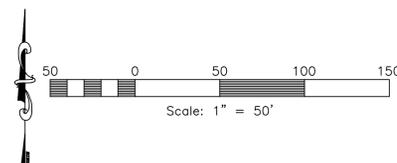
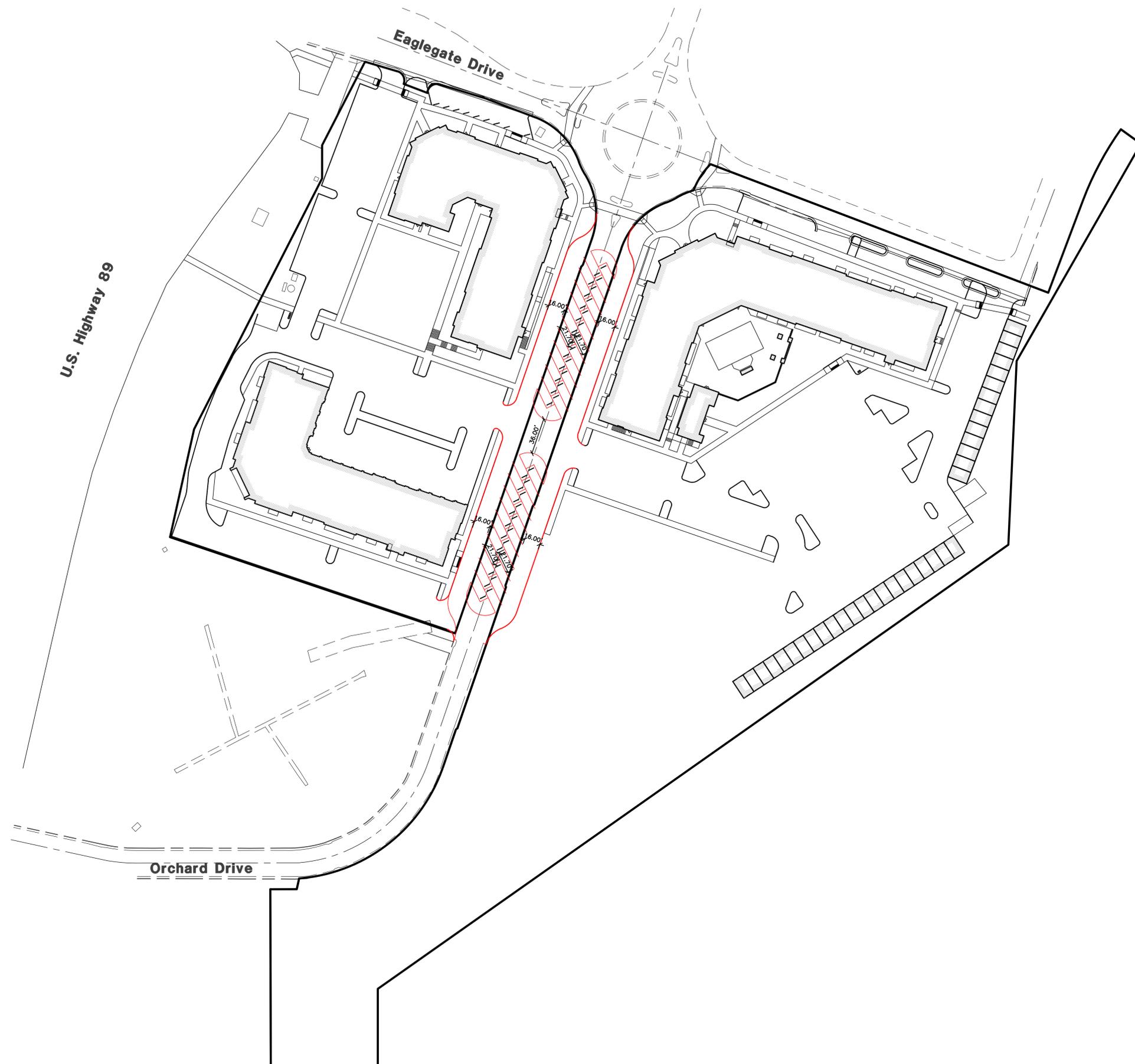
Proposed Site Plan

Revised: 02-03-20



Project Info.

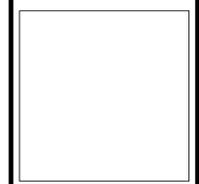
Engineer: J. DRAPER
 Drafter: R. HANSEN
 Begin Date: DECEMBER 2, 2019
 Name: VILLAGE STATION AT EAGLEWOOD
 Number: 6440-17



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REVISIONS	DESCRIPTION
DATE	

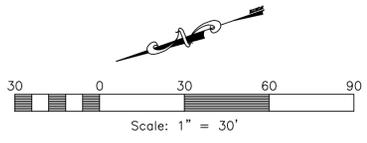
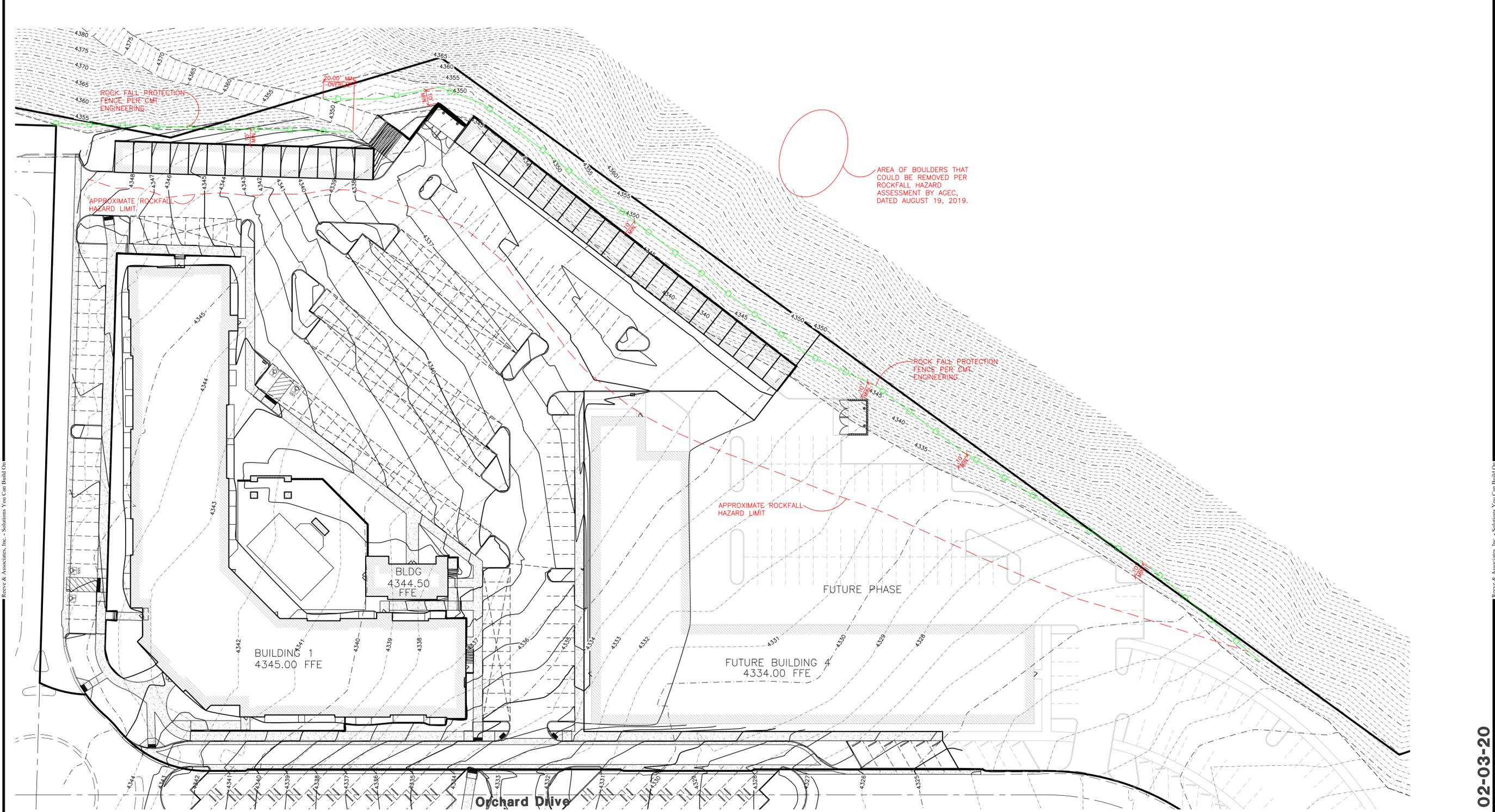
Eaglewood Village
 NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH
Parking Exhibit



Project Info.

Engineer:	JEREMY A. DRAPER, P.E.
Drafter:	R. HANSEN
Begin Date:	NOVEMBER 8, 2019
Name:	EAGLEWOOD NORTH SALT LAKE
Number:	6440-17

Sheet	1
1	1
	Sheets



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REVISIONS	DATE	DESCRIPTION
01	01-28-20	BH City Comments
02	03-03-20	BH City/Client Grmths

Village Station at Eaglewood
 NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

Rock Fall Protection



Project Info.

Engineer:	J. DRAPER
Drafter:	R. HANSEN
Begin Date:	DECEMBER 2, 2019
Name:	VILLAGE STATION AT EAGLEWOOD
Number:	6440-17

Sheet	17
5.1	Sheets

Note:
 Contractor to verify ALL Existing Utility Locations, Terminations and Invert Elevations.



ALL TREES

Quant.	Symbol	Scientific Name	Common Name	Size
12		Acer palmatum 'Seiryu'	Seiryu Japanese Maple	10 gal.
12		Cercis c. Minnesota Strain	Minnesota Redbud	10 gal.
13		Ginkgo biloba 'Princeton Sentry'	Princeton Sentry Ginkgo	2' cal.
5		Gleditsia triacanthos 'Imperial'	Imperial Honey Locust	2' cal.
10		Malus 'Spring Snow'	Spring Snow Crabapple	2' cal.
9		Pinus nigra	Austrian Pine	6' Ht.
35		Zelkova serrata 'Musashino'	Musashino Zelkova	2' cal.

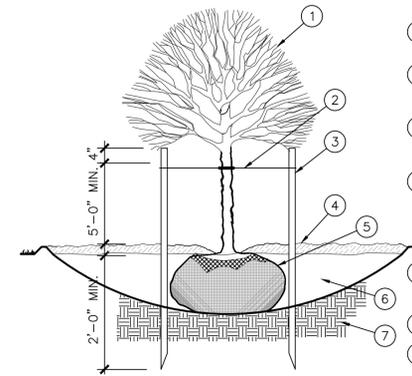
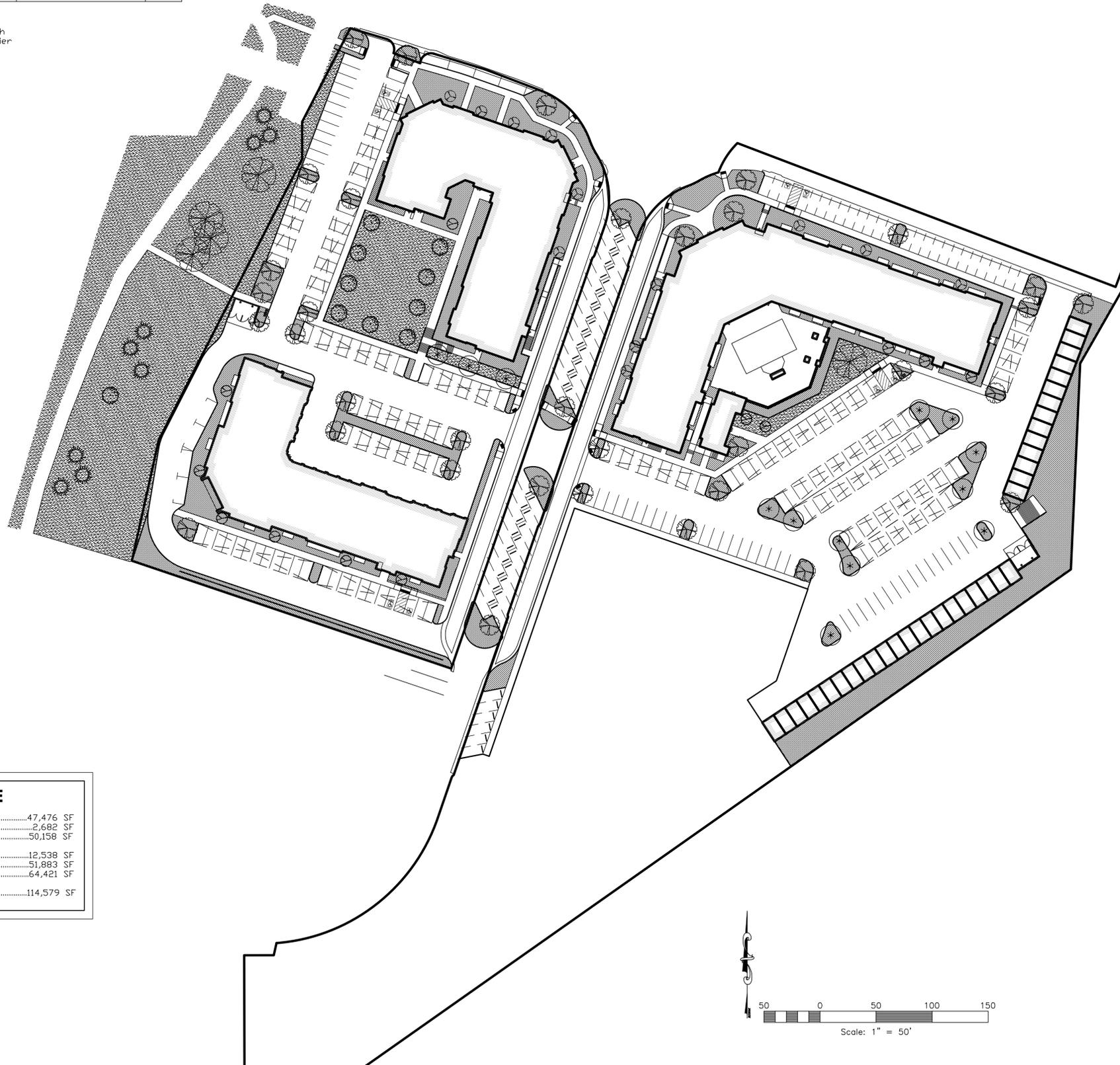
- Turf Grass - To be sodded.
- Rock Mulch - Place a 3" Depth over Dewitt Pro 5 Weed Barrier Cloth in all planting beds
- Mow Strip - See Detail

PLANTING NOTES

1. This planting plan is diagrammatic and plant locations are approximate.
2. Field survey, stake, and string the layout and locations of site construction features for approval before actual construction. The layout shall conform to the exact location and grades of the intended work to be done.
3. Coordinate all aspects of the planting plans with the irrigation system and call the attention of the owners representative to any conflict in placement of plants in relation to sprinkler heads, lines and valves at the time the landscape installation phase takes place.
4. Finish grade of soil in lawn areas shall be 2" below pads, walks, paving, headers and curbs to accommodate sod. Grades in areas when seeded shall be 1" lower than adjacent edge.
5. Native topsoil shall be stockpiled and stored on site whenever possible for use in landscape areas.
6. All sod areas shall receive a minimum 4" depth of native topsoil and shrub beds shall receive a minimum of 8" of native topsoil.
7. Imported topsoil, when required, shall come from a reputable source, have a loam consistency and be free of weeds and debris.
8. Face each shrub to give the most pleasing look as seen from a line perpendicular to the wall or walk to/from which it is viewed.
9. Edging or Curbing shall be installed as shown on the plan to separate grass from shrub beds.
10. Shrub beds shall drain properly to prevent standing water from occurring. Call improperly draining planters or planting beds to the attention of the owners representative before planting. Provide positive drainage away from all structures and walls. Slope landscape areas 2% minimum.
11. Place mulch in all shrub beds and perennial areas. See schedule for depth and type. Do not crowd out small perennial plants with excessive mulch.

LANDSCAPE TABLE

OFF-SITE LAWN AREA.....	47,476 SF
OFF-SITE SHRUB BEDS.....	2,682 SF
OFF-SITE TOTAL.....	50,158 SF
DN-SITE LAWN AREA.....	12,538 SF
DN-SITE SHRUB AREA.....	51,883 SF
DN-SITE TOTAL.....	64,421 SF
LANDSCAPE TOTAL.....	114,579 SF

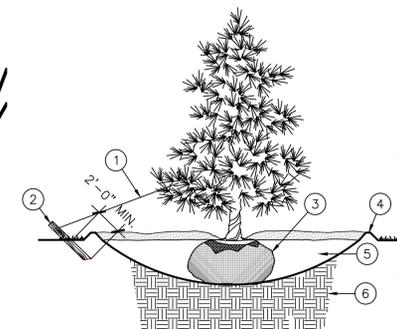


- 1 PRUNE ALL DEAD AND INJURED WOOD. DO NOT CUT LEADER.
- 2 LOOSELY TIE TO ALLOW FOR TREE MOVEMENT, BUT SECURED FOR HIGH WIND CONDITIONS.
- 3 METAL T-POSTS, 2 PER TREE. REMOVE POSTS & TIES AFTER ONE YEAR.
- 4 CONSTRUCT 4" EARTH BERM SAUCER. FILL WITH 3" BARK/ROCK MULCH. BRUSH AWAY FROM TRUNK. REMOVE SAUCER AFTER ONE YEAR.
- 5 REMOVE BURLAP/PACKAGING MAT. PLANT TREES 2"-3" HIGHER THAN GRADE.
- 6 BACKFILL WITH NATIVE SOIL
- 7 UNDISTURBED SOIL

NOTE: DIG HOLE THREE TIMES THE WIDTH AND AS DEEP AS ROOTBALL, EXCEPT WHERE NOTED.

DECIDUOUS TREE PLANTING

NTS

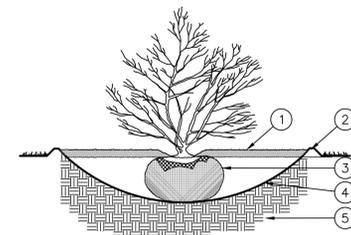


- 1 LOOSELY TIE TO ALLOW FOR TREE MOVEMENT, BUT SECURED FOR HIGH WIND CONDITIONS
- 2 4" x 2" x 2" STAKE AND GUY WIRE (ONE EA. TREE) REMOVE STAKES AFTER ONE YEAR
- 3 REMOVE BURLAP/PACKAGING MAT. PLANT TREES 2"-3" HIGHER THAN GRADE
- 4 CONSTRUCT 4" EARTH BERM SAUCER. FILL WITH 3" BARK/ROCK MULCH - BRUSH AWAY FROM TRUNK. REMOVE SAUCER AFTER ONE YEAR
- 5 BACKFILL WITH NATIVE SOIL
- 6 UNDISTURBED SOIL

NOTE: DIG HOLE THREE TIMES THE WIDTH AND AS DEEP AS ROOTBALL, EXCEPT WHERE NOTED.

CONIFEROUS TREE PLANTING

NTS

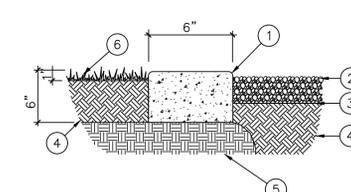


- 1 3" OF BARK/ROCK MULCH. BRUSH AWAY FROM STEM
- 2 3" EARTH BERM SAUCER. REMOVE AFTER ONE YEAR
- 3 REMOVE BURLAP/PACKAGING MAT. PLANT SHRUBS 2"-3" HIGHER THAN GRADE.
- 4 BACKFILL WITH NATIVE SOIL
- 5 UNDISTURBED SOIL

NOTE: DIG HOLE THREE TIMES THE WIDTH AND AS DEEP AS ROOTBALL, EXCEPT WHERE NOTED.

SHRUB PLANTING

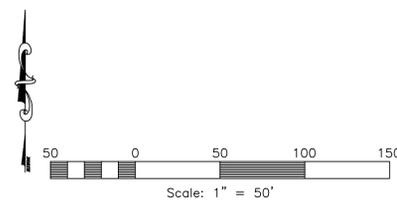
NTS



- 1 6"x6" CONCRETE MOW STRIP WITH RADIUS EDGES
- 2 BARK/ROCK MULCH
- 3 FINISH GRADE/WEED FABRIC
- 4 TOPSOIL
- 5 COMPACTED SUBGRADE
- 6 LAWN

CONCRETE MOW STRIP

NTS



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REVISIONS	DESCRIPTION

DATE: _____

VILLAGE STATION AT EAGLEWOOD
 Brighton - North Salt Lake
 NORTH SALT LAKE, DAVIS COUNTY, UT

OVERALL LANDSCAPE PLAN

Project Info.

Landscape Architect:	NATHAN PETERSON
Drafter:	N. PETERSON
Begin Date:	OCTOBER 2019
Name:	BRIGHTON NORTH SALT LAKE
Number:	6440-17



1
001 HIGHWAY 89 VIEW



2
001 ENTRY VIEW



3
001 ROUNDABOUT VIEW



4
001 ROUNDABOUT VIEW BUILDING 2



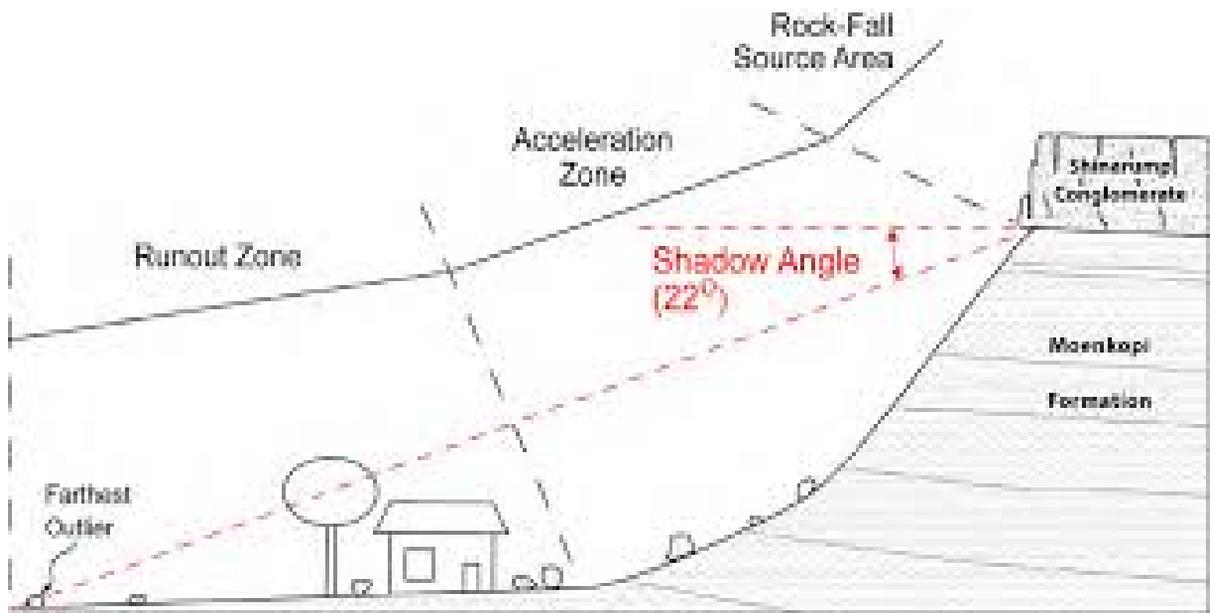
5
001 ROUNDABOUT VIEW BUILDING 1



6
001 AERIAL VIEW

001
EXTERIOR RENDERINGS
NORTH STATION, PHASE I







RESOLUTION 2020-06R

A Resolution authorizing the issuance and the sale of not to exceed \$3,000,000 aggregate principal amount of Water Revenue Refunding Bonds

*** *** ***

WHEREAS, the City of North Salt Lake (the “City”) considers it necessary and desirable and for the benefit of the City to issue its Water revenue refunding bonds as hereinafter provided for the purpose of (a) refunding a portion of the now outstanding water revenue bonds of the City and (b) paying the costs incurred in connection with the issuance and sale of the Bonds pursuant to authority contained in the Local Government Bonding Act, Chapter 14 of Title 11, and the Utah Refunding Bond Act, Chapter 27 of Title 11 (collectively, the “Act”), Utah Code Annotated 1953, as amended (the “Utah Code”), and other applicable provisions of law;

WHEREAS, for the purposes set forth above, the City has determined (a) to issue its Water Revenue Refunding Bonds in an aggregate principal amount not to exceed \$3,000,000 (the “Bonds”) pursuant to the Master Trust Indenture (the “Master Indenture”) and a Supplemental Trust Indenture (the “Supplemental Indenture” and, together with the Master Indenture, the “Indenture”), and (b) to cause the proceeds of the sale of the Bonds to be applied in accordance with the Indenture;

WHEREAS, in the opinion of the City Council, it is in the best interests of the City that the Designated Officer (defined below) (a) be authorized to pursue a competitive sale of the Bonds and (b) select a purchaser for the Bonds (the “Purchaser”);

WHEREAS, in the opinion of the City Council, it is in the best interests of the City that (a) the Designated Officer be authorized to approve the final principal amount, maturity amounts, interest rates, dates of maturity and other terms and provisions relating to the Bonds and (b) the Mayor is authorized to execute the Purchase Contract (the “Purchaser Contract”), a form of which is attached hereto as *Exhibit C*, between the City and the Purchaser, containing such terms and provisions; and

WHEREAS, Section 11-27-4 of the Utah Code provides for the publication of a Notice of Refunding Bonds to be Issued (the “Notice of Bonds”) and the running of a 30-day contest period, and the City desires to cause the publication of such Notice of Bonds at this time in compliance with said section with respect to the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of North Salt Lake, Utah, as follows:

Section 1. Issuance of Bonds. (a) For the purposes set forth above, there is hereby authorized and directed the execution, issuance, sale and delivery of the Bonds in the aggregate principal amount not to exceed \$3,000,000. The Bonds shall be dated as of the date of the initial

delivery thereof. The Bonds shall be in authorized denominations, shall be payable, and shall be executed and delivered all as provided in the Indenture. The Bonds shall be subject to redemption prior to maturity as provided in the Indenture.

(b) The form of the Bonds set forth in the Supplemental Indenture, subject to appropriate insertions and revisions in order to comply with the provisions of the Indenture, is hereby approved.

(c) The Bonds shall be special obligations of the City, payable from and secured by a pledge and assignment of the Revenues (as defined in the Indenture) received by the City and of certain other moneys held under the Indenture on a parity with any other Bonds (as defined in the Indenture) issued from time to time under the Master Indenture. The Bonds shall not be obligations of the State or any other political subdivision thereof, other than the City, and neither the faith and credit nor the ad valorem taxing or appropriation power of the State or any political subdivision thereof, including the City, is pledged to the payment of the Bonds. The Bonds shall not constitute general obligations of the City or any other entity or body, municipal, state or otherwise.

Section 2. Bond Details; Delegation of Authority. (a) The Bonds shall mature in the years and in the principal amounts, and shall bear interest (calculated on the basis of a year of 360 days consisting of twelve 30-day months) from the Closing Date, payable semiannually each year, and at the rates per annum and commencing on the dates, all as provided in the Purchase Contract.

(b) There is hereby delegated to the Designated Officer, subject to the limitations contained in this resolution, the power to determine and effectuate the following with respect to the Bonds and the Designated Officer is hereby authorized to make such determinations and effectuations:

(i) the principal amount of each series of the Bonds necessary to accomplish the purpose of the Bonds set forth in the recitals hereto and the aggregate principal amount of each series of the Bonds to be executed and delivered pursuant to the Indenture; *provided* that the aggregate principal amount of the Bonds shall not exceed \$3,000,000;

(ii) the maturity date or dates and principal amount of each maturity of the Bonds to be issued; *provided, however*, that the Bonds mature over a period of not to exceed 12 years from their date or dates;

(iii) the interest rate or rates of the Bonds and the date on which payment of such interest commences, *provided, however*, that the interest rate or rates to be borne by any Bond shall not exceed 3.50% per annum;

(iv) the sale of the Bonds and the purchase price to be paid by the Underwriter of such Bonds; *provided, however*, that the discount from par of each series of the Bonds shall not exceed 2.00% (expressed as a percentage of the principal amount);

(v) the Bonds, if any, to be retired from mandatory sinking fund redemption payments and the dates and the amounts thereof;

(vi) the time and redemption price, if any, at which the Bonds may be called for redemption prior to their maturity at the option of the City;

(vii) the maturity dates, if any, and amounts of the City's Water Revenue Bonds, Series 2010 (Federally Taxable–Direct Pay–Build America Bonds) (the "*Series 2010 Bonds*") and the City's Water Revenue Refunding Bonds, Series 2015 (the "*Series 2015 Bonds*") to be refunded (the "*Refunded Bonds*") by the Bonds (the Designated Officer may determine that it is not beneficial to the Issuer and the inhabitants of the District to refund any of the Series 2010 Bonds or the Series 2015 Bonds);

(viii) the use and deposit of the proceeds of the Bonds; and

(ix) any other provisions deemed advisable by the Designated Officers not materially in conflict with the provisions of this resolution and the Parameters Resolution.

For purposes of this resolution and the Bonds, "*Designated Officer*" means (i) the City Manager, or (ii) in the event of the absence or incapacity of the City Manager, the Finance Director, or (iii) in the event of the absence or incapacity of both the City Administrator and the Finance Director, the Mayor.

Following the sale of the Bonds, the Designated Officer shall obtain such information as they deem necessary to make such determinations as provided above and shall make such determinations as provided above and the Mayor shall execute the Purchase Contract containing such terms and provisions of such series of the Bonds, which execution shall be conclusive evidence of the action or determination of the Designated Officer as to the matters stated therein.

Section 3. Approval and Execution of the Master Indenture and the Supplemental Indenture. The Master Indenture, in substantially the form attached hereto as *Exhibit A*, and the Supplemental Indenture, in substantially the form attached hereto as *Exhibit B*, are hereby authorized and approved, and the Mayor or the Mayor Pro Tem is hereby authorized, empowered and directed to execute and deliver the Master Indenture and the Supplemental Indenture on behalf of the City, and the City Recorder or any Deputy City Recorder is hereby authorized, empowered and directed to attest the Master Indenture and the Supplemental Indenture, with such changes to the Master Indenture and the Supplemental Indenture from the form attached hereto as are approved by the Mayor or the Mayor Pro Tem, his or her execution thereof to constitute conclusive evidence of such approval. The provisions of the Master Indenture and the Supplemental Indenture, as executed and delivered, are hereby incorporated in and made a part of this resolution. The Master Indenture and the Supplemental Indenture shall constitute a "system of registration" for all purposes of the Registered Public Obligations Act of Utah.

Section 4. Purchase Contract; Other Certificates and Documents Required to Evidence Compliance with Federal Tax and Securities Laws. The Mayor or the Deputy Mayor and the City Recorder or any Deputy City Recorder is hereby authorized and directed to execute the Purchase Contract. The Mayor or the Deputy Mayor of the Issuer is hereby authorized and instructed to make delivery of the Bonds to the Purchaser and to receive payment therefor in accordance with the terms of sale and to set the proceeds of sale of the Bonds, together with any legally available

funds of the Issuer (including monies held by the Issuer for payment of debt service on the Refunded Bonds) in the amount specified in the Purchase Contract and the Supplemental Indenture.

Section 5. Other Actions With Respect to the Bonds. The officers and employees of the City shall take all action necessary or reasonably required to carry out, give effect to, and consummate the transactions contemplated hereby and shall take all action necessary in conformity with the Act to carry out the issuance of the Bonds, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the sale and delivery of the Bonds. Without limiting the generality of the foregoing, the officers and employees of the City are authorized and directed to take such action as shall be necessary and appropriate to issue the Bonds.

Section 6. Prior Acts Ratified, Approved and Confirmed. All acts of the officers and employees of the City in connection with the issuance of the Bonds are hereby ratified, approved and confirmed.

Section 7. Notice of Bonds to be Issued; Contest Period. In accordance with the provisions of Section 11-27-4 of the Utah Code, the publication of the Notice of Bonds, in substantially the form attached hereto as *Exhibit D*, in *The Davis County Clipper*, a newspaper of general circulation in the City, is hereby approved and ratified. For a period of thirty (30) days from and after publication of the Notice of Bonds, any person in interest shall have the right to contest the legality of this Resolution (including the Bond Resolution and the forms of the Master Indenture and the Supplemental Indenture attached hereto) or the Bonds hereby authorized or any provisions made for the security and payment of the Bonds. After such time, no one shall have any cause of action to contest the regularity, formality or legality of this Resolution (including the Bond Resolution, the Master Indenture and the Supplemental Indenture) or the Bonds or any provisions made for the security and payment of the Bonds for any cause.

Section 8. Resolution Irrepealable. Following the execution and delivery of the Supplemental Indenture, this resolution shall be and remain irrepealable until all of the Bonds and the interest thereon shall have been fully paid, cancelled, and discharged.

Section 9. Severability. If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.

Section 10. Effective Date. This resolution shall be effective immediately upon its approval and adoption.

(Signature page follows.)

ADOPTED AND APPROVED by the City Council of the City of North Salt Lake, Utah, this February 18, 2020.

CITY OF NORTH SALT LAKE, UTAH

Mayor

ATTEST:

City Recorder

CITY COUNCIL VOTE AS RECORDED:

<u>Name</u>	<u>Vote</u>
Lisa Baskin	_____
Natalie Gordon	_____
Brian Horrocks	_____
Ryan Mumford	_____
Stan Porter	_____

EXHIBIT A
[FORM OF MASTER INDENTURE]

EXHIBIT B

[FORM OF SUPPLEMENTAL INDENTURE]

EXHIBIT C

[ATTACH FORM OF PURCHASE CONTRACT]

EXHIBIT D

NOTICE OF REFUNDING BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of Section 11-27-4 Utah Code Annotated 1953, as amended, that the City Council (the "*Council*") of the City of North Salt Lake, Utah (the "*City*"), intends to adopt a resolution (the "*Resolution*") to authorize and approve the issuance of its water revenue refunding bonds in one or more series (collectively, the "*Bonds*"), in an aggregate principal amount of not to exceed Three Million Dollars, to bear interest at a rate or rates of not to exceed three and one half percent per annum and to mature not later than twelve years from their date or dates and to be sold at a discount from par not to exceed two percent.

The Bonds are to be issued and sold by the City pursuant to (a) the Resolution, (b) a Master Trust Indenture (the "*Master Indenture*") and (c) a Supplemental Indenture of Trust (the "*Supplemental Indenture*" and, together with the Master Indenture, the "*Indenture*"); *provided* that the principal amount, interest rate or rates, maturity or maturities and discount will not exceed the maximums set forth above.

The Bonds are to be issued for the purpose of refunding previously issued Water revenue bonds and paying all or a portion of the costs incurred in connection with the issuance and sale of the Bonds. The repayment of the Bonds will be secured by a pledge of the legally available revenues from the City's water system.

A copy of the Resolution (including the Indenture) is on file in the office of the City Recorder, located at City Hall, 20 South Highway 89, City of North Salt Lake, Utah, where the Resolution may be examined during regular business hours of the City Recorder from 8:00 a.m. to 5:00 p.m. The Resolution shall be so available for inspection for a period of at least thirty (30) days from and after the date of the publication of this notice.

NOTICE IS FURTHER GIVEN that pursuant to law for a period of thirty (30) days from and after the date of the publication of this notice, any person in interest shall have the right to contest the legality of the Resolution (including the Indenture and the Supplemental Trust Indenture attached thereto) of the City or the Bonds authorized thereby or any provisions made for the security and payment of the Bonds. After such time, no one shall have any cause of action to contest the regularity, formality or legality of the Resolution, the Bonds or the provisions for their security or payment for any cause

DATED February 18, 2020.

CITY OF NORTH SALT LAKE, UTAH



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Sherrie Llewelyn, Community Development Director
DATE: February 18, 2020
SUBJECT: Consideration of a Class B Beer License for Maverik at 24 North Redwood Rd.

RECOMMENDATION

City staff has reviewed the application and finds it to be in compliance with City and State regulations. The Development Review Committee recommends approval of the application for a Class B Beer License for Maverik at 24 North Redwood Road.

BACKGROUND

The new Maverik station is located at 24 North Redwood Road. The convenience store and gas station is expected to open in spring 2020. The Alcoholic Beverage Control Commission issues licenses to retailers for off premise consumption of beer. The ABC requires local consent of such licenses. The North Salt Lake City Code, Section 3-2-3 classifies the proposed use as a Class A license; which entitles the licensee to sell beer in original containers for consumption off the premises.

The following regulations apply:

1. Posting a faithful observance bond of \$2,000, which bond is payable to the city if the applicant violates city ordinances related to beer sales;
2. Submission of Health Department permit;
3. \$300 application fee.

The State of Utah regulates off premise beer sales and has no location restrictions in relation to community uses, such as parks and schools. The application has been referred to the police chief for review.

POSSIBLE MOTION

I move that the City Council approve a Class A Beer License for Maverik at 24 North Redwood Road.

Attachments

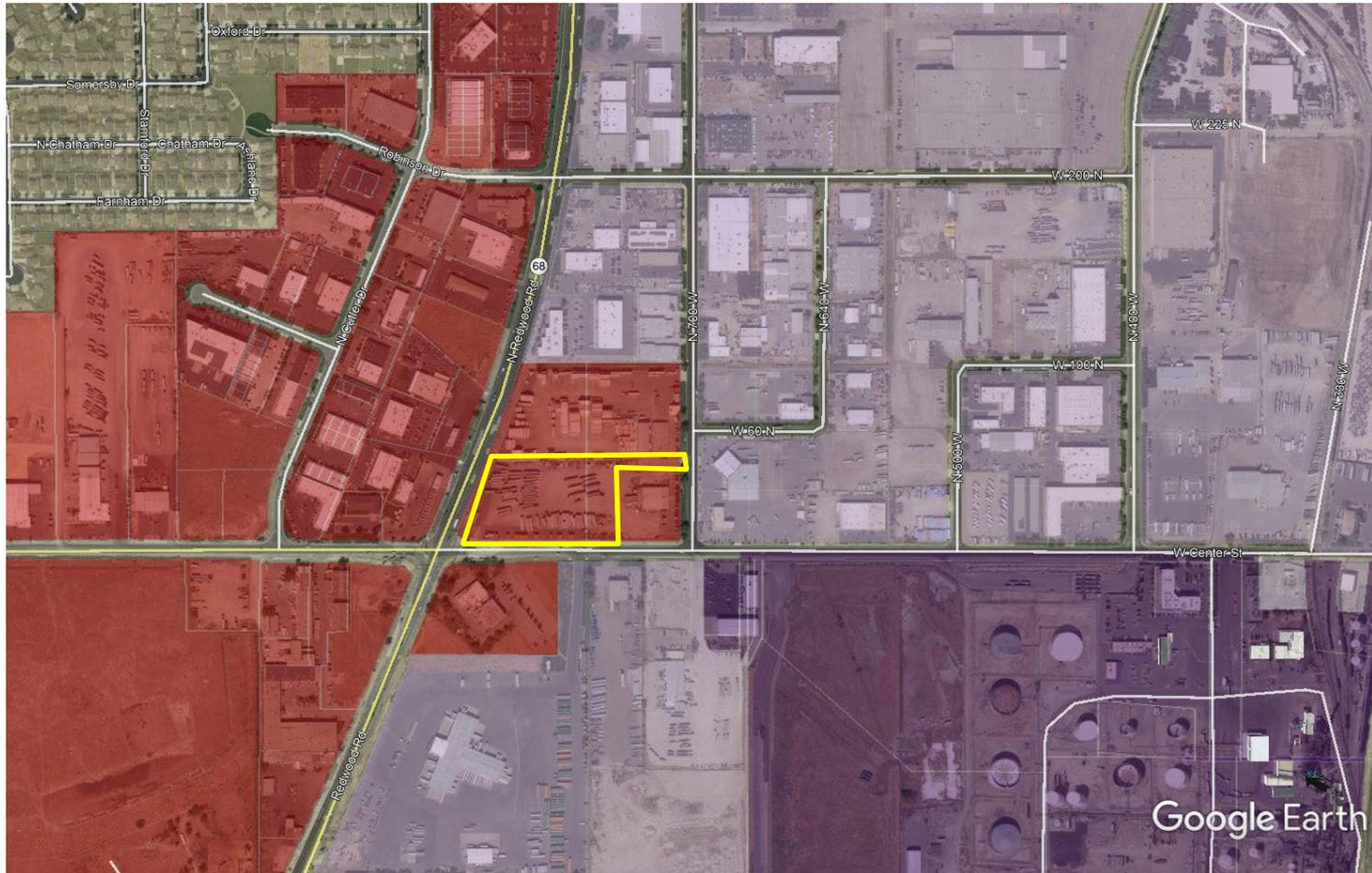
- 1) Aerial/Zone Map



Maverik

24 North Redwood Road

Aerial/Zoning Map





CITY OF NORTH SALT LAKE

10 East Center Street
North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

Len Arave
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: February 18, 2020

SUBJECT: Consideration of Resolution 2020-04R: A resolution of the Governing Body of the City of North Salt Lake creating a golf course oversight committee.

RECOMMENDATION

I recommend approval of Resolution 2020-04R: A resolution of the Governing Body of the City of North Salt Lake creating a golf course oversight committee. On February 2, 2020 the Golf Course Advisory Committee also recommended to the City Council by unanimous vote the formation of a Golf Course Oversight Committee.

BACKGROUND

As you know, the Golf Course Advisory Committee has been meeting for several months related to its assignments to evaluate the financial health of the Golf Enterprise Fund, the operation and management of the Course and the governance and daily operation of the Course. They are not yet completed with their tasks and work; however, at their last meeting on February 7, they did pass a motion to recommend the formation of a Golf Course Oversight Committee. The Committee took that action because they believe that an oversight committee is needed moving forward under all possible management or governance scenarios.

The proposed resolution is fairly simple and instructs that there be created a three-person oversight committee with a member of the City Council acting as a liaison between the Council and the Committee. It also instructs the City Manager (or designee) to provide support to the Committee. This structure follows the general model of most of our committees and should be a useful body moving forward.

In addition to the Golf Course Advisory Committee's recommendation to you, I also feel that there should be a formal and structured committee assigned to meet several times a year to go over the Golf Enterprise Fund and to then follow up with the City Council on at least two occasions during the year to provide a report to the Council on these matters. I believe that this is a strong model that will allow us to recognize deficiencies and problems while they are small and still manageable.

PROPOSED MOTION

I move that the City Council adopt Resolution 2020-04R: A resolution of the Governing Body of the City of North Salt Lake creating a golf course oversight committee.

RESOLUTION NO. 2020-04R

**A RESOLUTION OF THE GOVERNING BODY OF THE
CITY OF NORTH SALT LAKE CREATING A GOLF
COURSE OVERSIGHT COMMITTEE.**

WHEREAS, the City of North Salt Lake has been working for many months to evaluate several strategies related to the marketability, governance, financial well-being and viability of the Eaglewood Golf Course and its associated operations; and,

WHEREAS, on August 6, 2019 the Governing Body of the City of North Salt Lake established by Resolution 2019-28R the Golf Course Advisory Committee with specific tasks meant to evaluate the financial health of the Golf Enterprise Fund, review the potential outsourcing of the operation and management of the Golf Course and prepare findings and recommendations to the City Council related to the future governance of the Golf Course; and,

WHEREAS, the Golf Course Advisory Committee has met many times in the performance its required duties and is nearing completion of its review and recommendation; and,

WHEREAS, the Golf Course Advisory Committee has recommended to the City Council that there should be established an oversight committee regardless of the future governance structure that is ultimately adopted by the City Council.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE GOVERNING
BODY OF THE CITY OF NORTH SALT LAKE AS FOLLOWS:**

- 1) There is hereby created a City committee called the “Golf Course Oversight Committee” which shall perform the following duties:
 - a. Meet not less than quarterly to review and evaluate the progress of the Eaglewood Golf Course Enterprise Fund which includes: golf operations, concession operations and lease operations (offices, towers and any other leases).
 - b. Evaluate and recommend to the City Council strategies and proposals related to advertising and marketing, pricing, course conditions, general course maintenance, repairs and renovations, events and any other matters related to the daily operation and long-term viability of the Golf Course.
 - c. Prepare and make a formal report to the City Council at least twice during the calendar year. Such a report should include an overview of the Committee’s duties and activities and a list of specific recommendations that the Committee, in its judgment, believes the City should undertake to correct identified problems and deficiencies.
- 2) Committee members shall be appointed by the Governing Body and shall be made up of three individuals.

- 3) The Governing Body shall also appoint one of its members to be a Council liaison or representative that should attend Committee meetings and provide general support to the Committee, as needed.
- 4) The City Manager, or his designee, is hereby directed to provide support to the Committee related to their duties.

APPROVED by the City Council of the City of North Salt Lake, Utah, this 18th day of February, 2020.

BY THE CITY COUNCIL:

 Len Arave, Mayor

Attest:

 City Recorder

City Council Vote as Recorded:

<u>Name</u>	<u>Vote</u>
Lisa Baskin	_____
Natalie Gordon	_____
Brian Horrocks	_____
Ryan Mumford	_____
Stan Porter	_____



CITY OF NORTH SALT LAKE

10 East Center Street
North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

Len Arave
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: February 18, 2020

SUBJECT: Consideration of Resolution 2020-05R: a resolution approving a program for corporate memberships at Eaglewood Golf Course and amending the City's Consolidated Fee Schedule.

RECOMMENDATION

I recommend that the City Council approve Resolution 2020-05R: a resolution approving a program for corporate memberships at Eaglewood Golf Course and amending the City's Consolidated Fee Schedule.

BACKGROUND

Brent Moyes, Golf Director, is proposing a for-sale corporate membership at Eaglewood Golf Course and we are requesting approval of the program terms and fee to be charged for this membership. I have attached Brent's proposal to this memo together with the Resolution. For your information, the Golf Course Advisory Committee has also reviewed this information and while they have not made a formal recommendation to the Council related to it, they are very supportive of this and several other changes that we are making to the Course operations.

PROPOSED MOTION

I move that the City Council approve Resolution 2020-05R: a resolution approving a program for corporate memberships at Eaglewood Golf Course and amending the City's Consolidated Fee Schedule.

RESOLUTION NO. 2020-05R

**A RESOLUTION OF THE GOVERNING BODY OF THE
CITY OF NORTH SALT LAKE APPROVING A
PROGRAM FOR CORPORATE MEMBERSHIPS AT
EAGLEWOOD GOLF COURSE AND AMENDING THE
CITY'S CONSOLIDATED FEE SCHEDULE.**

WHEREAS, the City of North Salt Lake owns and operates Eaglewood Golf Course which provides public golf and concessions; and,

WHEREAS, Brent Moyes, Golf Director, in coordination with the Golf Course Advisory Committee, has proposed several strategies and methods for offering additional products and amenities at the Course and has proposed, among other strategies, a new corporate membership; and,

WHEREAS, the City staff and Golf Course Advisory Committee is supportive of creating a corporate membership at Eaglewood Golf Course.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of North Salt Lake as follows:

- 1) There is hereby created a Corporate Membership at Eaglewood Golf Course that follows the general terms of the attached program description and as amended from time to time by the Golf Director.
- 2) The City's Consolidated Fee Schedule is hereby amended to include the following fees and charges related to the new Corporate membership:
 - a. Annual Corporate Membership Fee of \$2,500
 - b. Annual Corporate Membership Fee of \$2,000 when accompanied by a commitment to hold a tournament with not less than 72 players
 - c. Annual Corporate Membership Fee may be pro-rated by Golf Director when purchased during the golf season (March 1 to November 30) and only if play has already begun for the season.

APPROVED by the City Council of the City of North Salt Lake, Utah, this 18th day of February, 2020.

BY THE CITY COUNCIL:

Len Arave, Mayor

Attest:

City Recorder

City Council Vote as Recorded:

<u>Name</u>	<u>Vote</u>
Lisa Baskin	_____
Natalie Gordon	_____
Brian Horrocks	_____
Ryan Mumford	_____
Stan Porter	_____

Eaglewood Golf Course

Corporate Partnership/Membership

Membership – Stipulations

- \$2500
- \$2000 If Booking Tournament/Event (72 player minimum)
- Season Defined as March 1 – November 30
- 10 % Discount in Pro-Shop merchandise (excluding sale items)
- Agreement
 - Designate (up to 3) authorized personnel to reserve tee-times
 - Tee-Times must be made at least 2-hours in advance
 - Cannot be used in conjunction with actual Outing/Tournament
 - One (1) Tee-time per day up to 4 players
 - Tee-Times available anytime Mon-Fri and after 12:00pm Sat-Sun & Holidays
 - At least One Representative (Employee) from the company must be present in the group playing
 - Cart fees, range balls, club rentals and merchandise must be paid at time of play unless billing method has been established.
 - Rain Checks will not be issued for membership play
 - Memberships purchased during the season will be pro-rated
 - Behavior (proper golf etiquette)
 - Payment with company check or credit card
 - Must be a Legitimate Business-proof of business entity will be required



CITY OF NORTH SALT LAKE

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(801) 335-8700
(801) 335-8719 Fax

Len Arave
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: February 18, 2020

SUBJECT: Authorization to publish a request for proposals (RFP) for repairs and improvements to the Eaglewood Golf Course Clubhouse.

RECOMMENDATION

I recommend that the City Council authorize me to publish an RFP document soliciting contractors to make repairs and improvements to the Eaglewood Golf Course Clubhouse.

BACKGROUND

The City staff, in coordination with the Golf Course Concessionaire, has inspected the Golf Course Clubhouse facilities and prepared a list of items needing repair at the facility. I am requesting the City Council's consent to allow me to solicit proposals (bids) for this repair work. By approving this request, you are not expending City funds at this time, but only requesting proposals and prices for the project. If authorized, I will bring all proposals and prices to the Council for your formal action to approve actual expenditures.

By way of summary, the list includes concrete repairs to steps on the front entrance to the Clubhouse and Reception Center, replacement of all exterior stucco, roof repair and repairs to metal and vinyl railings.

PROPOSED MOTION

I move that the City Council authorize the City Manager to solicit proposals for general repairs and improvements at the Eaglewood Golf Course Clubhouse.



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Sherrie Llewelyn, Community Development Director
DATE: February 18, 2020
SUBJECT: Consideration of **ORD2020-09**: amending Title 4, Chapter 4 Noise Regulations

RECOMMENDATION

The Development Review Committee recommends approval to the City Council the adoption of **ORD2020-09**: amending Title 4, Chapter 4 related to prohibited noise and business hours of operation for loading and unloading freight.

BACKGROUND

A business owner that is looking to locate a new business at approximately 200 South Redwood Road (Kimball Property) has requested a review of the current regulations regarding prohibited noise and business hours of operation. The current ordinance states:

4-4-2: REGULATED NOISE:

It shall be unlawful to cause, permit or perform the following acts between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M.:

- A. Loading Operation: To load, unload, open, close or otherwise handle boxes, crates, containers, building materials, garbage containers or similar objects.

This ordinance would presumably restrict businesses such as FedEx, Lee's Market, and many others from receiving or shipping goods between the hours of 10 p.m. and 7 a.m. As the city and the economy have developed into a 24 hour per day marketplace this restriction seems to be outdated and no practical for most businesses.

REVIEW

The DRC has reviewed this section of the city noise ordinance and considered possible alternative language but believes that crafting exceptions to this rule, or implementing distance requirements from residential zones would be problematic for existing businesses within the City. The DRC recommends that subsection (A) in section 4-4-2 be stricken from the code.

POSSIBLE MOTION

I move that the City Council approve **ORD2020-09** amending Title 4, Chapter 4, pertaining to noise regulations and business hours of operation as proposed with the following findings:

1. The proposed amendment is in accord with the comprehensive general plan, goals and policies of the city.
2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the "purposes" stated in this title.

Attachments

- 1) ORD2020-09
- 2) Exhibit A-Proposed Amendment

ORDINANCE NO. 2020-09

**AN ORDINANCE OF THE CITY OF NORTH SALT LAKE
AMENDING TITLE 4, CHAPTER 4 OF THE CITY CODE
RELATED TO NOISE REGULATIONS.**

WHEREAS, the City of North Salt Lake is an incorporated city in Davis County Utah;
and

WHEREAS, the City Council of North Salt Lake finds it necessary to update the ordinance relating to noise regulations related for loading operations during the hours of 10 p.m. to 7 a.m.;

WHEREAS, the City Council of North Salt Lake finds that the current regulation does not allow businesses in the city to receive or send freight between the prescribed time and unduly burdens those business from operating within commonly accepted practices;

WHEREAS, the City Council finds that the public interest will not be harmed by the proposed amendment; and

WHEREAS, the City Council finds that it is in the public interest that the North Salt Lake City Code, Title 4, Chapter 4 be amended at this time.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH SALT LAKE, STATE OF UTAH, AS FOLLOWS:

Section 1. Pursuant to Utah Code 10-3-704, Title 4, Chapter 4 of the City Code is hereby amended as attached in Exhibit A.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective upon publication or posting.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH SALT LAKE, STATE OF UTAH, THIS 18th DAY OF FEBRUARY, 2020.

CITY OF NORTH SALT LAKE

By: _____
Len Arave, Mayor

ATTEST:

City Recorder

City Council Vote as Recorded:

<u>Name</u>	<u>Vote</u>
Council Member Gordon	_____
Council Member Horrocks	_____
Council Member Baskin	_____
Council Member Mumford	_____
Council Member Porter	_____

4-4-2: REGULATED NOISE:

It shall be unlawful to cause, permit or perform the following acts between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M.:

- A. Construction Work: To operate any tools or equipment used in construction, drilling, repair, alteration or demolition work on buildings, structures or streets. During the months of May through September construction work may begin at six o'clock (6:00) A.M.
- B. Power Equipment: To operate any mechanically powered saw, drill, sander, grinder, lawn or garden tool, lawnmower or other similar device, other than powered snow removal equipment.
- C. Garbage Collection: To collect garbage, waste or refuse.
- D. Loudspeakers: To operate or use any loudspeaker, public address system, or mobile sound vehicle amplifying sound therefrom.
- E. Radios: To operate or play any radio, television, musical instrument or similar audio device. (Ord. 2018-08, 9-4-2018)



CITY OF NORTH SALT LAKE

10 East Center Street
North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

Len Arave
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: February 18, 2020

SUBJECT: Resolution adopting guidelines related to City employees and volunteers interacting with Minors.

RECOMMENDATION

I recommend approval of Resolution 2020-02R: A resolution adopting guidelines related to City employees and volunteers interacting with Minors.

BACKGROUND

As you know, the City has several occasions when our employees or our good volunteers are interacting with Minors (high school age and younger). During most of these events, we are training all involved to follow instructions similar to those that we are considering in this resolution. I thought that with all of our recreation initiatives, youth council, summer arts and crafts, golf course and park seasonal employees, it would be a good time to formalize these best practices into a guidelines document that we can use for training and enforcement.

You will note that this policy is meant to regulate interactions with persons under 18 (or not yet graduated from high school). In preparing this set of guidelines, we reviewed policies from some universities, rules for national Olympic athletes and coaches, the City's personnel manual and other cities in the area. I believe that while these guidelines are not lengthy, they do cover the topics that we are concerned with as we consider how adults, whether employees or volunteers, interact with youth. Finally, it is important to remember that these guidelines are intended to protect ALL individuals in these circumstances, not just youth.

David Church, City Attorney, has also reviewed and made adjustments to the attached Guidelines.

PROPOSED MOTION

I move that the City Council approve Resolution No. 2020-02R: A resolution adopting guidelines related to City employees and volunteers interacting with Minors.

RESOLUTION NO. 2020-02R

**A RESOLUTION OF THE GOVERNING BODY OF THE
CITY OF NORTH SALT LAKE ADOPTING GUIDELINES
RELATED TO CITY EMPLOYEES AND VOLUNTEERS
INTERACTING WITH MINORS.**

WHEREAS, the City of North Salt Lake carries out activities and services that include minor youth such as: a youth public sports program, a summer recreation program, a youth city council and the hiring of youth for part-time seasonal positions in the Public Works and Golf Departments; and,

WHEREAS, because the City works with, serves, employs or otherwise interacts with youth, it has a desire to establish guidelines for the protection of youth and for the protection of its employees and volunteers; and,

WHEREAS, the City has a desire to raise awareness of appropriate behavior when interacting with youth and to establish training and enforcement guidelines for the proper treatment and protection of youth in all circumstances; and,

WHEREAS, there is a need to educate adults and minors about matters relating to youth and adult interactions including: proper physical contact, appropriate one-on-one interactions, guidelines for communicating with minors, abuse and reporting of inappropriate behavior.

BE IT HEREBY RESOLVED that the City Council of the City of North Salt Lake hereby approves the attached document entitled, “City of North Salt Lake Guidelines for Interactions with Minors” and instructs the City Manager, or his designee, to implement these guidelines and all appropriate training necessary for the City to follow these guidelines.

APPROVED by the City Council of the City of North Salt Lake, Utah, this 18th day of February, 2020.

BY THE CITY COUNCIL:

Len Arave, Mayor

Attest:

City Recorder

City Council Vote as Recorded:

<u>Name</u>	<u>Vote</u>
Lisa Baskin	_____
Natalie Gordon	_____
Brian Horrocks	_____
Ryan Mumford	_____
Stan Porter	_____

City of North Salt Lake Guidelines for interactions with Minors

These Guidelines aim to promote a safe environment when City of North Salt Lake employees or volunteers interact with Minors or any other person regardless of age. For the purpose of these Guidelines, a Minor is an individual who is below the age of 18 or is currently enrolled in, but has not yet completed high school. City employees or volunteers that interact with Minors are required to undergo training on these Guidelines and will be subject to mandatory criminal background checks prior to any allowed interaction with Minors. It is strongly recommended, though not required, that Minors who interact with City employees and volunteers also be trained to follow these Guidelines.

The following Guidelines must be followed at all times by City employees and volunteers who interact with Minors:

Be Aware: City employees and volunteers must at all times be aware of their responsibilities that accompany their interactions with Minors or any other vulnerable youth or adult when they are acting in any official capacity.

Be Mindful of Boundaries: When interacting with Minors, City employees and volunteers should be aware of the vulnerability of Minors and themselves in such interactions, and be particularly aware of the importance of maintaining appropriate physical, emotional, and sexual boundaries in such interactions. City employees and volunteers must not engage in any covert or overt sexual behaviors with Minors, including seductive, suggestive or sexual speech, gestures or physical contact that exploits, abuses or harasses.

Physical Contact: Physical contact with Minors can be misconstrued both by the recipient and by those who observe it, and should only occur only when such physical contact is nonsexual and otherwise appropriate, and never in private. City employees and volunteers must be aware of how physical touch with Minors can be perceived or received and show prudent discretion in determining whether physical contact would be an appropriate expression of greeting, care, concern or celebration.

Acceptable forms of physical contact with a Minor may include high fives, handshakes, fist bumps, pats on the back or shoulder, or side hugs. Types of physical contact that are prohibited include: tickling, rough-housing, wrestling, piggyback rides, any type of massage, and any form of unwanted touching, hugs or other displays of affection.

At times limit-setting with Minors may be necessary for safety reasons; however, City employees and volunteers are prohibited at all times from physically disciplining a Minor. Similarly, speech, gestures or other behaviors that are bullying, demeaning, belittling, hurtful, meant to embarrass or make reference to the Minor's mental or physical development or appearance, are never appropriate.

One-on-one Interactions: One-on-one meetings with a Minor should be avoided, but in very rare instances, when necessary, should be held in a public area, in a room where the interaction can be (or is being) observed, or in a room with the door left open. In addition, a supervisor or another City employee or volunteer should be notified about the meeting in advance of the meeting and be in attendance at all times when possible. Two or more authorized adults must be present at all activities, including when traveling in vehicles, with a Minor (unless they are a Minor's parent or legal guardian). One-on-one interactions between City employees or volunteers and a Minor must occur at an observable and interruptible distance from another adult. Except for the situations carefully described in these Guidelines, no City employee or volunteer may be alone with a Minor unless they are the Minor's parent or legal guardian.

Reporting Abuse: All City employees or volunteers must act when there is evidence of, or there is reasonable cause to suspect, that Minors are being abused in any way, whether during a City activity or elsewhere. Suspected, observed or self-disclosed abuse or neglect must be reported immediately, or as soon thereafter as possible, to the North Salt Lake Police Department or other appropriate civil authorities as described in the City's personnel policies.

Drug and Alcohol Use; Other Prohibited Items: When interacting with Minors, the possession and/or use of illegal drugs and the use of tobacco products or alcohol is prohibited. City employees or volunteers are prohibited from providing a Minor with alcohol, drugs, tobacco products, inappropriate videos, pornography or other such items.

Gifts: City employees or volunteers should not accept from, or give gifts to, Minors without the knowledge of their parents or legal guardians.

Communicating with Minors: Communication with Minors is only allowed for the purpose of conducting City business or otherwise furthering the program-related objectives upon which the interaction with the Minor is based. For the protection of all concerned, the key safety concept that will be applied to such communications is transparency. The following steps will reduce the risk of private or otherwise inappropriate communication:

- 1) Communication with a Minor that is outside the role of the City employee or volunteer relationship is prohibited.
- 2) Absent emergency circumstances, if a City employee or volunteer needs to communicate directly with a minor via electronic communications (including social media), the minor's parent or legal guardian must be copied. If a Minor communicates to the City employee or volunteer privately first, said employee or volunteer must copy the Minor's parent or legal guardian on any electronic communication response to the Minor.
- 3) Never photograph, film or otherwise record a Minor without the prior consent of the Minor's parent or legal guardian.