

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
MAY 2, 2023

FINAL

Mayor Horrocks welcomed those present at 6:08 p.m.

PRESENT: Mayor Brian Horrocks
Councilmember Lisa Watts Baskin
Councilmember Natalie Gordon
Councilmember Ted Knowlton
Councilmember Stan Porter
Councilmember Alisa Van Langeveld

STAFF PRESENT: Ken Leetham, City Manager; Jon Rueckert, Public Works Director; Craig Black, Police Chief; Karyn Baxter, City Engineer; Jayme Blakesley, City Attorney; Sherrie Pace, Community Development Director; Heidi Voordeckers, Finance Director; Wendy Page, City Recorder.

OTHERS PRESENT: Dee Lalliss, resident; Ashleigh Young, Animal Care of Davis County.

1. PRESENTATION ON ANIMAL CARE SERVICES BY ASHLEIGH YOUNG

Ashleigh Young, Director for Animal Care of Davis County, reported that she had been with Davis County since 2021 and previously for an animal shelter in Oregon. She spoke on several recent changes to the County's ordinances including a universal pet limit in the County, updated rabies code, breeding permits, and kennel permits. Ms. Young explained that these updates would provide for a unified ordinance across the County. She mentioned the possibility of a new shelter and potential tax funding for animal care in 2023.

Councilmember Van Langeveld commented that City ordinance currently specified animals based on the size of the property. She asked if there was anything in the County ordinance that included a consideration of lot size. Ashleigh Young replied that sounded like zoning for agriculture. She said overall they were pushing to allow three pets regardless of property size and responsible pet ownership.

Councilmember Van Langeveld asked if City residents were requesting to have an additional pet above the current two pet per household maximum. Ken Leetham responded that the only animal control calls he had received were complaints and violations but had not received requests to have additional pets.

Ken Leetham asked for an update on the new County licensing requirements. Ashleigh Young said the fees were higher for an unaltered and/or/un-microchipped dog and a one year and three year license which coincided with the rabies license.

Chief Black commented that the police department generally only received calls for dogs at large, neglected animals, and animal bites.

Sherrie Pace mentioned that she received calls related to the City's code allowing two pets, or three pets with a kennel license.

Councilmember Van Langeveld asked if the County code or other cities had ordinances based on lot size/pet limit. Ashleigh Young replied that the only related limit was for kennels to be 100 feet from abutting dwellings.

Mayor Horrocks asked about chickens and roosters. Ashleigh Young commented that chickens and roosters were under the nuisance code related to excessive crowing or any city bans on roosters.

Mayor Horrocks then asked about emotional support animals and exotic pets. Ashleigh Young said emotional support animals and exotic animals were defined in the code with some accommodations/allowances. She explained that emotional support animals were different than service animals which were exempt per State code.

Ken Leetham said the County has provided animal control services in the City for many years. He mentioned the County would enact a property tax to help pay for animal control services and the City would reduce the property tax in a similar amount. He stated the County Animal Service would acknowledge and support any City ordinance if it differed from the County ordinance. He said the County has tried to prepare a set of ordinances that would be acceptable to all 15 cities in the County for easier animal control enforcement.

Ashleigh Young said the plan moving forward was to update the County ordinances, implement a tax levy, and complete a feasibility study for a potential new shelter to be constructed in 2024. She spoke on the animal control policy from 1985 which was catch and kill. She explained this was no longer the practice with programs in place such as a foster care program, outreach, longer care at the shelters, and a higher live release rate.

Ken Leetham commented that staff would update the City ordinances to be presented to the Council for adoption.

Councilmember Van Langeveld expressed concerns about increasing the number of pets to three per household and asked staff to review the 100 foot buffer requirement.

Councilmember Baskin spoke on her submitted comments related to the City's potential adoption of the Davis County Animal Control Ordinance. She indicated that she had submitted those comments to the County Attorney's office.

2. MONTHLY FINANCIAL REPORT FOR PERIOD ENDING MARCH 31, 2023

Heidi Voordeckers reported on the monthly financials for the period ending March 31, 2023 with the full report and the summary included in the packet for review. She spoke on fund balances and shared a table with the fund balances from July 1, 2022, March 31, 2023, and the change from February 28, 2023. She noted the starting balance for July 2022 was \$67,192,059 with an increase to \$83,899,556 by March 31, 2023. She added the change from February to March 2023 was \$2,728,361.

Councilmember Porter asked about the solid waste fund and requested a report on that fund which showed expenses and revenues. Staff agreed to prepare a report and present it to the Council.

3. APPROVAL OF CITY COUNCIL MINUTES

The City Council minutes of April 4, 2023 and April 15, 2023 were reviewed and approved. Councilmember Baskin requested the April 4, 2023 minutes be amended on line 455 to remove "*Councilmember Baskin*" and replace it with "*Councilmember Van Langeveld*" since she thought that was who consented to meet with the residents. Councilmember Van Langeveld confirmed it was her.

Councilmember Gordon moved to approve the minutes of April 4, 2023 and April 15, 2023, as amended. Councilmember Porter seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, Knowlton, Porter and Van Langeveld.

4. ADJOURN INTO CLOSED SESSION

At 6:37 p.m. Councilmember Knowlton moved to go into closed session to discuss the purchase, exchange, sale, or lease of real property. Councilmember Gordon seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, Knowlton, Porter, and Van Langeveld.

5. RECONVENE INTO REGULAR SESSION

At 6:59 p.m. Councilmember Porter moved to adjourn the closed session and return to the regular session. Councilmember Gordon seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, Knowlton, Porter, and Van Langeveld.

City of North Salt Lake

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6. ADJOURN

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

**CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
MAY 2, 2023**

FINAL

Mayor Horrocks welcomed those present at 7:12 p.m. Alisa Van Langeveld offered the thought and Ryan Holbrook led those present in the Pledge of Allegiance.

PRESENT: Mayor Brian Horrocks
Councilmember Lisa Watts Baskin
Councilmember Natalie Gordon
Councilmember Ted Knowlton
Councilmember Stan Porter
Councilmember Alisa Van Langeveld

STAFF PRESENT: Ken Leetham, City Manager; Jon Rueckert, Public Works Director; Craig Black, Police Chief; Karyn Baxter, City Engineer; Jayme Blakesley, City Attorney; Sherrie Pace, Community Development Director; Heidi Voordeckers, Finance Director; Wendy Page, City Recorder.

OTHERS PRESENT: Dee Lalliss, Ryan Holbrook, Jeff Scroger, residents; Eric Beard, Beard Construction.

1. CITIZEN COMMENT

Ryan Holbrook, resident, spoke on the Monday Food Trucks and said these had been great events. He mentioned the 2022 Juneteenth and food truck event and was in support of similar events held in conjunction with the food truck nights in the future.

2. CONSIDERATION OF PLAT AMENDMENT FOR EWC 13 DEVELOPMENT, LLC, COMBINING EAGLEWOOD COVE SUBDIVISION PHASE 13 LOTS 1317 AND 1318 AND VACATING A PUBLIC UTILITY EASEMENT

Sherrie Pace showed an aerial of the location and reported that these properties were in the R1-12 zone. She stated the property owner has requested to combine lots 1317 and 1318 into one single building lot. She noted Lot 1318 was platted as a flag lot with an existing public utility easement along the shared property line between the two lots. She explained the amended lot would relocate the public utility easement to the side property line. She mentioned notifications had been sent to the affected entities and one public comment was received from the Sewer

District who had no concerns regarding the proposed vacation. Ms. Pace continued that the amended lot would be subject to the same requirements and plat notes from the original plat, as well as the subdivision covenants. She indicated minor redline corrections related to the plat note numbering and legal description had been corrected prior to recordation.

Ms. Pace stated the proposed building envelope would exclude the lot area over 30% in slope on the upper portion of the lot and additionally preserved the existing scrub oak on the hillside. She acknowledged a review of the geotechnical study, the new building envelope, and the proposed site plan and final grading plan for the home have been completed by the City Engineer and City Geotechnical consultant and have been found to be in accordance with the approved study. She mentioned the Planning Commission reviewed and recommended approval of the plat amendment.

Councilmember Gordon asked about the buildable area and the public utility easement located within the new buildable area. Sherrie Pace replied that the easement would be relocated to the side property line and showed the proposed location on a site plan.

Councilmember Porter moved that the City Council approve the plat amendment combining Eaglewood Cove Subdivision, Phase 13, lot 1317 and lot 1318 and vacating a public utility easement on the property located at 1363 East Wood Oaks Loop with the following condition:

1) Correction of engineering and planner redlines.

Councilmember Van Langeveld seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, Knowlton, Porter and Van Langeveld.

3. CONSIDERATION OF AWARD OF BID FOR HA5 ASPHALT PRESERVATION TO HOLBROOK ASPHALT FOR \$57,497.73

Jon Rueckert reported on the asphalt preservation project for 4100 South, 825 West, 4050 South, 900 West, 4000 South, 850 West, 825 West/3900 South, and 3600 South which were part of the preservation schedule. He noted the funding for this project was part of the budget with allocations of C Road Funds collected from the State. He added this project included 21,300 square yards of Ha5 for \$57,497.73.

Councilmember Gordon asked about obtaining alternate bids. Jon Rueckert replied that this was the sole source provider of the product.

Karyn Baxter commented that they were continuously reviewing similar products and would open the public bid once a comparable product became available.

Councilmember Porter moved the City Council approve the bid award for Ha5 High Density Mineral Bond for \$57,497.73 to Holbrook Asphalt. Councilmember Knowlton seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, Knowlton, Porter and Van Langeveld.

**4. CONSIDERATION OF A CHANGE ORDER AND AWARD OF BID FOR
SYNTHETIC SOFT FALL TURF INSTALLATION AT CALEB, OLDHAM, AND
STONEHENGE PARKS TO SONNTAG RECREATION FOR \$73,850**

Jon Rueckert reported that this change order was part of the purchase and installation of new playground equipment that was recommended by the Parks and Arts Committee and previously approved by the City Council. The current soft fall material installed at these parks was engineered bark and would need to be removed prior to the installation of the new equipment. Staff recommended that synthetic soft fall turf be installed rather than new mulch to minimize maintenance of replacing mulch material. The budget for this project would come from the Parks Annual Repair & Replace budget.

Councilmember Van Langeveld asked if the playground replacement at these specific parks was due to the replacement plan or issues at the park. Jon Rueckert replied that they were due for replacement as part of the plan.

Councilmember Gordon moved the City Council approve the change order for synthetic soft fall turf installation at Caleb, Oldham, and Stonehenge pocket parks to Sonntag Recreation for \$74,850. Councilmember Van Langeveld seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, Knowlton, Porter and Van Langeveld.

**5. CONSIDERATION OF RESOLUTION 2023-19R: A RESOLUTION ADOPTING THE
FISCAL YEAR 2023-2024 TENTATIVE BUDGET AND SETTING A PUBLIC
HEARING DATE**

Ken Leetham reported that this action of adopting the fiscal year tentative budget was required per State law. He stated this would not be the adoption of the final budget but would put the tentative budget on public display for review and set a public hearing date on June 20th. He noted the tentative budget had proposals for three new part time crossing guard positions, increased operational costs for South Davis Metro Fire assessment, an increase in the health insurance premium, and a proposed 6% cost of living adjustment (COLA).

Heidi Voordeckers reported on the adjustments made from the March City Council budget meeting in the total of \$40,000. She stated this included an \$8,000 increase in the elections budget, revenue of \$90,000 the General Plan project from a grant, \$90,000 in expenditures for the General Plan project, professional/technical services for economic development for the Town Center Market Study, personnel services for the justice court, and the RAP Tax debt service.

Ken Leetham said the public hearing would be held June 20th and the final budget was required to be adopted by June 22nd.

Councilmember Van Langeveld moved the City Council approve Resolution 2023-19R: a resolution adopting the Tentative Budget for fiscal year 2024 and setting a public hearing date of June 20, 2023 at 7:00 p.m. Councilmember Porter seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, Knowlton, Porter and Van Langeveld.

6. CONSIDERATION OF ORDINANCE 2023-06: AMENDING CITY CODE TITLE 9, CHAPTER 1, SECTION 3-RETAINING WALLS

Sherrie Pace reported that the proposed amendment was to clarify and improve regulations related to the safety and design of retaining walls. She reviewed the following proposed changes to City code Title 9: 1) all retaining walls will at a minimum require a land use permit. There will be no fee associated with the review and will ensure that Planning, Building, and Engineering have determined that walls which are subject to additional geologic hazards review will be identified prior to installation. It will also ensure that citizens can be assured that the retaining wall meets the standards established within all sections of the City code for placement and design. 2) Clarification of how the height of a retaining wall is measured. 3) Referencing Title 10, Chapter 12 and establishing those areas that are subject to a geologic hazards review. 4) Clarifying the submittal requirements for the site plan associated with a building permit for a building permit, specifically: a. An engineering site plan with property boundaries, setbacks, easements, building envelopes, and existing/proposed grading (topo lines); b. Location of retaining walls and height of wall(s); c. Extent of proposed cuts and fills; and d. Shading of all areas on the property greater than 30% slope. 5) Establishes criteria for an exception to the maximum height of a wall or wall system for the following: a. Subdivision walls approved as part of an overall improvement plan; b. When necessary to address a geologic hazard; or c. To repair existing walls. 6) Clarify the setback of a wall from a building. 7) Reiterate that the more restrictive regulation shall apply when any conflict exists between a regulation in this title and any regulation in other City codes.

Councilmember Porter asked if this Ordinance included language pertaining to rock retaining walls. Sherrie Pace replied that there was existing rock retaining wall language in the ordinance and these amendments would apply to those as well.

Councilmember Gordon gave an example of a retaining wall type in Foxboro and the need for permits. Sherrie Pace replied that there would be an outreach campaign to ensure that each retaining wall was reviewed for compliance to the ordinance.

Karyn Baxter commented there was no minimum retaining wall height defined intentionally to ensure that all retaining walls were reviewed. She said the majority of residents in Foxboro

would not need to draw a site plan but there were some retaining walls and grade changes that did occur in that area. She noted in areas of grade change they could be handled through the land management permit to be reviewed at no cost by the Planning Department.

Councilmember Van Langeveld asked about things built below grade such as a pond. Karyn Baxter replied that anything built for retaining below grade would not be applicable in this Code section, but may need a permit related to other adopted code requirements. She said staff preferred to review any retaining walls that cut into the ground or near a slope.

Councilmember Knowlton moved that the City Council approve Ordinance 2023-06 amending City Code, Title 9, Section 3 pertaining to the construction of retaining walls, with the following findings:

- 1) The proposed amendments improve regulations related to the construction of retaining walls for the protection of the health, safety, and welfare of the citizens of North Salt Lake; and
- 2) Changed or changing conditions make the proposed amendment reasonably necessary to carry out the “purposes” stated in this title.

Councilmember Baskin seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, Knowlton, Porter and Van Langeveld.

7. CONSIDERATION OF APPROVAL OF POLLING LOCATIONS AND VOTE CENTERS FOR THE 2023 MUNICIPAL ELECTION

Wendy Page reported that statutorily the municipal legislative body must approve the election day polling locations and vote centers in their jurisdiction. She recommended the City Council approve North Salt Lake City Hall as the Election Day polling location in the City of North Salt Lake and also approve the designated Vote Centers throughout Davis County as outlined in the staff report for the 2023 Municipal Elections.

Councilmember Porter moved the City Council approve North Salt Lake City Hall as the Election Day polling location in the City of North Salt Lake and also approve the designated Vote Centers throughout Davis County as outlined for the 2023 Municipal Elections. Councilmember Van Langeveld seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, Knowlton, Porter and Van Langeveld.

8. ACTION ITEMS

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

Councilmember Knowlton asked to add the Form-Based Code as an action item. He asked for an update. Sherrie Pace replied staff wanted to reevaluate the Form-Based Code with the General Plan update and potentially hiring an architect to assist with the creation of urban design concepts within the Town Center area.

Councilmember Porter requested a dog waste receptacle at Tunnel Springs Park right off the trail at the south end of the park near the gravel parking lot.

9. COUNCIL REPORTS

Councilmember Knowlton spoke on the Kite Festival event at 9 a.m. on May 6th at Tunnel Springs Park and the Golden Spoke event at noon on May 13th at Legacy Park. He suggested a charrette for urban design and parking in the Town Center.

Councilmember Baskin thanked those who participated in the Arbor Day event. She asked for feedback on what elected officials expected from a city attorney to present at the Utah Municipal Attorneys Association.

Councilmember Knowlton commented on the address change for the annexation area to be considered in 2024. He asked if this was something that could be determined at a later date or by a future City Council. Councilmember Porter said he had no intention of forcing someone to change their address and mentioned the possibility of dual addresses.

Councilmembers Baskin and Van Langeveld were in favor of further discussing as an agenda item.

Councilmember Porter commented on the Arbor Day event at Tunnel Springs Park.

Councilmember Gordon shared a story about an automobile/bicycle accident on 1100 North and the need to proceed with a bike lane and signage to keep bicyclists safe.

Councilmember Van Langeveld reported on the Foxboro Elementary 5th grade field trip to the golf course on May 17th at 10 a.m. She mentioned attending the Utah League of Cities and Towns Conference.

Councilmember Van Langeveld provided an update on the Cultural and Food Truck Night events for 2023 which included June 12th Juneteenth event, Pride event on June 26th, Pacific Islander event in August, and a Hispanic/Latinx event in September.

10. CITY ATTORNEY'S REPORT

Jayme Blakesley had nothing to report.

11. MAYOR'S REPORT

Mayor Horrocks reported that there were several cities in Davis County who were considering raising taxes this year. He said the Youth City Council would like to perform a service project at the community garden. He noted the Arbor Day event was well attended with over 100 individuals participating. He mentioned the Spring Cleanup event and how many residents did not have access to trucks or trailers to bring items to the Public Works location. He suggested curb pickup or a second Saturday pickup be a future consideration.

Mayor Horrocks reported that the Golf Course open house would be held on May 11th from 5 p.m. to 9 p.m.

12. CITY MANAGER'S REPORT

Ken Leetham reported on the Golf Course and The Grill open house. He mentioned that there would be food, music, and a ribbon cutting ceremony.

Ken Leetham commented that staff could provide a report on May 16th regarding the potential annexation address change. He asked about forming a subcommittee to review this item. The Council had a conversation and determined that this item would not be discussed or acted upon until February or March in 2024.

13. ADJOURN

Mayor Horrocks adjourned the meeting at 8:32 p.m.

The governing body immediately reconvened as the Redevelopment Agency and those minutes are in a separate location.

The foregoing was approved by the City Council of the City of North Salt Lake on Tuesday, May 16, 2023 by unanimous vote of all members present.



Brian J. Horrocks, Mayor



Wendy Page, City Recorder