

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-WORK SESSION  
ANCHOR LOCATION: CITY HALL  
10 EAST CENTER STREET, NORTH SALT LAKE  
SEPTEMBER 20, 2022

**FINAL**

Mayor Horrocks welcomed those present at 6:10 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; Karyn Baxter, City Engineer; David Frandsen, Assistant City Manager; Heidi Voordeckers, Finance Director; Craig Black, Police Chief; Todd Godfrey, City Attorney; Sherrie Pace, Community Development Director; Wendy Page, City Recorder.

OTHERS PRESENT: Dee Lalliss, Conrad Jacobson, residents.

1. PRESENTATION-MONTHLY FINANCIAL REPORT FOR PERIOD ENDING JULY 31, 2022

Heidi Voordeckers reported the City's external auditors had determined that the monthly summary financial report, required per the Uniform Fiscal Procedures Act for Cities, should now be publicly presented to meet statutory requirements. She explained an added benefit of providing detailed statements from the City's financial system was that it allowed the governing body to oversee and monitor areas of interest such as individual budgets of various boards and committees, etc. She presented the financial report through July 31, 2022 and said this was about 8% into the fiscal year. She noted revenues were at 8% collected and expenses were 10% expended in the General Fund with all other funds tracking as expected. She pointed out that tax revenues received in July were posted back to June as they were for collections that occurred in June. She stated there would be no tax revenues for July and August as they were booked back to the period they were collected in. She mentioned there were some variances from year to date due to the timing of some payables as well as interfund transfers which were now being recorded monthly instead of quarterly.

Mayor Horrocks commented sales tax was more than double the property tax. Heidi Voordeckers replied this had been a change within the last five years due to online collection and the large

amount of growth during COVID. She said even though sales tax was generally a larger percentage of revenue that this amount was not typical and may level out.

Mayor Horrocks commented at some point the Council would need to address the property tax deficiency as the sales tax may not always balance out.

## 2. PRESENTATION-PROPERTY TAX OVERVIEW

Heidi Voordeckers reported on how property taxes had not been increased, as there was no truth in taxation, but tax bills were increasing for residents. She explained the overall process of how municipal property taxes worked in Utah. She mentioned the way property taxes worked was calculated by valuations as of January 1<sup>st</sup> of each calendar year. She stated the County Assessor would assess each property and provide the tax rule of assessments to the County Auditor by May 22<sup>nd</sup>. She noted this was performed through a computerized model, a multi factor assessing program, and each property also received an in person appraisal or assessment every five years. She acknowledged this data was provided to the County Auditor and reviewed for variances from prior years such as properties that lost residential exemptions. Ms. Voordeckers said the valuation was then used in the certified tax rate calculation which was calculated by backing into the tax rate based on last year's tax revenues. She reported the certified tax rate was adjusted for new growth, increment value, delinquencies, abatements, and equalizations.

Heidi Voordeckers explained the tax rate calculation for four homes with differing values, which was more realistic scenario, and how the tax burden was shifted amongst the properties for a total tax revenue of \$1,000. She spoke on new growth which required the taxing entity to cover additional services created by the new property. She acknowledged the new revenues from growth was not intended to offset inflation or pay for the services of existing taxpayers. She reported as of January 1, 2022 there were 5,669 primary residences and 55 secondary residences in the City with an average market value of \$575,000 and an average taxable value of \$316,000. She stated there were two tax areas in the City including Tax Area 44 with a combined rate of .010017 for a tax bill on the average value home of \$3,168. Ms. Voordeckers noted the other Tax Area 45 had a combined rate of .010142 for a tax bill on the average value home of \$3,207. She mentioned the difference was that Tax Area 45 had an additional taxing entity which is South Davis Water.

Ms. Voordeckers detailed the \$3,168 tax bill per taxing entity with 11% to Davis County, 1% to Assessing and Collecting, 64% to Davis School District, 9% to the City, 2% to Weber Basin Water, 1% to mosquito abatement, 3% to the Sewer District, 2% to the Recreation District, 5% to the Fire District, and 2% to the County Library. She said on a \$575,000 market value home with an average taxable value of \$316,000, the City would collect \$295 a year on that home when multiplied by the 5,669 primary residences and 55 secondary residences for a total of \$1.6 million in revenue. She stated this was about equal to the amount the City paid for fire services

to South Davis Metro Fire. She mentioned all other services the residents paid for were coming from other revenue streams.

Heidi Voordeckers reviewed the real property values calculation again and said other factors that impacted this were the values in redevelopment project areas including increment value. She stated this was the difference between the project base value and the current value and the value given up to participate throughout the life of that project. She explained when those project areas ended the City would then receive project area new growth value and resulted in an overall baseline budget revenue that was collected. She noted other things that affected the tax calculation was a modifier on the collection rate for eligible new growth as well as abatements. She said the certified tax rate was based on adjusted revenues, Board of Equalization adjustment, 5 year average collection, proposed tax rate, and collection rate adjusted eligible new growth. The biggest impact would be a declining delinquency and collection rate.

Ken Leetham asked if the property tax revenue that was attributed to new construction/growth in the City was the actual amount. Heidi Voordeckers replied the formula took the values, removed reappraisals, adjusted for collections, and the balance was considered new growth.

Ms. Voordeckers answered the question of why residents may be paying a higher tax amount if there was not a tax increase. She said it was because of the ad-valorem or value based tax that depended on how the property either gained or lost value proportionate to the overall taxable value of the tax area that year. She indicated some of the reasons for a change in value included a change in property characteristics making it eligible for a greenbelt exemption, a shift in tax burden based on location, or a shift in tax burden between residential and commercial. She explained that property values typically increased 8% per year in each city in Davis County but when housing values started to increase some of the more affordable areas increased at a higher rate such as Sunset and West Point to near 12% which shifted the tax burden to the rest of the County.

Councilmember Baskin was surprised the City only received 9% and asked how the total tax base property tax was set. Heidi Voordeckers explained when the City initially adopted the resolution to collect property tax the assessed value at that time was set as the base year. She reported it had increased as new properties were established. Ken Leetham commented that each year the process would continue as described unless the City went through a truth in taxation hearing to collect more property tax revenues.

Mayor Horrocks said the City had held one truth in taxation hearing to collect additional taxes once in the last 25 years.

Councilmember Baskin asked if the City was able to function within the budgeted revenues. Heidi Voordeckers replied the sales tax growth had attributed to that ability.

Mayor Horrocks said the County provided the new certified tax rate that the City adopted every year.

Councilmember Knowlton said the concept of property tax was a better hedge against recession than sales tax. Heidi Voordeckers responded property tax was extremely stable. She explained if there was a drop in sales tax and the City was unable to support the services they had budgeted to provide, then this was something to review. She indicated staff was very conservative in sales tax growth projections based on historical data as the sale tax increase was temporary.

Mayor Horrocks commented Woods Cross had a substantial 73% tax increase recently and felt it would be better to have smaller increases each year.

Councilmember Gordon said one of the reasons Woods Cross stated for the increase was the cost of the bridge. Ken Leetham clarified that Woods Cross City would be participating in the bridge project.

Ken Leetham said the City should continue to build on the formation of a property tax policy to be adopted. He explained most communities avoided truth in taxation and property tax increases until the need became so acute that a large rate change was necessary. He added one view was to stay ahead of inflation based on an index for either an annual or every five year increase.

Councilmember Baskin compared this policy to a general plan as it would be updated regularly. She said the policy would be less emotional and more rational as the City would be planning ahead.

Mayor Horrocks said one argument by citizens was that when things were tough, they had to tighten their belts but the City raised taxes and did not do without.

Councilmember Porter mentioned the City tightened its belt by not putting as much money into road maintenance. He said the City was paying for that currently by having to put more into roads. He suggested Heidi's comment about how property taxes only covered the Fire District service be put into the City newsletter.

Ken Leetham clarified the City was fiscally sound and would remain that way. He said the proposal for annual property tax increases was just a choice the City Council could make.

Councilmember Baskin asked if the City had a rainy day fund. Heidi Voordeckers replied the City had a rainy day fund in Capital Reserves.

Ken Leetham said the Fire District adopted several financial policies including a target or goal to maintain a rainy day fund. He explained these types of policies were good guidelines to help governing boards keep things on track. Ken Leetham further stated that it would be good to build

upon the information shared by Heidi Voordeckers by creating financial policies like a property tax policy and a general fund balance policy.

### 3. APPROVAL OF MINTUES

The City Council minutes of September 6, 2022 were reviewed and approved.

**Councilmember Baskin moved to adopt the minutes of September 6, 2022 of the City Council meeting, as written. Councilmember Van Langeveld seconded the motion. The motion was approved by Council Members Baskin, Gordon, Knowlton, Porter, and Van Langeveld.**

### 4. ACTION ITEMS

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

Ken Leetham said staff would work to put deadlines for feedback, presentations, or completion of the assignment.

### 5. ADJOURN

Mayor Horrocks adjourned the meeting at 6:56 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  
SEPTEMBER 20, 2022

**FINAL**

Mayor Horrocks welcomed those present at 7:15 p.m. Lisa Baskin offered the thought and 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; Karyn Baxter, City Engineer; David Frandsen, Assistant City Manager; Heidi Voordeckers, Finance Director; Craig Black, Police Chief; Todd Godfrey, City Attorney; Sherrie Pace, Community Development Director; Wendy Page, City Recorder; Ali Avery, Long Range Planner.

OTHERS PRESENT: Dee Lalliss, resident; Brad Nelson, Spectrum Academy.

1. CITIZEN COMMENT

There were no citizen comments.

2. CONSIDERATION OF PRELIMINARY PLAN AND FINAL PLAT APPROVAL FOR PHOENICIA PLACE SUBDIVISION, A TWO LOT COMMERCIAL SUBDIVISION AT 480 NORTH CUTLER DRIVE, BRAD NELSON, SPECTRUM ACADEMY, APPLICANT

Sherrie Pace reported the four acre property, located at 480 North Cutler Drive, fronted both Redwood Road and Cutler Drive. She stated the concept plan was approved by the City Council on July 19, 2022. She noted the Development Review Committee (DRC) requested the applicant dedicate additional right of way on Cutler Drive to accommodate possible future widening of the street and would only be utilized if needed. She said the DRC also requested additional right of way be dedicated on Redwood Road for the trail improvements or a public use and trail easement. She explained Lot 1 would be purchased by Spectrum Academy for athletic fields and a new high school would be built on the existing fields.

Ms. Pace reported the Planning Commission reviewed with a recommendation for approval and all redlines were completed.

**Councilmember Knowlton moved that the City Council approve the preliminary plan and final plat for Phoenicia Place Subdivision at 480 North Cutler Drive with no conditions. Councilmember Van Langeveld seconded the motion. The motion was approved by Council Members Baskin, Gordon, Knowlton, Porter, and Van Langeveld.**

Mayor Horrocks commented that he received an invitation from Spectrum Academy for the groundbreaking on October 12<sup>th</sup> at 4 p.m. and invited those interested to attend.

3. CONSIDERATION OF RESOLUTION 2022-34R: A RESOLUTION AMENDING THE CITY OF NORTH SALT LAKE GENERAL PLAN UPDATING THE MODERATE INCOME HOUSING ELEMENT AND APPROVING THE ANNUAL HOUSING REPORT

Ali Avery reported the State required each city to prepare a General Plan to address the present and future needs and to guide development. She explained one element of the General Plan was a Moderate Income Housing Element with three requirements including providing a realistic opportunity to meet the need for additional moderate income housing within the next five years, select three or more moderate income housing strategies, and an implementation plan with benchmarks for what and when. She stated the City was required to report to the State annually, by October 1<sup>st</sup>, on progress made pertaining to the Moderate Income Housing Element. She mentioned this effort was an update of the implementation section only of the Moderate Income Housing Element and approving the annual report. She indicated staff planned to update the entire plan next year in anticipation of updating the General Plan as well.

Ms. Avery stated the Planning Commission recommended two changes including a revision date clarifying that only the implementation section was updated. She mentioned the second change was the addition of implementation strategy, 3.1.2 to create a City sponsored Home Repair Grant Program to provide grants for low to moderate income homeowners to make needed repairs to their homes. She acknowledged the reason for this strategy was that Davis County pulled funding for their CDBG Fund which the Housing Authority used for their emergency repair and roof repair programs. She noted this meant there was currently no funding for low income homeowners.

Mayor Horrocks asked if the City had a housing fund from the CDA. Ken Leetham replied there were funds that could be used for this purpose.

Ali Avery commented that the main focus of the revisions were to match the wording from State Code as there was a requirement for the implementation strategy wording to match exactly. She stated specific implementation strategies and timing benchmarks were also added.

**Councilmember Porter moved that the City Council adopt Resolution 2022-34R: a Resolution amending the Moderate Income Housing Element of the General Plan and approving the 2022 housing report with the following findings:**

- 1) The State legislature has determined that cities must facilitate a reasonable opportunity for a variety of housing, including moderate income housing; and**
- 2) The proposed draft meets the requirements of the State Code to address moderate income housing.**

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

4. CONSIDERATION OF RESOLUTION 2022-35R: A RESOLUTION ENDORSING AND SUPPORTING AN APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES GRANT (BRIC) FOR THE RECONSTRUCTION OF THE HONEY WELL PUMP HOUSE BUILDING AND AUTHORIZING MATCHING FUNDS

Ali Avery reported that staff had applied for Federal Emergency Management Agency (FEMA) BRIC grants in the past including the Springhill Landslide as well as generators. She indicated the City Engineer requested grant funding for the Honey Well Pump House as subsidence has been observed on the western side of Davis County due to the falling aquifer levels thought to be caused by receding water levels of the Great Salt Lake. She explained the Honey Well Pump Station had been dramatically impacted by subsidence with settlement of more than six inches from the original elevation. She noted the piping remained in place while the building had begun to sink. She mentioned this well was critical infrastructure as it served approximately 20% of the City's residents.

Ms. Avery stated grant funds would be used to reconstruct the entire building including flooring, pipes, etc. on approximately 70 foot deep drive piles to stabilize the facility against continued subsidence. She acknowledged additionally with the reconstruction of the building, the critical facility would meet current seismic standards and make it more resilient to potential earthquakes. She reported the total project cost was \$1,345,000 with a grant request of \$941,500 or 70% and a City match of \$403,500 or 30%. She indicated the required minimum match was 25% but the minimum match for a more competitive match was 30%. She stated these funds would be expended in 2023-2024.

Councilmember Baskin commented the location of the Honey Well Pump House was not specified. Ali Avery replied the location of wells, pump stations, and water facilities was protected information.

Karyn Baxter said the City had a well field from 900 North into Woods Cross. She added this included three City wells and other entities who had wells in the same well field. She said the address could not be published to protect public drinking water sources.

Mayor Horrocks asked if the 70 foot piles would work in both directions including drought and a wet cycle. Karyn Baxter responded there were layers of soil including a stabilization layer and consolidated layers. She said if the ground did rise it would not damage the building.

Councilmember Porter asked if other buildings were having similar problems. Karyn Baxter replied other buildings in Woods Cross were experiencing subsidence but at this location the ground was settling somewhat uniformly. She said the well was anchored and appeared to be pushing out of the ground.

**Councilmember Van Langeveld moved that the City Council approve Resolution 2022-35R authorizing the submittal of a FEMA BRIC grant application seeking funds for the reconstruction of the Honey Well Pump House and authorizing matching funds. Councilmember Porter seconded the motion. The motion was approved by Council Members Baskin, Gordon, Knowlton, Porter, and Van Langeveld.**

5. CONSIDERATION OF INCREASED FUNDING OF \$55,000 FOR THE REDWOOD ROAD WEST SIDE PATH CONNECTIONS PROJECT

Karyn Baxter reported the Redwood Road West Side Path Connections Project was funded through the Statewide Transportation Improvement Program (STIP) in the spring. She noted in February 2022 the City Manager approved a change order for the project to cover the increased cost of the right of way. She continued all preconstruction work had been completed including property acquisition, design engineering, and environmental studies. She showed an overhead view of the project with the sections included in the project and the completed sections. She stated the bid results were \$80,000 over the engineer's estimate. She reported UDOT had agreed to pay \$25,000 and the City would be required to pay an additional \$55,000 for a total project amount of \$472,163. She acknowledged if the City did not complete the project all funds would need to be paid back including the property acquisition and engineering. She indicated the recommendation would be to approve the increased costs of \$55,000.

Mayor Horrocks asked about a six foot wide path in this area. Karyn Baxter replied there was an option to reduce the scope of the project. She added option one would be to cancel the project and repay the funds. She noted the second option would be to reduce the scope of the project including the reduction to two parcels. She explained this would potentially lower the overall project cost but would require rebidding the project with revised plans. She reported the third option would be to complete the project as bid which would require the City to pay an additional \$55,000. She mentioned this was the preferred option as the cost to increase from the engineer's estimate was directly related to rising construction costs. Ms. Baxter continued it was not

anticipated that construction costs would decrease in the future, and the new path connected Robinson Drive to an existing path on the north end of the project so shortening the trail would result in a gap which would need to be connected at a future date for any meaningful connection.

Mayor Horrocks commented that he did not recommend not completing the project but reducing the trail from eight feet to six feet. Karyn Baxter replied she did not ask about this option but could do so.

Councilmember Porter said the equipment for a six foot trail was specialized and the eight foot wide trail was common. He indicated this meant that only certain companies provided a six foot trail and may cost more.

Councilmember Van Langeveld commented there was an opportunity to make Foxboro a walkable neighborhood which was encouraged by wider walkways and ease of access.

**Councilmember Porter moved that the City Council authorize City staff to proceed with the Redwood Road West Side Path Connections Project including an increase in the project cost of \$55,000. The Council further instructed City staff to prepare a future budget adjustment to include the cost increase. Councilmember Knowlton seconded the motion. The motion was approved by Council Members Baskin, Gordon, Knowlton, Porter, and Van Langeveld.**

6. CONSIDERATION OF ORDINANCE 2022-06: AN ORDINANCE AMENDING THE CITY'S CODE, TITLE 7-PUBLIC WAYS AND PROPERTY, RELATED TO EXCAVATIONS WITHIN THE CITY

Karyn Baxter reported the purpose for this ordinance was because there were existing ordinances in place controlling what could be done for street excavations. She reported current restrictions for excavations in new streets were five (5) years for new streets and three (3) years for resurfaced streets. She noted there were no current exceptions provided in the City Code and no defined guidelines for exceptions that should happen. She indicated exceptions had occurred specifically for approved building lots in commercial and industrial areas that did not have utilities stubbed. She acknowledged this ordinance would provide a definition for new streets and resurfaced streets. Ms. Baxter continued the definition for new streets would be any road receiving three (3) inches or more of new asphalt. She added a resurfaced street would be an overlay of less than three (3) inches of bonded matrix overlay or chip seal. She stated defined exceptions would be approved building lots, other exceptions as granted by the City Council, and all exceptions shall be in accordance with adopted standards and specifications.

Mayor Horrocks asked if the patching guidelines were adequate. Karyn Baxter shared the standard drawing of design requirements for new and resurfaced streets which applied to approved exceptions for street cut moratoriums for five (5) years for new streets and three (3)

years for resurfaced streets. She reported requirements included a standard T patch, paving the full surface of the road, milling on four feet on all sides of the patch, milling fourteen feet, and then repaving the road. She stated the seam could not be placed on a wheel pack or within 33 inches of the edge of the road such as the curb and gutter. She mentioned the intent was to prevent the deterioration of the road when excavation was warranted in a new road.

Councilmember Porter asked if there was a charge per square foot or the size of the cut. Karyn Baxter replied part of the permit excavation process involved the amount of square footage cut in the road. She said fines or fees were charged per the City's fee schedule.

Ken Leetham commented the code amendment provided definitions to support a policy. He said these standards for cuts would be added to the standards and specifications.

**Councilmember Porter moved that the City Council approve Ordinance No. 2022-06 amending Title 7 of the North Salt Lake Code. Councilmember Van Langeveld seconded the motion. The motion was approved by Council Members Baskin, Gordon, Knowlton, Porter, and Van Langeveld.**

7. CONSIDERATION OF RESOLUTION 2022-36R: A RESOLUTION AMENDING THE CITY CONSTRUCTION STANDARDS AND SPECIFICATIONS MANUAL RELATED TO ASPHALT REGULATIONS

**Councilmember Porter moved that the City Council approve Resolution No. 2022-36R, amending the adopted Standards and Specifications Manual for Public Infrastructure for Asphalt Patching. Councilmember Van Langeveld seconded the motion. The motion was approved by Council Members Baskin, Gordon, Knowlton, Porter, and Van Langeveld.**

8. CONSIDERATION OF AN EASEMENT ON CITY PROPERTY ADJACENT TO 725 EAST REQUESTED BY ROCKY MOUNTAIN POWER

Karyn Baxter reported the City signed a lease agreement in 2018 with Verizon Wireless to lease the northeast corner of the Morton property for a cell tower. She stated Verizon requested an easement for Rocky Mountain Power. She indicated there was not an existing public utility easement along this road as it was not part of a platted subdivision. She mentioned there was an existing transformer at the Morton Pump Station at the southeast corner of the lot. She noted the original request for the easement to run along the frontage of 725 East had been declined per staff due to a large number of conduits, water pipes, etc. in that location. She said the proposed easement path for the power supply to this structure would be across the existing City property. Ms. Baxter highlighted the proposed easement on a map for those present.

**Councilmember Baskin moved that the City Council approve the attached easement with Rocky Mountain Power and authorize the Mayor to sign the approved easement and any**

**other documents needed to execute the subject easement. Councilmember Porter seconded the motion. The motion was approved by Council Members Baskin, Gordon, Knowlton, Porter, and Van Langeveld.**

## 9. COUNCIL REPORTS

Mayor Horrocks asked that the senior lunch bunch be placed on the next Council agenda.

Councilmember Porter reported on the successful Get To The River Event on Saturday. He said there were approximately 80 participants in attendance and many were able to float down the river.

Councilmember Van Langeveld reported on the Health and Wellness Committee meeting including brainstorming goals such as reviewing active transportation, walkability, and safe access to schools. She stated the second goal was access for seniors in the City and partnering with the senior lunch bunch to see what services they would like to see.

Councilmember Van Langeveld said that the Foxboro Student Council was partnering with the Youth City Council next Tuesday for the mobile food pantry.

## 10. CITY ATTORNEY'S REPORT

Todd Godfrey had nothing to report.

## 11. MAYOR'S REPORT

Mayor Horrocks reported on his meeting with the Kaysville Mayor and also a city councilmember. He said they were appreciative of the letter related to the tragedy during the July holiday.

Mayor Horrocks mentioned the fall cleanup this weekend in coordination with Public Works.

Mayor Horrocks said that South Davis Metro Fire had lost five firefighters related to wages and training. He mentioned the residents of Jackson Mississippi filed a class action lawsuit against the City for unclean water.

Mayor Horrocks commented that he had received a call related to dust from the gravel pit. He said it was pretty bad and the resident suggested an oil based dust reducer.

Ken Leetham said this was a frustrating issue and staff had reached out to Hughes this summer. He explained some of it was weather related and some was due to changes in operations at the pit. Mr. Leetham commented Hughes was not responsive and claimed they were in complete

compliance with the State. He said staff then reached out to the State and alerted them to the fact that they were not inspecting the pit when the dust was particularly bad. He stated it was suggested that they do a surprise inspection and at times when the dust was excessive. He said the problem could be that gravel pits were a land use that was important to the State as an economic driver.

Councilmember Baskin asked if the homeowners located above the gravel pit had complained. Ken Leetham replied staff had not received complaints from those homeowners. He said staff would continue to work on this issue.

Councilmember Porter said in the past a committee of residents and gravel pit employees met once a month. He mentioned the bigger problem was the roads collected dust and caused health issues via air quality.

## 12. CITY MANAGER'S REPORT

Ken Leetham reported on the fall cleanup and said historically that staff received many compliments on this service. He reported that on October 5<sup>th</sup> the main auditorium at Adelaide Elementary was reserved for a neighborhood meeting about changes related to the annexation. He confirmed with County Commissioner Elliot that the desire was to incorporate all of the unincorporated urban territories. He acknowledged the County Commission would hold a public hearing on September 27<sup>th</sup> including a resolution to recommended the annexation of this territory into the City of North Salt Lake.

Councilmember Van Langeveld mentioned the annexation documents and said it would be helpful if an addendum was created explaining why the annexation would be beneficial to the City and its current residents.

Ken Leetham said after talking to several residents that were in opposition and in favor of the annexation, his approach was that these types of islands should be corrected and part of cities so services could be provided more cost effectively.

Councilmember Van Langeveld also said that it should be stated that Bountiful did not want to annex the area.

Councilmember Knowlton said there was language in State law regarding annexation and not creating a peninsula. He mentioned if Bountiful wanted to annex the area that it would cause a peninsula. Todd Godfrey replied that the definition of a peninsula was clear and felt this would likely meet this definition.

Councilmember Baskin explained she had reviewed State law 10-2-402 related to annexations before the meeting which stated "an unincorporated area may not be annexed to a municipality

unless the area was contiguous, the unincorporated area was contiguous to the municipality, and the annexation will not leave or create an unincorporated island.” She said it was clear in the Code that the City could not create a peninsula.

Todd Godfrey said there was a specific definition with measurements and asked if that had been determined on how it would affect Bountiful. Sherrie Pace replied it would not create an unincorporated peninsula or island but would actually fix the problem regardless of what city annexed the area. She said Bountiful had annexed every area within their annexation declaration but the City had not annexed the proposed area because no petitions had been received.

Councilmember Porter explained the entire area had petitioned to annex into Bountiful but a group came together and removed the signatures from the petition and the entire area did not become part of Bountiful. The area was then divided into four sections with one section annexing into Bountiful, one section including Odell Lane annexed into the City, and the remainder stayed unincorporated. He said many residents felt it was unfair that the County area was not part of a city as they did not pay for parks but still utilized them.

Councilmember Porter mentioned other issues including the current name of the City and how commercial businesses liked the current name while those in the annexation area did not.

Councilmember Van Langeveld suggested that the County increase the taxes for those in the unincorporated area to encourage them to annex into a city.

Councilmember Knowlton said the City was not initiating the annexation. He added the County was initiating the annexation of the unincorporated areas.

Ken Leetham reported that he met with an investor who was interested in a location to build indoor tennis and pickleball courts. He mentioned this investor was interested in property at Tunnel Springs Park. He suggested that several elected officials could attend a meeting with the investor and staff.

Councilmember Van Langeveld was not in favor of leasing or selling City property in parks. Councilmembers Baskin and Gordon were in agreement.

Mayor Horrocks mentioned there were ways to structure things like this. He said the city of Murray had an agreement with a developer to create a sports mall with tax breaks and incentives. He acknowledged the facility eventually became the property of Murray City. He explained the City had land it could not afford to develop and this investor was willing to put in sports courts.

The City Council had a brief discussion and several Councilmembers were interested in attending an informal meeting with the investor to gather more information.

13. ADJOURN

Mayor Horrocks adjourned the meeting at 8:34 p.m.

*The foregoing was approved by the City Council of the City of North Salt Lake on Tuesday October 4, 2022 by unanimous vote of all members present.*

  
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Brian J. Horrocks, Mayor

  
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Wendy Page, City Recorder