



CITY OF NORTH SALT LAKE

CITY COUNCIL MEETING NOTICE & AGENDA FEBRUARY 21, 2023

Notice is given that the City Council of the City of North Salt Lake will hold a regular meeting on **February 21, 2023** at City Hall, 10 East Center Street, North Salt Lake, Utah. The Mayor and City Council will meet for a walking tour of the Bamberger Historic District at 5:00 pm in the west parking lot at City Hall, followed by a work session at 6:30 pm and the regular session at 7:00 pm in the Council Chambers. Some members may participate electronically. The public may attend in person or via Zoom for the work and regular sessions; however, the electronic meeting option does not allow for participation during public hearings or comment periods. Please see instructions included in this agenda to attend and view the meetings via Zoom.

The following items of business will be discussed; the order of business may be changed as time permits.

TOUR – 5:00 p.m.

1. Tour of the Bamberger Historic District – Meet at 5:00 p.m. in the West Parking Lot North Corner at City Hall Located at 10 East Center Street

WORK SESSION – 6:30 p.m.

1. Health and Wellness Committee Annual Report and Discussion
2. Adjourn

REGULAR SESSION – 7:00 p.m.

1. Introduction by Mayor Brian Horrocks
2. Thought or Prayer and Pledge of Allegiance ~ Councilmember Van Langeveld
3. Citizen Comment
4. Public Hearing and Consideration of Resolution 2023-09R: A Resolution Adopting an Amendment to Adjust the 2022-2023 Fiscal Year Budgets
5. Consideration of Ordinance 2023-03: An Ordinance Adopting a Zoning Map Amendment for the Val Verda Area Located Approximately between Highway 89 and Orchard Drive and 3500 South and 4100 South
6. Consideration of Ordinance 2023-04: An Ordinance Amending City Code Title 10, Chapter 25, Amending the Maximum Building Height and Minimum Rear Setback in the CH Zone
7. Consideration of Resolution 2023-10R: A Resolution Expressing the City's Support for SB185, Transportation Amendments, Including Support for the Creation of the State Active Transportation Investment Fund and Other Provisions of SB185 that Allow for the Creation of Statewide Active Transportation Systems and Use of Local Option Sales Tax for Certain Transportation Purposes
8. Approval of City Council Minutes of February 7, 2023
9. Action Items
10. Council Reports

- 11. City Attorney Report
- 12. Mayor’s Report
- 13. City Manager Report
- 14. Adjourn

CLOSED SESSION

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

This meeting has an option to attend electronically via Zoom, with joining information below:
Topic: February 21, 2023 City Council Meeting
Time: February 21, 2023, 06:30 PM Mountain Time (US and Canada)

Join Zoom Meeting: <https://us02web.zoom.us/j/89045855868>

Webinar ID: 890 4585 5868

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, City’s website, and at City Hall on February 16, 2023.

Dated this 16th day of February, 2023.


Wendy Page, City Recorder





CITY OF NORTH SALT LAKE

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

Brian J. Horrocks
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: February 21, 2023

SUBJECT: City Council Work Session

As you'll note on the City Council agenda, there are two items planned prior to the 7:00 p.m. regular meeting.

At 5:00 p.m., Councilmember Porter has arranged to provide the Council and staff members a tour of some of the facilities related to the original Bamberger Railroad. We are meeting in the west parking lot of City Hall on the north end near the Police Department entrance and from there we'll walk over to the Bamberger sites.

At 6:30, we have scheduled the Health and Wellness Committee's annual report. This Committee has worked very hard in its first year (2022) and is excited to meet with the City Council to give their first annual report. For your information, annual reporting is also a requirement of the adopted resolution used to form the Committee.



CITY OF NORTH SALT LAKE FINANCE DEPARTMENT

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

Brian J. Horrocks
Mayor

Heidi Voordeckers
Finance Director

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Heidi Voordeckers, Finance Director

DATE: February 21, 2023

SUBJECT: Consideration of Resolution 2023-09R, A Resolution adopting an amendment to adjust the 2022~2023 General Fund, Debt Service Fund, Capital Improvement Fund, Park Development Fund, Roadway Development Fund, Water Fund, and Storm Water Fund Budgets.

BACKGROUND

Pursuant UCA 10-6-127 and 10-6-128, municipal budgets may be modified by resolution of the City Council. Should the amendment include an increase in expenditures/appropriations, a public hearing must also be held. All budget appropriations lapse at the end of the fiscal year, except for appropriations for Capital Projects, which may be transferred to the new budget year.

SUMMARY

The overall intent of this budget amendment and hearing is to realign the current year capital budget with the capital facilities plan. The recommended budget adjustments impact multiple funds and are being proposed for the reasons summarized below. Please see the attached "Exhibit A" for a detailed, line-item explanation of the proposed changes and specific fund impacts.

- **Reduction of Impact Fee Revenues ~ (\$1,951,400):** After reaching out to developers on existing projects, it is expected that the number of building permits the City may anticipate receiving between now and the end of the current fiscal year is 21. This is down slightly from the roughly 32 permits that were issued during this same period last year. The reduction in revenues is a reflection of the decline in development, and it is expected that these revenues will be recognized once development activity resumes in future budget years.
- **Increase in Interest Revenues ~ \$698,400:** With PTIF interest rates increasing from .39% in January 2022 to 4.27% in January 2023, City funds carrying larger cash balances are seeing a higher rate or return than originally budgeted. This trend towards higher interest rates is anticipated to continue through the end of the current calendar year.
- **Hatch Park Bond Issuance ~ \$15,462,808:** In December 2022, the City issued \$16,692,000 in Debt Service for improvements at Hatch Park. These funds are sitting in a construction account

earning interest while awaiting draws against project costs. Related to this are new principal and interest and cost off issuance payments that will be due before the close of the fiscal year.

- **Inter-fund Transfers for Capital Projects ~ \$0:** The City routinely funds capital projects or debt payment with fund reserves that are held outside of the capital fund recognizing the project expense. Three transfers are recommended (which by their nature, net zero) to recognize the use of the Hatch Park construction account, use of capital reserves to fund the two trails projects approved in the November, and use of parks impact fee reserves to cover the majority of the first principal payment on the Hatch Park debt.
- **New Capital Projects in Roads, Water, and Storm ~ (\$5,060,000):** Staff recommends funding the projects as presented by the City Engineer in the February 7, 2023 City Council work session. These projects would typically have been proposed through the annual budget process to the City Council but were not included at the time of final budget adoption last June.
- **Reductions in Capital Project – Water and Storm ~ \$1,224,177:** Presenting a complete picture of the City's capital assets requires the release of funds committed for projects that have been completed or re-prioritized to a future year in the capital facilities plan. This represents approved funds that were remaining at June 30, 2022 and transferred to FY 2022-2023 that will be released to fund the new capital projects.

The total change in fund balance created by the recommended budget adjustments is an increase of **\$10,370,385** with the increase largely coming from the addition of construction funds for the Hatch Park project.

POSSIBLE MOTION

I move the City Council approve Resolution 2023-09R: A Resolution Adopting an Amendment to adjust the Fiscal Year 2022~2023 General Fund, Debt Service Fund, Capital Improvement Fund, Park Development Fund, Roadway Development Fund, Water Fund, and Storm Water Fund Budgets.

**EXHIBIT A
BUDGET AMENDMENT HEARING - February 21, 2023**

FUND/DEPT	ACCOUNT #	ACCOUNT TITLE	CURRENT BUDGET	BUDGET ADJUSTMENT	TOTAL BUDGET	REASON
FUND 10 - GENERAL FUND						
	10-1037-36100	INTEREST EARNINGS	\$ (15,000)	\$ (64,800)	\$ (79,800)	INCREASE PROJECTED INTEREST INCOME
				64,800	NET INCREASE/(DECREASE) IN FUND BALANCE	
FUND 32 - DEBT SERVICE FUND						
	32-5322-37200	PROCEEDS FROM BORROWING	-	(16,692,000)	(16,692,000)	HATCH PARK BOND PROCEEDS
	32-5322-36100	INTEREST EARNINGS	(1,400)	(360,000)	(361,400)	PROJECTED INTEREST ON BOND PROCEEDS (JAN-JUNE)
	32-5322-37141	TRANSFERS FROM PARK CAPITAL	-	(700,000)	(700,000)	TRANSFER PARK IMPACT FEE RESERVES FOR DEBT COVERAGE
	32-5328-47011	PRINCIPAL	222,000	745,000	967,000	HATCH PARK BOND PRINCIPAL DUE
	32-5328-47012	INTEREST	34,500	392,791	427,291	HATCH PARK BOND INTEREST DUE
	32-5328-47013	FEES	1,550	91,401	92,951	HATCH PARK BOND COST OF ISSUANCE
	32-5328-49141	TRANSFERS TO PARK CAPITAL	300,000	1,000,000	1,300,000	TRANSFER TO FUND 41 FOR HATCH PARK IMPROVEMENTS
				15,522,808	NET INCREASE/(DECREASE) IN FUND BALANCE	
FUND 40 - CAPITAL IMPROVEMENT FUND						
	40-3042-36100	INTEREST EARNINGS	(30,000)	(102,000)	(132,000)	INCREASE PROJECTED INTEREST INCOME
	40-3048-49141	TRANSFER TO PARKS	-	590,278	590,278	FUNDING FOR TWO TRAILS PROJECTS APPROVED NOV 2022
				(488,278)	NET INCREASE/(DECREASE) IN FUND BALANCE	
FUND 41 - PARK DEVELOPMENT FUND						
	41-5301-34701	IMPACT PARK	(557,000)	470,000	(87,000)	REDUCTION IN PROJECTED REVENUES
	41-5302-37132	TRANSFER FROM DEBT SERVICE-RAP	(300,000)	(1,000,000)	(1,300,000)	TRANSFER FROM FUND 32 FOR HATCH PARK IMPROVEMENTS
	41-5302-37140	TRANSFERS FROM CAPITAL PROJECT	-	(590,278)	(590,278)	FUNDING FOR TWO TRAILS PROJECTS APPROVED NOV 2022
	41-5318-49132	TRANSFERS TO DEBT SERVICE-RAP	-	700,000	700,000	TRANSFER PARK IMPACT FEE RESERVES FOR DEBT COVERAGE
				420,278	NET INCREASE/(DECREASE) IN FUND BALANCE	
FUND 44 - ROADWAY DEVELOPMENT						
	44-3502-34701	IMPACT ROAD	(461,600)	400,000	(61,600)	REDUCTION IN PROJECTED REVENUES
	44-3502-36100	INTEREST EARNINGS	(4,500)	(66,000)	(70,500)	INCREASE PROJECTED INTEREST INCOME
	44-3502-36101	INTEREST EARNINGS RESTRICTED	(7,000)	(48,000)	(55,000)	INCREASE PROJECTED INTEREST INCOME
	44-3505-52245	475 N & CLOVERDALE	-	230,000	230,000	NEW PROJECT - FY 2023 CAPITAL PLAN
	44-3505-52253	MTNVIEW/SKYVIEW/WILDFLOWER/SEG	-	230,000	230,000	NEW PROJECT - FY 2023 CAPITAL PLAN
	44-3505-52144	400 WEST STR RECONSTRUCTION	-	1,450,000	1,450,000	NEW PROJECT - FY 2023 CAPITAL PLAN
	44-3505-52302	PRKWY DR/CANYON LN/EGLPASS/RID	-	300,000	300,000	NEW PROJECT - FY 2023 CAPITAL PLAN
	44-3505-52303	SIDER DR/175 N/550 E/575 E	-	330,000	330,000	NEW PROJECT - FY 2023 CAPITAL PLAN
	44-3505-51901	MAIN ST (I-15 TO 1000 N)	-	20,000	20,000	NEW PROJECT - FY 2023 CAPITAL PLAN
				(2,846,000)	NET INCREASE/(DECREASE) IN FUND BALANCE	
FUND 51 - WATER						
	51-3902-34701	IMPACT WATER	(1,147,000)	989,400	(157,600)	REDUCTION IN PROJECTED REVENUES
	51-3902-36100	INTEREST EARNINGS	(20,000)	(54,000)	(74,000)	INCREASE PROJECTED INTEREST INCOME

**EXHIBIT A
BUDGET AMENDMENT HEARING - February 21, 2023**

FUND/DEPT	ACCOUNT #	ACCOUNT TITLE	CURRENT BUDGET	BUDGET ADJUSTMENT	TOTAL BUDGET	REASON
	51-3905-52245	475 N & CLOVERDALE	-	360,000	360,000	NEW PROJECT - FY 2023 CAPITAL PLAN
	51-3905-52253	MTNVIEW/SKYVIEW/WILDFLOWER/SEG	-	350,000	350,000	NEW PROJECT - FY 2023 CAPITAL PLAN
	51-3906-52213	EWGC HOLE 7 & 11, LAKE ENLRGMN	-	200,000	200,000	NEW PROJECT - FY 2023 CAPITAL PLAN
	51-3905-51816	PRV VAULT & VALVE REPLACEMENT	100,000	100,000	200,000	NEW PROJECT - FY 2023 CAPITAL PLAN
	51-3905-52315	400 W (500 N to 1100 N)	-	860,000	860,000	NEW PROJECT - FY 2023 CAPITAL PLAN
	51-3905-52114	75 E 125 E & 175 E REPLACEMENT	404,353	(165,000)	239,353	PROJECT UNDER BUDGET
	51-3906-51902	WATER LINE US-89 @ CITY CENTER	25,000	(25,000)	-	RELEASE FUNDING TO OTHER CAPITAL PROJECTS
	51-3906-52121	NSLCITY CENTER PHASE WATERLINE	48,000	(48,000)	-	RELEASE FUNDING TO OTHER CAPITAL PROJECTS
	51-3905-52013	250 N, 300 N LINE REPLACEMENT	377,229	(377,229)	-	RESCHEDULE TO FY 2026
	51-3906-51722	TRANS LINE - TANGLEWOOD - 5480	98,948	(98,948)	-	RELEASE FUNDING TO OTHER CAPITAL PROJECTS
				(2,091,223)	NET INCREASE/(DECREASE) IN FUND BALANCE	
FUND 53 - STORM						
	53-3112-34701	IMPACT STORM WATER	(120,400)	92,000	(28,400)	REDUCTION IN PROJECTED REVENUES
	53-3116-52213	EWGC HOLE 7 & 11, LAKE ENLRGMN	-	600,000	600,000	INCREASE PROJECTED INTEREST INCOME
	53-3116-52253	MTNVIEW/SKYVIEW/WILDFLOWER/SEG	-	30,000	30,000	NEW PROJECT - FY 2023 CAPITAL PLAN
	53-3116-51724	28 NO VALLEY VIEW DR DETENTION	100,000	(100,000)	-	NEW PROJECT - FY 2023 CAPITAL PLAN
	53-3116-51923	EAGLEWOOD VILL DET BASIN IMPRO	60,000	(60,000)	-	RELEASE FUNDING TO OTHER CAPITAL PROJECTS
	53-3116-52021	DAVID/RAYGENE WAY CYN IMPROVE	350,000	(350,000)	-	RELEASE FUNDING TO OTHER CAPITAL PROJECTS
				(212,000)	NET INCREASE/(DECREASE) IN FUND BALANCE	
TOTAL ALL FUNDS				10,370,385	NET INCREASE/(DECREASE) IN FUND BALANCE	

RESOLUTION NO. 2023-09R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH SALT LAKE APPROVING AND ADOPTING AMENDMENTS TO THE FISCAL YEAR 2022~2023 GENERAL FUND, DEBT SERVICE FUND, CAPITAL IMPROVEMENT FUND, PARK DEVELOPMENT FUND, ROADWAY DEVELOPMENT 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 2022~2023 budgets for the General Fund, Debt Service Fund, Capital Improvement Fund, Park Development Fund, Roadway Development 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 budgets; and

WHEREAS, a public hearing was properly noticed and held on Tuesday February 21, 2023 for public comment concerning the adoption of said budgets; and

WHEREAS, such action is authorized by statute.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of North Salt Lake, Utah that the amendments as set forth in Exhibit “A” which is attached hereto and incorporated herein by this reference, are hereby authorized and approved as follows:

By Amendment Type:	Increase/(Decrease) in CITY-WIDE Fund Balance
Reduction of Impact fee revenues	(\$1,951,400)
Increase in Interest Revenues	694,800
Hatch Park Bond Issuance	15,492,808
Transfers for Capital Projects	-
New Capital Projects	(5,060,000)
Reductions in Capital Projects	1,224,177
Total Fund Balance Increase/(Decrease)	\$10,370,385

By Fund:	Increase/(Decrease) in Fund Balance
General Fund	\$64,800
Debt Service Fund	15,522,808
Capital Projects Fund	(488,278)
Park Development Fund	420,278
Roadway Development Fund	(2,846,000)
Water Fund	(2,091,223)
Storm Water Fund	(212,000)
Total Fund Balance Increase/(Decrease)	\$10,370,385

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.

APPROVED AND ADOPTED by the City of North Salt Lake, Utah, on this 21st day of February 2023.

CITY OF NORTH SALT LAKE

By:

BRIAN J. HORROCKS

Mayor

ATTEST:

WENDY PAGE

City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin _____

Council Member Gordon _____

Council Member Knowlton _____

Council Member Porter _____

Council Member Van Langeveld _____



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 Pace, Community Development Director
DATE: February 21, 2023
SUBJECT: Consideration of ORD2023-03: an ordinance adopting a zoning map amendment for the Val Verda Area

RECOMMENDATION

The Planning Commission recommends to the City Council the approval of the proposed zoning for the Val Verda Area 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.
3. The proposed zoning for the area is similar in character of the neighborhood development pattern.
4. The proposed zoning for the area will provide the property owners with zoning that is equal to or greater than the rights and uses enjoyed under the previous County zoning prior to annexation.

Additionally, the Planning Commission recommends to the City Council the proposed amendment to the proposed zoning map at 3943 South 850 West from R1-7 to RM-7, 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.
3. The proposed RM-7 Zone is adjacent to an existing RM-7 zone and is similar in character of the neighboring development pattern.

BACKGROUND

The City recently finalized the annexation of the Val Verda Area, which became effective on January 1, 2023. The area was zoned under the jurisdiction of Davis County. There were four zoning designations in the area Residential (R-1, R-2, R-3) and Commercial (C-2). During a work session at the October 24, 2022 Planning Commission meeting, the Commission reviewed the existing zoning and discussed the possible zoning designations to be considered, if the annexation was approved. The Commission directed staff to draft a map for consideration, proposing that Davis County R-1 & R-2 become R1-7, R-3 become RM-7, and C-2 become CH.

The Planning Commission held a public hearing that resulted in a tabled motion on January 24, 2023 regarding the proposed zoning for the Val Verda area. At the hearing, the owner of property at 3943 South 850 West requested his property be considered for RM-7 zoning instead of the proposed R1-7. Additional concerns were raised related to the height and rear setback regulations for the CH zone, which is directly adjacent to some single family zoning. The Commission directed staff to advertise the requested changes to the map and the CH zone text for consideration at the continued public hearing on February 15, 2023.

The Planning Commission unanimously made a favorable recommendation on the proposed zoning map amendment regarding the Val Verda area. The Planning Commission also recommended an amendment to the recommended zoning map amendment from R1-7 to RM-7 for the property located at 3953 South 850 West. (4 to 3 vote)

REVIEW

The proposed zoning map (attachment) and the table below summarize the previous zoning regulations for Davis County and NSL regulations for the proposed zoning within the City. Properties proposed to be zoned R1-7 will allow single family homes and duplexes to remain conforming to the code. The minimum lot size of 7,000 sq. ft. in the zone is less than the 9,000 sq. ft. required under the county zoning. There are approximately four lots with less than 7,000 sq. ft. that would have been legal non-conforming in the county and they will maintain that legal status under the new zoning. The multi-family properties proposed for the RM-7 zoning will be legal non-conforming as it relates to the density of the projects and conforming as to land use. The RM-7 zone allows 8 dwelling units per net acre and the existing developments have been developed at approximately 13 dwelling units per acre. No additional multi-family units would be allowed to be developed in those projects. The properties along Hwy 89 to be zoned CH will have similar allowed uses, and any uses not listed as permitted under the CH zone, but that were permitted in the County will be legal non-conforming as well and be allowed to continue the present use.

	Zone	Minimum Lot Size (sq. ft.)	Single Family	Duplex	Multi-Family	Planned Unit Developm	Min. Front Setback (ft.)	Min. Side Setback (ft.)	Min. Rear Setback (ft.)	Maximum Height (ft.)
Existing Davis County	R-1	9,000	P	N	N	C	25	8	25	30
	R-2	9,000	P	P	N	C	25	8/12	25	35
Proposed North Salt Lake	R1-7	7,000	P	P	N	P	25	8/12	25	35
Existing Davis County	R-3	9,000 +2,000 Per unit (~18 d.u./ac.)	P	P	P	C	25	8	25	30
Proposed North Salt Lake	RM-7	8 dwelling units/net acre	P	P	P	P	25	8/12	20	35
Existing Davis County	C-2	None	N	N	N	N	25	0	10	30
Proposed North Salt Lake	CH	None	N	N	N	N	10	0	0	60

The proposed zoning request would affect a parcel which is 0.89 acres (38,795 sq. ft.) in size. The property contains one single family home and is bordered on the north by single family homes (proposed zoning R1-7) and to the south and east by the Sycamore Grove PUD (zoned RM-7). Sycamore Grove PUD is a development of two-family dwellings (owner occupied condo units). The development has 18 units on 2.49 acres (7.2 d.u./acre-net or 9 d.u./acre-net). Essentially if Sycamore Grove had been approved by the City under the RM-7 ordinance in effect today the development would have only been allowed 16 units. If Mr. Blundell's property was zoned RM-7 approximately 6 dwelling units could be allowed on the property. Those units could be twin homes or an attached 6-plex structure. Under the R1-7 zone the same density would be allowed but would have to be in 3 twin home structures.

In addition to public comment received at the hearing in opposition to the proposed amendment, the Planning Commission received several emails and letters opposing the proposed change which are attached. The public comments received expressed concern over the number of multi-family dwellings in the area, street width and parking issues on 850 West, lack of sidewalks and street lights in the neighborhood, and a general desire for the area to remain primarily single family zoning. The Planning Commission voted in favor of recommending the RM-7 zone by a vote of 4 to 3.

Two possible motions have been prepared for the City Council's consideration, the first not including the requested change to the property located at 3943 S 850 W and the other with the proposed amendment. The proposed text amendments are to be considered in a separate agenda item.

POSSIBLE MOTIONS

Map Exhibit A

I move that the City Council approve ORD2023-03 adopting a zoning map amendment (Exhibit A) for the area known as the Val Verda Annexation Area as presented 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.
3. The proposed zoning for the area is similar in character of the neighborhood development pattern.
4. The proposed zoning for the area will provide the property owners with zoning that is equal to or greater than the rights and uses enjoyed under the previous County zoning prior to annexation.

Map Exhibit B

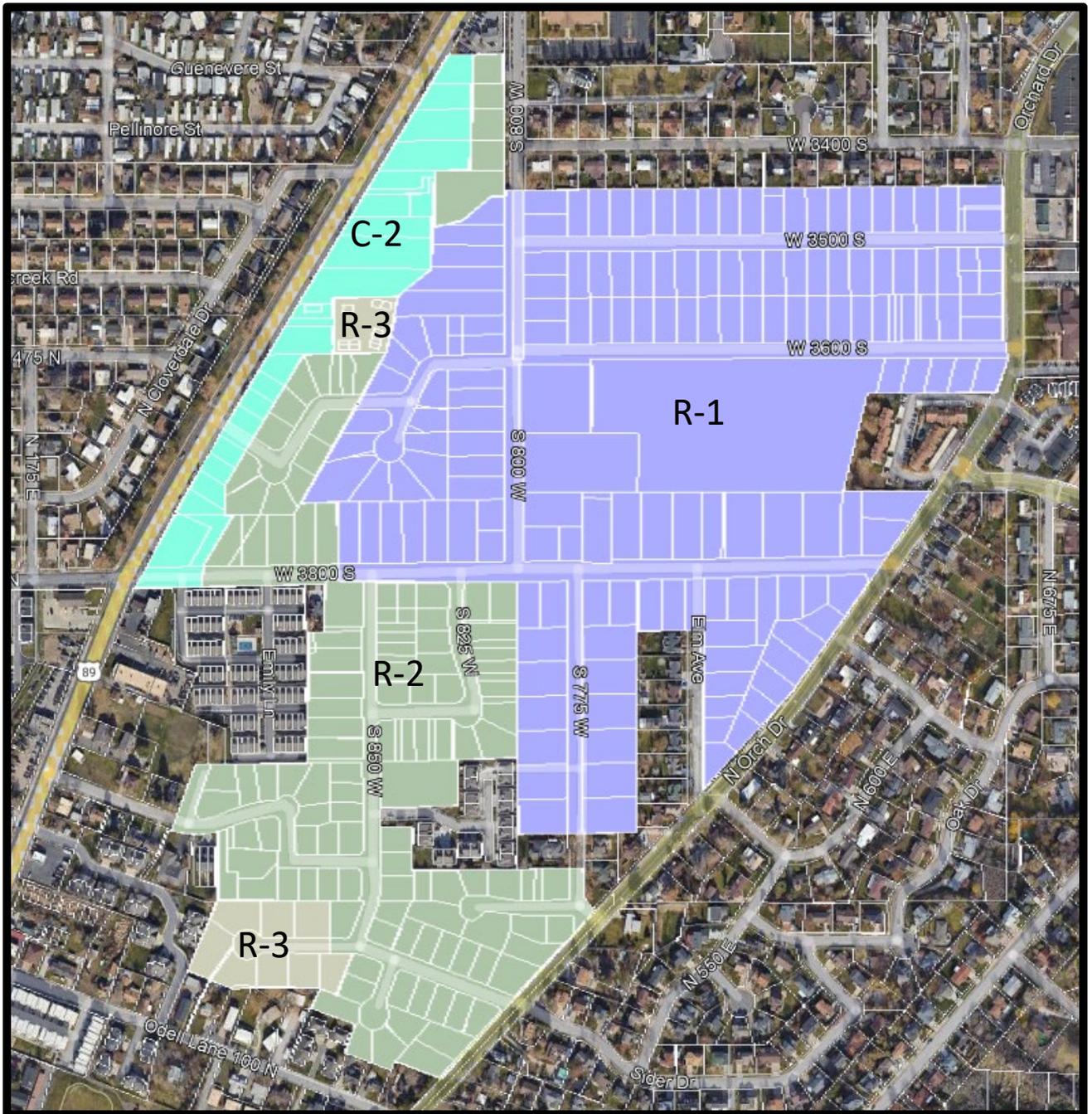
I move that the City Council approve ORD2023-03 adopting a zoning map amendment (Exhibit B) for the area known as the Val Verda Annexation Area as presented with the following findings:

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.
3. The proposed zoning for the area is similar in character of the neighborhood development pattern.
4. The proposed zoning for the area will provide the property owners with zoning that is equal to or greater than the rights and uses enjoyed under the previous County zoning prior to annexation.
5. The proposed RM-7 Zone is adjacent to an existing RM-7 zone and is similar in character of the neighboring development pattern.

Attachments:

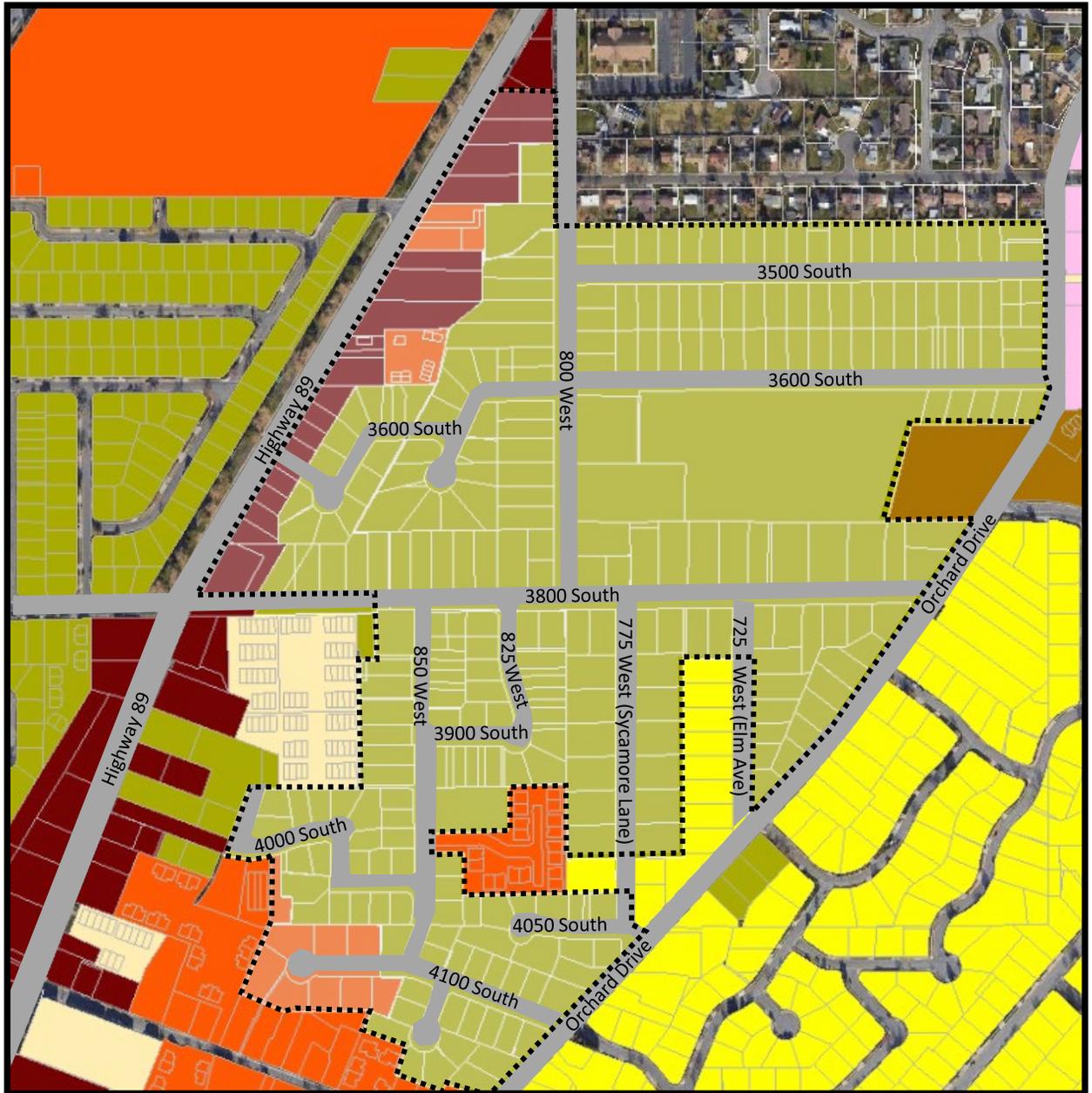
- 1) County Zoning Map
- 2) Proposed Zoning Map (Exhibit A)
- 3) Proposed Amendment-Blundell Property (Exhibit B)
- 4) ORD2023-03
- 5) Public Comments

Val Verda Annexation Davis County Zoning Map





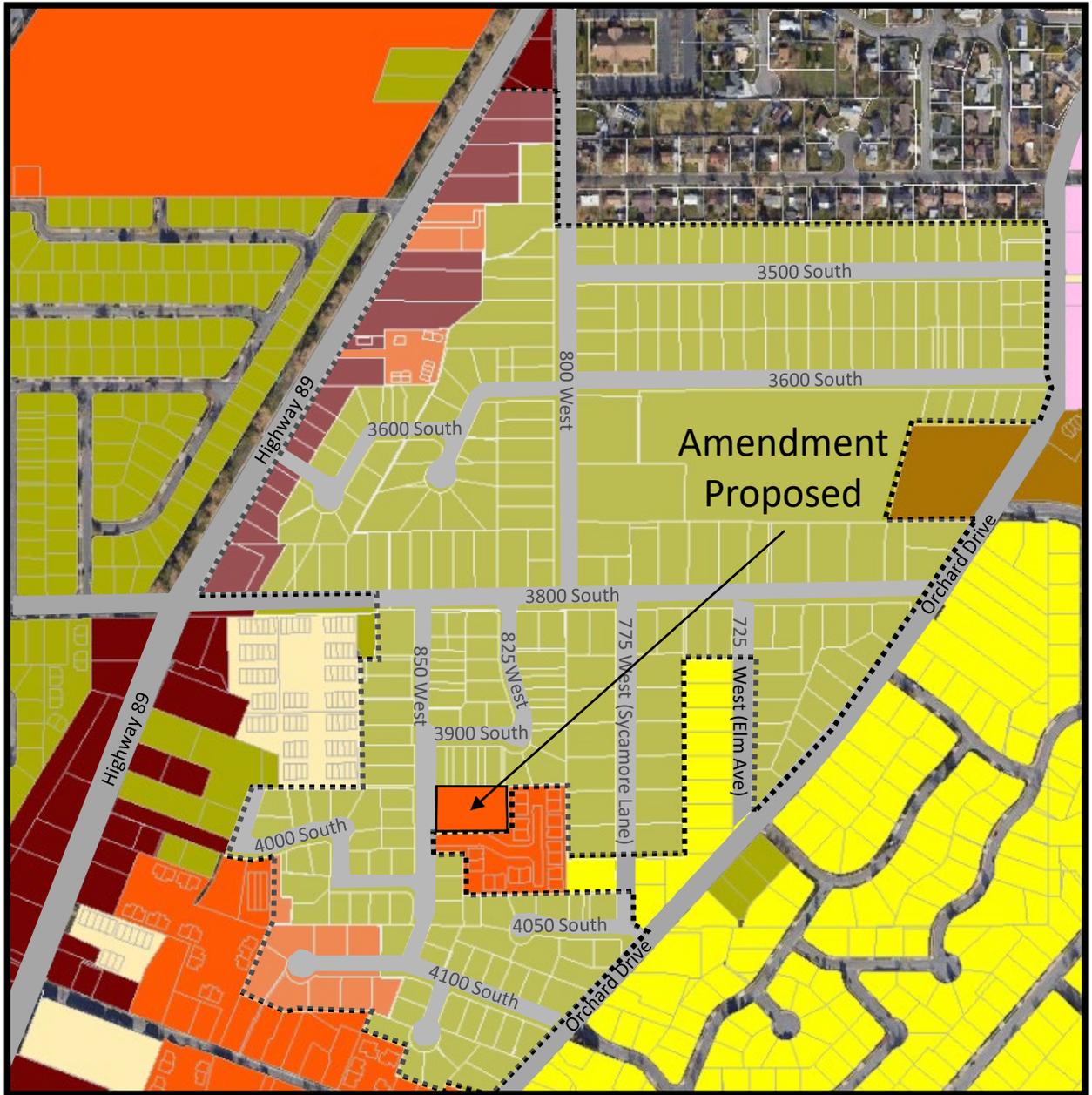
Val Verda Annexation Proposed Zoning Map



- | | | | |
|---|--|---|--|
|  | Highway Commercial (CH)- <i>existing</i> |  | Highway Commercial (CH)- <i>proposed</i> |
|  | Residential (R1-7)- <i>existing</i> |  | Residential (R1-7)- <i>proposed</i> |
|  | Multi-Family Residential (RM-7)- <i>existing</i> |  | Multi-Family Residential (RM-7)- <i>proposed</i> |
|  | Residential (R1-10)- <i>existing</i> |  | Val Verda Annexation Boundary |



Val Verda Annexation Proposed Zoning Map



- | | | | |
|---|--|---|--|
|  | Highway Commercial (CH)- <i>existing</i> |  | Highway Commercial (CH)- <i>proposed</i> |
|  | Residential (R1-7)- <i>existing</i> |  | Residential (R1-7)- <i>proposed</i> |
|  | Multi-Family Residential (RM-7)- <i>existing</i> |  | Multi-Family Residential (RM-7)- <i>proposed</i> |
|  | Residential (R1-10)- <i>existing</i> |  | Val Verda Annexation Boundary |

ORDINANCE NO. 2023-03

AN ORDINANCE AMENDING THE CITY OF NORTH SALT LAKE ZONING MAP ADOPTING ZONING FOR THE VAL VERDA ANNEXATION AREA LOCATED GENERALLY BETWEEN 3500 SOUTH TO 4100 SOUTH AND HIGHWAY 89 TO ORCHARD DRIVE WITHIN THE CITY OF NORTH SALT LAKE, STATE OF UTAH

WHEREAS, the City of North Salt Lake annexed the Val Verda Annexation area, affective January 1, 2023; and

WHEREAS, the proposed zoning map amendment set forth herein has been reviewed by the Planning Commission and the City Council, and all appropriate public hearings have been held in accordance with Utah law and the City of North Salt Lake's ordinances to obtain public input regarding the proposed revisions to the Zoning Map; and

WHEREAS, the Planning Commission has made a recommendation to the City Council concerning the proposed zoning map as required by City Code and Utah Code; and

WHEREAS, the City Council has reviewed this proposed map and finds that it is consistent with the comprehensive general plan, goals and policies of the City and that changed conditions make the proposed amendment reasonably necessary to carry out the purposes stated in Title 10 of the Land Use Ordinance.

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

Section 1. Zoning Map Amendment. The City of North Salt Lake Zoning Map is hereby amended to include the area known as the Val Verda Annexation Area, located generally between 3500 South to 4100 South and Highway 89 to Orchard Drive, as depicted on the attached Exhibit.

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.

APPROVED AND ADOPTED by the City of North Salt Lake, Utah on this 21st day of February, 2023.

CITY OF NORTH SALT LAKE

By:

BRIAN J. HORROCKS

Mayor

ATTEST:

WENDY PAGE

City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin _____

Council Member Gordon _____

Council Member Knowlton _____

Council Member Porter _____

Council Member Van Langeveld _____

Certificate of Posting Ordinance:

I, the duly appointed recorder for the City of North Salt Lake, hereby certify that the foregoing Ordinance No. 2023-03 was passed by the governing body on the date shown above, and that copies were posted as required by Utah Code 10-3-713 within the municipality.

Recorded this _____ day of _____, 2023.

Wendy Page, City Recorder

[Seal]

From: [brandi w](#)
To: [Sherrie Pace](#)
Subject: new annexation zoning
Date: Monday, January 30, 2023 12:37:43 PM

Hi Sherrie,

Our home is in the new annexation area. 868 W. 3600 S. It was zoned R-2 with the county. We would like to keep the duplex zoning. Our lot size is .22 of an acre., so about 9583.20 sq. ft. I believe it was mentioned in the recent NSL meeting that we would be able to keep our zoning if it was over 7,000 sq. ft. We would appreciate it if that could happen.

Also, car dealership rules and regulations were also brought up in the meeting. We live across the street from the car dealership on 3600 S. The workers, car lot visitors, and often unlicensed vehicles, park in front of my house, along the curve of my yard as the street turns, and across from my driveway every day, but Sunday. It creates a blind corner, and often a one-lane road.

Also, the mailman has posted a note in my mailbox mentioning that my mail would not be delivered if vehicles are parked near my mailbox. They often park in front of or too close to it. If it is possible could a regulation be placed on the car dealerships requiring them to have enough parking for their employees, unlicensed cars, and visitors?

I appreciate your help. Thank you for your time!

Brandi Wendel

From: [Jo Ellen Ashworth](#)
To: [Mackenzie Johnson](#); [planning](#); [Sherrie Pace](#)
Subject: Wed, Feb 15, NSL Planning Commission Public Hearing re property located at 3943 South 850 West, Bountiful
Date: Monday, February 6, 2023 5:24:25 PM

MacKenzie--

RE: Wed, Feb 15, NSL Planning Commission Public Hearing re property located at 3943 South 850 West, Bountiful.

Would you please research the following questions for me, to be answered at or prior to the February 15 hearing:

1. When was the last time the North Salt Lake Planning Commission/Mayor and City Council said no to a multi-family-housing developer. Do not count times when the developer wanted five stories, and NSL let him have three.
2. When is the last time the North Salt Lake Planning Commission/Mayor and City Council okayed the building of single-family homes east of Highway 89? And where?
3. Which of the North Salt Lake Planning Commission members and Mayor and City Council live within two blocks of 1) an apartment complex; 2) a four-plex; 3) a duplex; 4) twin homes; 5) quintuple homes; and/or 6) a basement apartment?

I live within two blocks of a four-plex, a duplex, twin homes, and a basement apartment. People living on 850 West and about 3900 South live within two blocks of quintuple homes, a four-plex, a duplex, twin homes, quintuple homes, and apartments.

I've never seen a multi-family dwelling complex with enough parking, even though developers always promise that there's plenty of parking. There is a lot of street parking on 850 West without another multi-family development. I live in a cul-de-sac on 825 West South of 4100 South, and we have had residents of Chesham village, on 3800 West between 850 South and Highway 89, park in our circle! Multiple times I have seen Chesham Village residents park illegally right up to the corner of 3800 South and 850 West on the south side.

Isaiah 5:8 Woe to you who add house to house and join field to field till no space is left . . .

We do not want the property at 3943 South 850 West rezoned to RM-7. It should remain R1-7. It's 1.1 acres--several single-family homes could be built on that property.

Jo Ellen Ashworth
4148 South 825 West
Bountiful, Utah 84010-8509
E-mail: joellen.ashworth@gmail.com

From: tbird3@juno.com
To: mackenzie@nslcity.org; [planning](#)
Subject: rezoning for Brent Blundell's property
Date: Tuesday, February 7, 2023 4:24:50 PM

I live next door to the south to this property that is requesting a zone change and I defiantly do not want that property to be rezoned for multi-family living!! Right here on 850 West and 3900 South in a radius of 2 blocks on my north and 2 blocks on my south, and down to the Highway and up to 825 West I have, 90 town houses 9 twin homes 15 four plexes, 6 duplexes, 1 triplex ,and 6 basement apts. that we know of. Besides the care center on 4000 South. If I took in 4050 south above 850 W, I could add a lot more. Don't you think I have enough multi family dwellings in this small area? We are not Europe!!!!

For the past 2-3 years I have battled cars parked in front of my home for undisclosed amounts of time. At one time the kids who lived in the four-plex had people sleeping there who would bring sleeping bags, pillows, and put their deodorant on from the trunk of their cars. A Jeep was parked in front for 2 months. And I know and see others that live in these multis park along up the street in front of other peoples homes as well. Our street is not built for cars to be parked on both sides and traffic. It is dangerous!!! Never enough parking!

I would be more than glad to have the Blundell property cleaned up and even 2 or 3 nice homes put in there but as a property owner I do not want more people, more cars and just more of everything!!!! We have put up with his junk, rats, mice, animals, pyricantha, and such without complaint but it now time to stand up for the rights of the people in the area!! NO MORE MULTI FAMILY UNITS. Not in our back yards!!!!

I have wondered for a long time if you have ever said NO to developers???? Especially Brighten? Think about it, would you like it if you were in our shoes! Please try to walk in them and see how you would feel. We love our neighborhood and it has been a wonderful one for over 53 years to me and my family,as well as a long time for others. We would like to keep it that way and multi housing does not do that.

I will also take this opportunity to give my opinion on address change and it is NO. It would cost me a lot of money to change all of the things I would have to. If I moved it would be my choice. But if you are willing to pay for that that will be your decision and i will be glad to send you the bills.

Thank you for your time,
Janice Twede
3917 South 850 West
Bountiful, Utah 84010



Monday, February 13, 2023

Ms. BreAnna Larson, Chair
Planning Commission
City of North Salt Lake
10 East Center Street
North Salt Lake, Utah 84054-2598

Ms. Larson:

**RE: 6:30pm, Wednesday, February 15, 2023, Public Hearing
to consider changing 3943 South 850 West, Bountiful,
from R1-7 (Residential) zoning to RM-7 (Multi-family Residential) zoning**

My objections to changing the zoning of 3943 South 850 West, Bountiful, from R1-7 (Residential) to RM-7 (Multi-family Residential) zoning, are:

- 1) **Street parking and traffic problems.** Changing 3943 South 850 West, Bountiful, from R1-7 to RM-7 zoning would increase street parking and traffic problems on 850 West.

Although I'm sure you followed the law in sending notices only to people who live within 300 feet of the above-named property, **the change in zoning affects more than just those individuals who live within 300 feet of the above-named property.**

Multi-family-dwellings are notorious for not having enough parking, even though every developer tells the Planning Commission that there will be plenty of parking. I live in a cul-de-sac on 825 West just south of 4100 South; we've had people from the four-plexes at the bottom of 4100 South and Chesham Village, on 3800 South, just east of Highway 89, park in our cul-de-sac! You can expect that **street parking will increase if 3943 South 850 West becomes a multi-family residential property.**

850 West is a narrow road. If a car is parked on one side of the street, two cars, one going north, one going south, cannot pass each other; one must stop and yield to the other.

850 West is a thoroughfare for all of the people who live on 850 West (including Sycamore Grove which feeds onto 850 West) and 4100 South and some of the people who live on 4000 South to get to or from Adelaide Elementary, the church on 800 West, the post office on 3800 South and Highway 89, and Highway 89. **The increased street parking that will result from changing 3943 South 850 West to RM-7 zoning will make it more difficult to traverse 850 West.**

- 2) **850 West has more than its fair share of multi-family dwellings--**twin homes (Sycamore Grove); four-plexes, duplexes, and basement apartments. And a half a block west of 850 West, on 3800 South, are the quintuple homes in Chesham Village.

- 3) **Multi-family Residential zoning** is incompatible with having a stable, cohesive, prosperous community. Those living in quintuple homes, four-plexes, duplexes, and basement apartments want to buy homes—and when they can, they do—which leads to a transient population.
- 4) **Four small homes, each on 0.2 acres, could be built on the 3943 South 850 West property**, giving young couples the opportunity to buy a home.

You job is to protect the average citizen from greedy developers, greedy property owners, and influenced politicians. **Do your job and vote “no”** on changing the zoning of the 3943 South 850 West, Bountiful, property to RM-7 (Multi-family Residential).

Sincerely,



Jo Ellen Ashworth
4148 South 825 West
Bountiful, Utah 84010-8509
E-mail: joellen.ashworth@gmail.com
Land line: (801) 294-6464

cc: Mayor and City Council
Mr. Ken Leetham, City Manager
Ms. Sherrie Pace, Community Development Director
Ms. Mackenzie Johnson, Planner

P.S. I am unable to attend the 6:30pm, Wednesday, February 15, 2023, Public Hearing to consider changing 3943 South 850 West, Bountiful, from R1-7 zoning to RM-7 zoning, **and I will ask a neighbor to read a prepared three-minute statement at the Hearing, for the record, which I will send with her.**

From: [Kirk Stratton](#)
To: [Mackenzie Johnson](#); [planning](#); [Sherrie Pace](#)
Subject: Rezoning Proposal
Date: Tuesday, February 14, 2023 6:32:49 PM

To whom it may concern:

My name is Kirk Stratton and I am one of the residents that was recently annexed into North Salt Lake. I was surprised to see the rezoning issue is being considered for the property located at 3943 S 850 W by the Planning Commission. You may recall the open house that was held last October for the unincorporated area, and was sponsored by North Salt Lake. During that meeting, on more than one occasion, I was reassured that the annexed area would remain the same. That there was a "buffer" dedicated around the area. This was one of the reasons I supported annexation, and this is why I'm surprised the proposal is even under consideration.

I could name a dozen reasons why a multi-unit complex shouldn't be built, but I'll name just one. We were promised! I'm perfectly fine with another single-family home, or even a duplex, in fact I would welcome it because the property is in such disrepair, but I strongly oppose anything more than that. So please honor the commitments made.

Sincerely,
Kirk Stratton
801-301-2539



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 Pace, Community Development Director
DATE: February 21, 2023
SUBJECT: Consideration of ORD2023-04: an ordinance amending Title 10, Chapter 25 related to rear setbacks and maximum height in the CH Zone

RECOMMENDATION

The Planning Commission recommends to the City Council the approval of the proposed code amendments 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.
3. The proposed amendment will mitigate the impact of commercial property heights when adjacent to single family residences.

BACKGROUND

The City recently finalized the annexation of the Val Verda Area, which became effective on January 1, 2023. The area was zoned under the jurisdiction of Davis County. There were four zoning designations in the area Residential (R-1, R-2, R-3) and Commercial (C-2). During a work session at the October 24, 2022 Planning Commission meeting, the Commission reviewed the existing zoning and discussed the possible zoning designations to be considered, if the annexation was approved. The Commission directed staff to draft a map for consideration, proposing that Davis County R-1 & R-2 become R1-7, R-3 become RM-7, and C-2 become CH.

The Planning Commission held a public hearing that resulted in a tabled motion on January 24, 2023 regarding the proposed zoning for the Val Verda area. At the hearing, concerns were raised related to the height and rear setback regulations for the CH zone, which is directly adjacent to some single family zoning. The Commission directed staff to advertise the requested changes to the map and the CH zone text for consideration at the continued public hearing on February 15, 2023.

Note, the Commission also recommended an amendment related to lot size for two-family dwellings in the R1-7 & RM-7 zones. Due to a clerical error on the public notice which did not include that change being considered, a new public hearing will be held prior to consideration being forwarded to the Council.

REVIEW

The proposed amendment to the City Code affects Chapter 25, Highway Commercial Zoning District. The proposed amendment would create a graduated height allowance in the zone based upon the setback distance from a property line shared with a single family home. The current code allows structures in the CH zone to be a maximum height of 60 feet and 4 stories and has a zero rear setback. The proposed change would require a minimum 10 foot rear setback and a maximum height of 30 feet and two stories.

Additionally, the proposed change would allow the maximum height to be increased by conditional use permit for those areas zoned CH and within the Town Center Master Plan Area, as well as those areas north of 1000 North Street. The height could be approved to 35 feet with a 20 foot setback, 45 feet and 3 stories with a 40 foot setback and 55 feet and 4 stories with a sixty foot setback from the rear property line when adjacent to a single family zone. The proposed height and setback standard matches the proposal in the draft Town Center the Form Based Code, which has previously been reviewed by the Commission. This ensures that the CH zone adjacent to the annexation area north of 3800 South would be limited to a height of 30 feet and two stories given the proximity to existing residential neighborhood.

POSSIBLE MOTION

I move that the City Council approve ORD2023-04 adopting the proposed amendments to Title 10, Chapter 25 related to the maximum height in the CH Zone with the following findings:

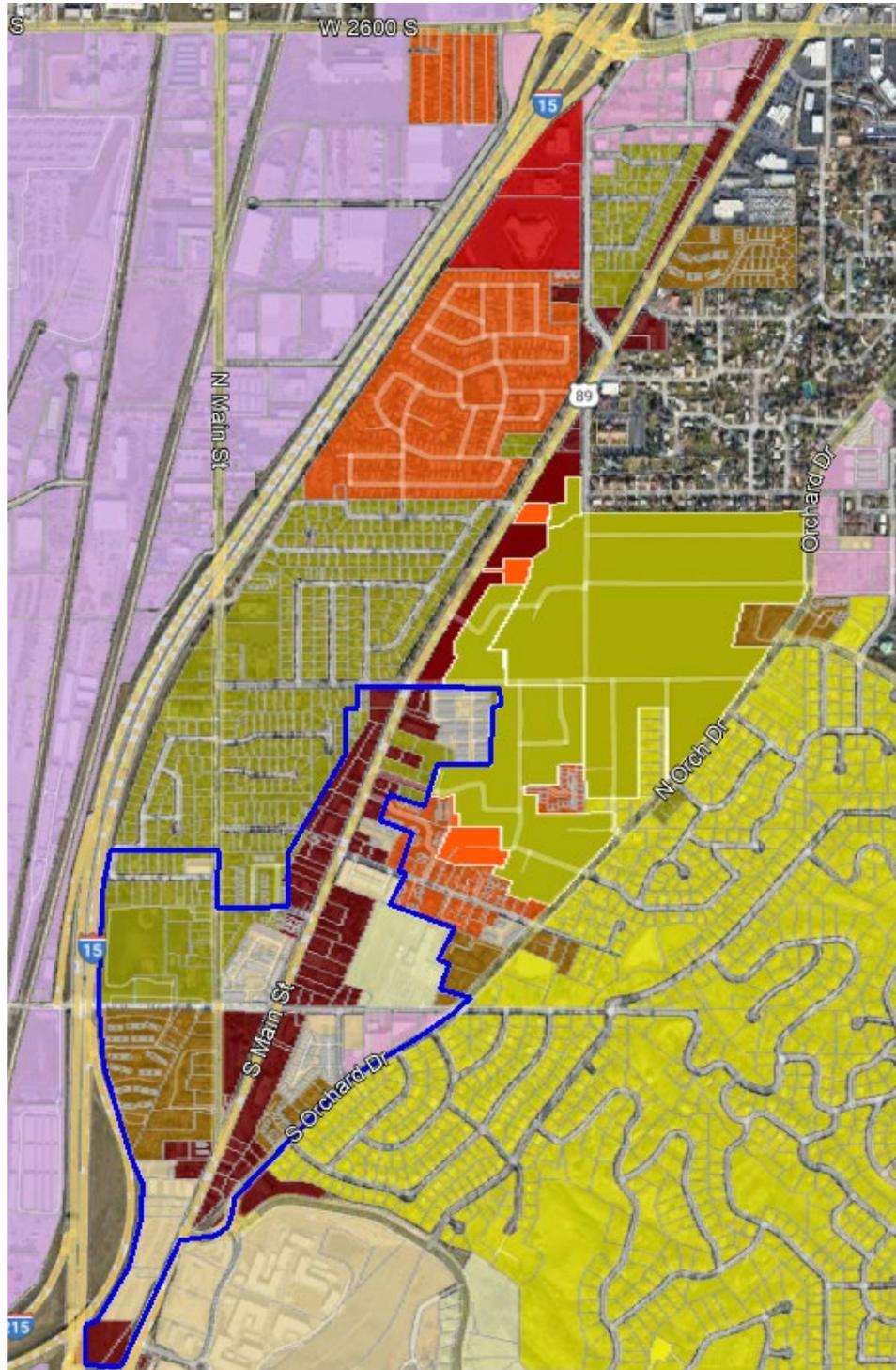
1. The proposed amendment is in accord with the comprehensive general plan, goals and policies of the City.
2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the "purposes" stated in this title.
3. The proposed amendment will mitigate the impact of commercial property heights when adjacent to single family residences.

Attachments:

- 1) Town Center Boundary/Zoning Map
- 2) ORD2023-04
- 3) Proposed Amendment-Redline



Town Center Master Plan Boundary Zoning Map



Commercial Highway (CH)



Town Center (Form Based Code)

ORDINANCE NO. 2023-04

**AN ORDINANCE AMENDING TITLE 10, CHAPTER 25, SECTION 3 – HIGHWAY
COMMERCIAL ZONING DISTRICT, SITE 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 has received request to amend the code related the minimum rear setback and maximum height allowed in the CH zone; and

WHEREAS, the City Council of North Salt Lake finds it necessary to amend the City Code to address concerns related to the construction of commercial structures adjacent to single family properties; and

WHEREAS, the City Council of North Salt Lake finds the proposed amendment is in accord with the comprehensive general plan, goals and policies of the City; and

WHEREAS, the City Council of North Salt Lake finds that changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes stated in this title; and

WHEREAS, the City Council finds that it is in the public interest that the North Salt Lake City Code, Title 10, Chapter 25, Section 3 be amended at this time.

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

Section 1. Code Amendment. Pursuant to Utah Code 10-9a-502, Title 10, Chapter 25, Section 3 – Highway Commercial Zoning District, Site Regulations of the City Code is hereby amended as shown in the attached Exhibit “A”.

Section 2. Effective Date. This Ordinance hereby adopted is effective February 21, 2023.

APPROVED AND ADOPTED by the City of North Salt Lake, Utah on this 21st day of February, 2023.

CITY OF NORTH SALT LAKE

By:

BRIAN J. HORROCKS

Mayor

ATTEST:

WENDY PAGE

City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin	_____
Council Member Gordon	_____
Council Member Knowlton	_____
Council Member Porter	_____
Council Member Van Langeveld	_____

Certificate of Posting Ordinance:

I, the duly appointed recorder for the City of North Salt Lake, hereby certify that the foregoing Ordinance No. 2023-04 was passed by the governing body on the date shown above, and that copies were posted as required by Utah Code 10-3-713 within the municipality.

Recorded this _____ day of _____, 2023.

Wendy Page, City Recorder

[Seal]

EXHIBIT A

CHAPTER 25, HIGHWAY COMMERCIAL ZONING DISTRICT (CH)

10-25-3: SITE REGULATIONS:

A. Height Regulations: The maximum height for all buildings and structures in feet shall be ~~sixty-three~~ sixty-three feet (~~60'30'~~), or ~~four-two~~ four-two (42) stories, whichever is lower, except as approved by conditional use with the following standards:

1. Location:

a. The property is located within the Town Center Master Plan; or

b. The property is located north of 1000 North Street.

2. Setback: To transition from residential neighborhoods, a graduated setback is required from shared property lines with existing single family homes as a condition of height exception:

<u>Minimum Setback (feet)</u>	<u>Maximum Stories</u>	<u>Maximum Height (feet)</u>
<u>20</u>	<u>2</u>	<u>35</u>
<u>40</u>	<u>3</u>	<u>45</u>
<u>60</u>	<u>4</u>	<u>55</u>

D. Setbacks:

1. The front yard setback shall be ten feet (10'), but can be increased through the site plan review process in order to provide for pedestrian and other street level activities and land uses such as plazas, outdoor sitting and eating areas, open spaces and other types of human scale amenities. The front yard setback is measured from the front property line after any necessary right of way has been dedicated.

2. The rear yard setback shall be ten feet (10").

23. There are no side ~~or rear yard~~ setbacks, except as required by the international building code.



CITY OF NORTH SALT LAKE

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

Brian J. Horrocks
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: February 21, 2023

SUBJECT: Consideration of Resolution No. 2023-10R: A Resolution expressing the City's support for SB185, Transportation Amendments, including support for the creation of the State Active Transportation Investment Fund and other provisions of SB185 that allow for the creation of Statewide Active Transportation systems and use of local option sales tax for certain transportation purposes.

RECOMMENDATION

I recommend approval of Resolution No. 2023-10R: A Resolution expressing the City's support for SB185, Transportation Amendments, including support for the creation of the State Active Transportation Investment Fund and other provisions of SB185 that allow for the creation of Statewide Active Transportation systems and use of local option sales tax for certain transportation purposes.

BACKGROUND

At the last City Council meeting on February 7th, the Council requested that the City formalize its support by resolution of SB185 and the idea of expansion of active transportation improvements in the State of Utah. This bill is an effort to provide ongoing and annual funding for these efforts by creating a new fund within the State's Transportation Investment Fund (TIF). The proposed fund is the Active Transportation Investment Fund (ATIF). The bill requires the ATIF to receive 5% of all revenues within the TIF. It is estimated in the fiscal note of the bill that \$56 million will be available in FY 2024 and \$59 million in FY 2025 and ongoing thereafter.

SB185 is a very lengthy bill and I thought it would be best to provide a link to the bill rather than the full text: <https://le.utah.gov/~2023/bills/static/SB0185.html>. Lines 1857-1875 of the bill create the new ATIF and lines 1062-1074 discuss the funding formula for the ATIF.

You may recall at the last meeting we also discussed a support letter for the Utah Trail Network identified in October 2022 by Governor Cox as a new vision for the State. If you wish to see the letter or sign it, the link for that page is: <https://unifiedplan.org/utah-trail-network/>

PROPOSED MOTION

I move that the City Council approve Resolution No. 2023-10R: A Resolution expressing the City's support for SB185, Transportation Amendments, including support for the creation of the State Active Transportation Investment Fund and other provisions of SB185 that allow for the creation of Statewide Active Transportation systems and use of local option sales tax for certain transportation purposes.

RESOLUTION NO. 2023-10R

A RESOLUTION EXPRESSING THE CITY'S SUPPORT FOR SB185, TRANSPORTATION AMENDMENTS, INCLUDING SUPPORT FOR THE CREATION OF THE STATE ACTIVE TRANSPORTATION INVESTMENT FUND AND OTHER PROVISIONS OF SB185 THAT ALLOW FOR THE CREATION OF STATEWIDE ACTIVE TRANSPORTATION SYSTEMS AND USE OF LOCAL OPTION SALES TAX FOR CERTAIN TRANSPORTATION PURPOSES

WHEREAS, the City of North Salt Lake is an urban community that has a desire to provide active transportation improvements within the City, region and State; and

WHEREAS, the City of North Salt Lake adopted a formal Active Transportation Plan together with the cities of Bountiful and Centerville for the purpose of providing commuter trails and pathways among many other Active Transportation Improvements; and

WHEREAS, the Utah State Legislature is considering HB185, Transportation Amendments, which provides among many other provisions for the creation of a new Active Transportation Investment Fund within the State's existing Transportation Investment Fund for the purpose of allocating ongoing annual State monies for the expansion of active transportation improvements Statewide; and

WHEREAS, the Governing Body of the City of North Salt Lake wishes to express its strong support to the Utah State Legislature for the passage of HB185.

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

Section 1. The City of North Salt Lake strongly supports the passage of HB185, Transportation Amendments, in the 2023 Utah State Legislative Session, especially the proposed creation of the Active Transportation Investment Fund with its accompanying funding strategy which provides ongoing and annual funding for active transportation infrastructure in the State of Utah.

Section 2. Effective Date. This resolution shall become effective immediately upon passage.

APPROVED AND ADOPTED by the City of North Salt Lake, Utah, on this 21st day of February, 2023.

CITY OF NORTH SALT LAKE

By:

BRIAN J. HORROCKS
Mayor

ATTEST:

WENDY PAGE
City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin	_____
Council Member Gordon	_____
Council Member Knowlton	_____
Council Member Porter	_____
Council Member Van Langeveld	_____

1 CITY OF NORTH SALT LAKE
2 CITY COUNCIL MEETING-WORK SESSION
3 ANCHOR LOCATION: CITY HALL
4 10 EAST CENTER STREET, NORTH SALT LAKE
5 FEBRUARY 7, 2023
6

7 **DRAFT**
8

9 Mayor Horrocks welcomed those present at 6:02 p.m.
10

11 PRESENT: Mayor Brian Horrocks
12 Councilmember Lisa Watts Baskin
13 Councilmember Natalie Gordon
14 Councilmember Ted Knowlton
15 Councilmember Stan Porter
16 Councilmember Alisa Van Langeveld
17

18 STAFF PRESENT: Ken Leetham, City Manager; Karyn Baxter, City Engineer; David Frandsen,
19 Assistant City Manager; Jon Rueckert, Public Works Director; Craig Black, Police Chief; Todd
20 Godfrey, City Attorney; Sherrie Pace, Community Development Director; Wendy Page, City
21 Recorder. Via Zoom: Heidi Voordeckers, Finance Director.
22

23 OTHERS PRESENT: Dee Lalliss, resident. Kristen Floyd, Kayla Jenson, Abbie Webb, Safe
24 Harbor.
25

26 1. PRESENTATION FROM SAFE HARBOR ON PROGRAM GOALS AND NEEDS
27

28 Kayla Jenson reported that as the Director of Community Advocacy with Safe Harbor she
29 oversaw all the community advocates. These advocates attended court, filed protective orders,
30 accompanied victims to the hospital, and managed different groups. She introduced Abbie Webb
31 the Prevention Advocate who provided community education and Kristin Floyd the Executive
32 Director who would provide information on expansion and needs.
33

34 Abbie Webb reported on their new prevention efforts aimed at Davis County employers. This
35 included a 45 minute presentation on the basics of domestic violence, support, workplace safety
36 plans, and resources. The goal was to reach as many employers as possible. In 2022 Safe Harbor
37 served approximately 3,000 individuals who were experiencing domestic abuse.
38

39 Councilmember Baskin asked if the 45 minute presentation worked with primary care health
40 partners (PCHP) or mental health interventions to provide the employer with tools to help the
41 individuals. Abbie Webb replied that it was not connected with any mental health programs but
42 helped the employer to create a workplace safety plan, a certification in domestic violence
43 prevention, and intervention trainings.

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Mayor Horrocks asked how Safe Harbor interacted with State agencies such as the Department of Child and Family Services (DCFS). Kristin Floyd responded they coordinated with all of the State agencies including DCFS and Adult Protective Services. She said the Safe Harbor advocates did not respond to incidents in the middle of the night like DCFS would. However, their shelter was open 24/7 for victims affected by domestic violence that were in imminent danger and would coordinate with the appropriate State agencies.

Councilmember Baskin questioned how to determine whether an individual was in imminent danger. Kristin Floyd said they did review the lethality assessment protocol (LAP) and that all Davis County law enforcement agencies were also utilizing LAP. If a client called the hotline into the shelter, they would initiate LAP and had rooms specific for individuals at risk.

Mayor Horrocks asked about the size of the shelter. Kristin Floyd replied that there were 10 rooms and 31 beds in the shelter. There were several buildings including the lifeline prevention center in Layton, ten apartments for transitional housing, and a shelter. She said they were breaking ground on another transitional housing facility which would have 15 apartments.

Councilmember Van Langeveld asked how individuals were interacting with Safe Harbor. Kristin Floyd explained that this included individuals referred through police interaction. Other contact came through the hotline or the employer program.

Councilmember Porter inquired how Safe Harbor handled addiction and similar situations. Kristin Floyd said they were not certified or qualified to help with addiction counseling, so they coordinated with other services. She explained drugs, weapons, or anything that would create an unsafe environment were not allowed at the shelter.

Councilmember Baskin asked how the staff at Safe Harbor coped with the trauma in the workplace. Kristin Floyd replied that the entire staff was trauma informed certified. She said there was not a standard trauma response from victims, so each staff member was trained to meet the individual where they were at emotionally and physically. As this could cause secondary trauma and compassion fatigue, they also offered a wellness program with time-off on the clock, a Zen room for decompression, and debriefing.

Councilmember Baskin spoke on the differentiation between child abuse and domestic violence. She asked if the child(ren) would be housed in the shelter with the non-offending parent. Kristin Floyd responded that the child(ren) would be housed with the non-offending parent and said they did not house any perpetrators. She noted if the child had observed domestic violence, then it was considered child abuse under State law and must be reported. She explained that Safe Harbor was a mandatory reporter and would work with the parent to report to and work with DCFS.

86 Councilmember Van Langeveld asked how Safe Harbor interacted with schools and if training
87 was offered to high school students. Kristin Floyd explained that they worked with the schools
88 and provided classes at several schools such as Mountain High. She said it was difficult as they
89 were not allowed to discuss sexual assault trauma and could only provide healthy relationship
90 information related to domestic violence in the school districts. They did offer programs for
91 teens including the Sexual Trauma and Recovery (STAR) Program. Ms. Floyd spoke on the
92 importance of prevention/education as the statistics for Utah related to sexual assault was 1 in 4
93 for teens and 1 in 3 for domestic violence.

94

95 Councilmember Gordon inquired about funding for Safe Harbor including daily operations and
96 growth. Kristin Floyd explained that Safe Harbor was 68% federal/state funded and the rest was
97 private foundations/philanthropic support. She said there would be a significant loss in federal
98 funding this year, so the focus was on requesting city and legislative support.

99

100 Chief Black thanked Safe Harbor and said the City had a part time clerk who coordinated victim
101 services with Safe Harbor. He mentioned that a significant number of victims who were high risk
102 with the LAP assessment refused services. Chief Black said there were 15 cities in the County
103 and only 31 beds available for domestic violence victims. He felt there was a lot more that could
104 be done but was grateful for the services provided by Safe Harbor. Kristin Floyd commented that
105 during COVID they had to reduce the number of available beds and had to turn away a large
106 number of victims.

107

108 Councilmember Knowlton questioned if Safe Harbor was able to track the data on the occupancy
109 including the number of nights /individuals per city. Kristin Floyd replied that some individuals
110 may not report their location but for the most part they had basic demographics for the clients
111 they were serving.

112

113 Councilmember Baskin mentioned that during the holidays her office tried to donate via the
114 website but had difficulty in doing this. Kristin Floyd said she would follow up on this issue.

115

116 Councilmember Gordon spoke on a fundraiser at the Davis Conference Center and asked if those
117 funds were for the expansion. Kristin Floyd replied that this was their 26th annual Evergreen
118 Gala with the goal to raise donations for programming costs.

119

120 Councilmember Gordon asked how funds were raised for capital expenditures. Kristin Floyd
121 explained that funds were received from the legislature for the prevention center, they also
122 received American Rescue Plan Act (ARPA) funds from Davis County, funding from the State,
123 and private donations. They needed approximately \$800,000 for phase 2 on the facility that they
124 were groundbreaking for now. They had not started any fundraising for the shelter which would
125 cost \$3 million.

126

127 Kristin Floyd spoke on the city contributions related to the Safe Harbor programs including
128 shelter and programs to allow individuals to remain in their homes.

129
130 Councilmember Baskin questioned if there were individuals who did not report because they
131 were afraid their child(ren) would be placed in foster care. Kristin Floyd replied affirmatively
132 and said most individuals were scared to report and/or leave for a number of reasons including
133 stalking, retribution by the abuser, etc.

134
135 Kristin Floyd spoke on the support in Davis County from law enforcement, the cities, businesses,
136 the health department, etc. and said it was a collective effort to address domestic violence and
137 sexual assault. She was impressed with the collaboration that happened and how important it was
138 for awareness of what was occurring.

139
140 Councilmember Van Langeveld asked about the training and how they recruited employers to
141 host the training. Kristin Floyd replied that it was a new program in the State and they were
142 reaching out to every chamber of commerce, women's group, city, etc.

143
144 Councilmember Van Langeveld suggested that the City could send a letter to businesses
145 recommending participation in the Safe Harbor prevention training.

146
147 2. PRESENTATION ON THE FY23 CAPITAL FACILITIES PLAN

148
149 Karyn Baxter reported on the fiscal year 2023 Capital Facilities Plan. She explained this was part
150 of the five year plan for streets, water, and storm water. Ms. Baxter then said the proposed fiscal
151 year 2023 Capital Facilities Plan included eight projects which she shared in detail. The first
152 project was 475 N and Cloverdale with street reconstruction including full asphalt replacement,
153 some new curb and gutter, and new water line replacement (City crew) as the existing lines were
154 six inch cast iron. She showed a map of the proposed area and images of the roads.

155
156 The second project was Mountain View/Skyview/Wildflower/Sego Lily street reconstruction
157 with full asphalt reconstruction, new secondary water line, and French drain to collect spring
158 water.

159
160 Councilmember Knowlton asked about the timeline for the proposed changes and funding.
161 Karyn Baxter replied that the Capital Facilities Plan was typically part of the budget process and
162 said that these projects were part of the five year Capital Facilities Plan but were not budgeted
163 for this fiscal year due to some changes in staffing. A budget adjustment for these items would
164 be on the next City Council agenda.

165
166 Karyn Baxter spoke on secondary water related to the Mountain View Circle, Skyview circle,
167 Wildflower Circle, and Sego Lily Circle cul-de-sacs. She explained that one culinary water tank
168 was transferred to secondary water storage. She further explained how 300 homes need to be on

169 the system but only 140 homes were currently connected in the Eaglewood Cove area. She noted
170 this project will add more homes to the new secondary system in the neighborhood.

171
172 The third project was the 400 West (500 N to 1100 N) street reconstruction and water line
173 replacement. She showed images of significant road cracking and said this road would be
174 completed in two phases.

175
176 Mayor Horrocks asked if the issue was due to patch repairs of the road. Karyn Baxter replied that
177 the asphalt seams should not be located in a wheel path/travel lane but due to the width of the
178 road that is what occurred. She also said when the road was paved it had a low asphalt content
179 which aged poorly. The asphalt mixes have since been corrected but because of the condition of
180 the asphalt it would need to be replaced.

181
182 Karyn Baxter spoke on the fourth project which was a new storm drain line at Eaglewood Golf
183 Course on holes 7 & 11 and lake enlargement on hole 8 for increased water storage. She showed
184 a map of where water was collecting and draining improperly resulting in flooding of adjacent
185 houses on hole 7.

186
187 Councilmember Van Langeveld asked about any aesthetic or landscaping concerns as water
188 fluctuated throughout the year. Karyn Baxter responded that the lake currently functions as a
189 secondary water reservoir and golf course feature and would be expanded in this project. There
190 would be no aesthetic or landscaping concerns because of the expansion of the lake. There would
191 not be a need to add more water sources to the expanded pond. It will be served by the secondary
192 water system and also collection of storm water runoff.

193
194 Karyn Baxter reported on the fifth project which was the pressure reducing valve (PRV)
195 replacement (installation) at Eaglewood Drive and Wood Hill. She explained that this was a
196 yearly replacement and the reason why it was not completed last year was due to the Eaglewood
197 Drive reconstruction project.

198
199 She showed images of the conditions of the streets for both the sixth and seventh projects. The
200 sixth project was the Parkway Dr/Canyon Lane/Eagle Pass/Ridgetop Circle street reconstruction.
201 The seventh project was Sider Dr/175 N/550 E/575 E street reconstruction with full asphalt
202 replacement. The eighth project was Main Street (I-15 to 1000 North) storm water.

203
204 Karyn Baxter reported on the estimated costs for the proposed fiscal year 2023 Capital Facilities
205 Plan as found in the following table:
206

Project Description	Streets	Water	Storm Water
475 N & Cloverdale	\$230,000	\$360,000	
Mountain View, Skyview, Wildflower & Segoe Lily (Eaglewood Loop)	\$230,000	\$350,000	\$30,000
400 West (500 N to 1100 N)	\$1,450,000	\$860,000	
Storm Drain at Golf Course Holes 7 & 11 and Lake Enlargement		\$200,000	\$600,000
PRV Replacement (installation)		\$100,000	
Parkway Dr, Canyon Lane, Eagle Pass, Ridgetop Circle	\$300,000		
Sider Dr, 175 N, 550 E, 575 E	\$330,000		
Main Street, I-15 to 1000 North	\$20,000		
	\$2,560,000	\$1,870,000	\$630,000

207
 208

209 Ms. Baxter explained that the City received a \$3 million grant for the Main Street project. This
 210 project would not be completed this fiscal year but \$20,000 was needed for the environmental
 211 study.

212

213 Mayor Horrocks asked if the intent was to complete the projects in fiscal year 2023. Karyn
 214 Baxter replied that the projects would go out to bid and construction would start in fiscal year
 215 2023.

216

217 Ken Leetham said a detailed budget amendment request would be presented at the next City
 218 Council meeting. The sources for funding would be highlighted as well.

219

220 Councilmember Porter asked about the City’s portion of 4000 South that tied into the County’s
 221 road. Karyn Baxter replied that staff had a multi-year street replacement and asphalt preservation
 222 plan. She said as the City now owned all of the streets in the annexation area the new capital
 223 facilities plan would be part of the budget planning for fiscal year 2024. This road project would
 224 be part of either fiscal year 2024 or 2025.

225

226 3. MONTHLY FINANCIAL REPORT FOR PERIOD ENDING DECEMBER 31, 2022

227

228 The monthly financial information for period ending December 31, 2022 was included with the
 229 agenda packet; however, there was no discussion on this item.

230

231 4. ADJOURN

232

233 Mayor Horrocks adjourned the meeting at 6:58 p.m. to begin the regular session.

234

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
FEBRUARY 7, 2023

DRAFT

Mayor Horrocks welcomed those present at 7:12 p.m. Stan Porter offered the invocation 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; Jon Rueckert, Public Works Director; Craig Black, Police Chief; Todd Godfrey, City Attorney; Sherrie Pace, Community Development Director; Wendy Page, City Recorder.

OTHERS PRESENT: Dee Lalliss, resident; Via Zoom: Ben Larson, Lime; Via telephone: Hayden Harvey, Lime.

1. CITIZEN COMMENT

There were no citizen comments.

2. CONSIDERATION OF RESOLUTION 2023-06R: A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT AUTHORIZING THE CITY'S PARTICIPATION WITH OTHER ENTITIES OF THE NORTH DAVIS METRO SWAT TEAM

Chief Black explained that not every police department needed a SWAT Team as it was not frequently utilized. He said the City had tried to utilize the South Davis SWAT Team several times but found it to be understaffed. He then researched several options for SWAT services including Salt Lake County, Unified PD, West Valley, and North Davis Metro. The City partnered with Layton SWAT or currently titled North Davis Metro SWAT. He explained North Davis Metro SWAT is a tier two swat team including two City officers that train and participate in calls.

277 Chief Black explained that he liked how North Davis Metro SWAT was respectful of jurisdiction
278 and received final approval from the City. He was also impressed with their training which
279 incorporated national standards.

280

281 Mayor Horrocks commented that if a city did not partner with North Davis Metro SWAT and
282 there was an incident that SWAT would still respond with assistance. He asked if that was a
283 better option. Chief Black replied that the two City officers gained opportunity, training, and it
284 was a retention tool for the department to participate in SWAT.

285

286 Councilmember Porter asked how many cities participated. Chief Black replied that Sunset did
287 not participate at all, and Syracuse and Clinton did not provide staffing. Layton provided 9
288 officers of the total 24 including the SWAT commander and sergeants.

289

290 Councilmember Porter asked about participation and any costs. Chief Black responded that there
291 was not a direct cost as a result of entering into the proposed agreement, but the City had
292 purchased some equipment (shields) and specific tactical gear for the City SWAT officers.

293

294 Councilmember Porter said that all cities would utilize the SWAT team and there should be a
295 requirement for participation through staff or funding.

296

297 Councilmember Gordon was in support of partnering with North Davis SWAT.

298

299 Councilmember Knowlton asked how South Davis and North Davis SWAT came together. Chief
300 Black replied that about ten years ago cities were invited to participate, which evolved into the
301 first interlocal agreement for training and leadership purposes.

302

303 Mayor Horrocks asked if there was any concern regarding response time. Chief Black said the
304 City's officers were trained to stabilize any situation and provide active responses to neutralize a
305 threat. A SWAT team was useful for barricades including dynamic entries. He said any SWAT
306 team took approximately an hour to get into place.

307

308 Councilmember Van Langeveld said that the City had one to three officers that were part of
309 SWAT. Chief Black responded that the City currently had two officers that participated in
310 SWAT and the agreement was that they would only go if staffing allowed. The schedule was
311 setup to allow for the two days of monthly training.

312

313 Councilmember Van Langeveld questioned if the officers trained in SWAT had to wait until the
314 entire team was present at an incident to proceed. Chief Black responded that City officers would
315 stabilize the incident and prepare for SWAT. If it was not a SWAT incident the SWAT trained
316 officers would enter first. He said that during an incident, SWAT needed to provide a plan
317 approved by the City police department/operations commander on the scene prior to taking
318 action.

319 Councilmember Porter asked about FBI involvement/operations and if they would utilize local
320 SWAT. Chief Black replied that the FBI generally did not operate off of immediate instances
321 like local departments. He said the FBI SWAT was used for planned events like the Olympics,
322 etc.

323

324 **Councilmember Van Langeveld moved that the City Council approve Resolution 2023-**
325 **06R, authorizing the Mayor to sign the Interlocal Cooperation Agreement allowing the**
326 **City’s participation with other entities for the North Davis Metro SWAT Team.**

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

329

330 3. CONSIDERATION OF RESOLUTION 2023-07R: A RESOLUTION APPROVING
331 THE MEMORANDUM OF UNDERSTANDING WITH NEUTRON HOLDINGS,
332 INC., DBA LIME TO OPERATE A MICROMOBILITY SERVICE (E-
333 BIKE/SCOOTER) WITHIN THE CITY

334

335 Sherrie Pace reported this was similar to the proposal made last year by Bird Scooters. She
336 indicated Lime Scooters proposed to operate a micro-mobility service for e-bikes and scooters
337 within the City. The Planning Commission granted a conditional use permit on January 24, 2023
338 contingent on City Council approval of the memorandum of understanding (MOU) and operation
339 in conformity to the operations plan in the MOU. All vehicles would be required to meet the
340 standards of the City and State for safety including head/tail lights, brakes, bells, and age
341 limitations. All vehicles would be equipped with GPS to monitor for parking, operation location,
342 and maintenance issues. The vehicles would have a maximum speed of 15 miles per hour. Ms.
343 Pace said that geofences could be put in place including reduced speeds on sidewalks. Field
344 inspections would be conducted for a variety of issues that could not be monitored remotely.
345 Lime employees would monitor and relocate scooters to ensure they were charged and neatly
346 parked at “hot spots” based on demand. The company would provide numerous methods to reach
347 customer service and would be staffed 24/7. Hot spot locations would be coordinated with City
348 staff to ensure safe operations and suitable locations. She showed a map of proposed locations.

349

350 Councilmember Porter commented on the agreement with Bird Scooters. Sherrie Pace responded
351 that the contract with Bird Scooters did not provide for exclusivity in the City. She mentioned
352 the conditional use permit for Bird Scooters expires in July 2023 if they do not begin operations
353 prior to that date.

354

355 Councilmember Van Langeveld questioned if the rider had to return the scooter or bike to a
356 specific location. Sherrie Pace responded that the rider did not have to return the scooter/e-bike
357 to a designated location. She said there would be a geofence to prohibit the vehicles from leaving
358 the City limits to the north.

359

360 Councilmember Van Langeveld asked which adjacent cities were also working with Lime.
361 Sherrie Pace replied that Lime Scooters were available in Salt Lake City and potentially
362 Bountiful, etc. in the future.

363
364 Councilmember Baskin wondered why there was an increased time to report incidents from 48
365 hours to 72 hours. Hayden Harvey, Lime, said that in smaller municipalities the vehicles were
366 utilized less and moving them more frequently lessened availability.

367
368 Councilmember Baskin said that e-bikes/scooters crashes were typical injuries in emergency
369 rooms. Hayden Harvey responded that the data showed individuals were more likely to be
370 injured by a motor vehicle. He said 99.99% of their rides were without incidents.

371
372 Hayden Harvey spoke on their events across the Wasatch Front in which they gave out free
373 helmets and introduced the service. He also explained the safety guidelines through the app when
374 renting a vehicle.

375
376 **Councilmember Knowlton moved that the City Council approve Resolution 2023-07R,**
377 **authorizing the Memorandum of Understanding with Neutron Holdings, Inc., DBA Lime**
378 **to operate a micro-mobility service (E-bike/scooter) within the city public rights of way.**
379 **Councilmember Van Langeveld seconded the motion. The motion was approved by**
380 **Council Members Gordon, Knowlton, Porter, and Van Langeveld. Councilmember Baskin**
381 **voted in opposition to the motion.**

382
383 4. CONSIDERATION OF ORDINANCE 2023-01: AN ORDINANCE ADOPTING THE
384 CRIME OF BATTERY AS PART OF THE CITY'S CRIMINAL CODE

385
386 Chief Black reported that this was a crime being committed in the City particularly in domestic
387 violence situations and was not covered in State code. He said assault and battery were two
388 separate items and explained that assault was an intent to cause injury while battery was an intent
389 to intimidate, harass, bully, etc. and cause fear. He mentioned by adopting this as a City
390 ordinance it would allow for a justification of arrest and allow proof of an actual intent to inflict
391 injury in a court case.

392
393 Chief Black said that the proposed language for this ordinance included that a person commits
394 battery if he intentionally or knowingly without legal justification and by any means causes
395 bodily injury to a person; or makes physical contact of an offensive, insulting or provoking
396 nature with a person. Physical contact shall include but is not limited to kissing, pinching,
397 poking, shoving or intimidating touch. He explained several other cities had this ordinance
398 including Layton, Bountiful, and West Valley.

399
400 Councilmember Baskin commented on the differences between assault and battery. She asked if
401 the distinction was committing an act that caused bodily injury with unlawful force or violence.

402 Chief Black clarified that there was not a battery statute in State code. He said the impetus of this
403 was that assault charges were being dismissed as intent could not be proven.

404
405 Todd Godfrey commented after reviewing the ordinance, the difference was the unlawful force
406 or violence requirement of assault that was not present in the battery definition. He said it
407 focused on a different type of incident.

408
409 Chief Black spoke on an example of battery including pushing or bullying without the intent to
410 cause bodily injury. He spoke on the difficulty in domestic violence cases and the plea bargain
411 with a charge of assault. Chief Black clarified it seemed like the key word was intent and
412 whether it was to cause injury or to provoke.

413
414 Councilmember Baskin suggested removing “bodily injury” from the definition of battery. Todd
415 Godfrey responded he did not think there was a constitutional impairment for leaving the phrase
416 in. He said a prosecutor would want both options, assault and battery, to be available.

417
418 Chief Black said the feedback on the language from the prosecutors was that it would be an
419 acceptable alternative to assault.

420
421 Councilmember Baskin had concerns and felt that a criminal defense attorney would find it
422 vague. She also suggested an edit from “he” to “the person” in the ordinance.

423
424 Councilmember Van Langeveld asked why the distinction of battery omitted the domestic
425 violence tag and the prohibition for possessing firearms. Chief Black replied that the State
426 cohabitation abuse law specifically articulated what crimes fell under the purview of domestic
427 violence including assault, kidnapping, unlawful detention, and destruction of property. He said
428 as battery was not part of State law it would not fall under the cohabitation abuse law.

429
430 Councilmember Van Langeveld expressed concern that it may make it easier for domestic
431 violence perpetrators to keep their guns when they should be charged with assault. Chief Black
432 clarified that if the elements of assault were present it would be the first preference of
433 prosecutors to charge persons with assault. This would allow for a backup in a domestic violence
434 situation when the elements were not there for assault.

435
436 Ken Leetham commented on the bullying aspect and if it would cover verbal abuse. Chief Black
437 said a threat would be covered under domestic violence but required an immediate show of force.

438
439 **Councilmember Porter moved that the City Council approve Ordinance 2023-01 an**
440 **ordinance amending Title 5, Chapter 5 – Crimes and Offenses, to include the offense of**
441 **battery and provide means for its punishment with an edit to change the word “he” to “the**
442 **person.” Councilmember Gordon seconded the motion. The motion was approved by**
443 **Council Members Baskin, Gordon, Knowlton, Porter, and Van Langeveld.**

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485

Chief Black committed that if this ordinance proved to be problematic he would bring it back to the City Council for amendment or repeal.

5. CONSIDERATION OF ORDINANCE 2023-02: AN ORDINANCE AMENDING TITLE 6 CHAPTERS 1 AND 2 OF THE CITY’S TRAFFIC CODE AND PARKING REGULATIONS

Chief Black reported that in 2019 the City made significant changes to the parking regulations and ordinances. These changes were aimed at easing parking restrictions when city streets did not need to be plowed and removed parking violations from the criminal code to civil violations. He explained it has since been determined that several changes need to be made including Chapter 1, Section 6 of Title 6, City Code so it was included with Section 3 for an exception to the weight limitations of restricted vehicles on public streets. It was recommended to move the language to the appropriate section and have the exemption applied to that section only rather than the entire chapter.

Chief Black indicated Title 6 Chapter 2 – Parking Regulations was proposed for some amendments as well. He reviewed the following proposed language for inclusion in Section 7 – Prohibited Acts: “3) All vehicles and trailers stopped, standing or parked within a public right of way shall be parked in the direction of lawful traffic movement, with the wheels parallel to and within twelve (12) inches of the curb, asphalt edge, or shoulder, except where lawfully striped. 4) Parking perpendicular to a curb within a cul-de-sac is strictly prohibited.”

Chief Black continued staff also discovered that the City’s Code did not prohibit motor vehicles or trailers requiring registration to be currently registered when parked on public streets. It was recommended the City Council adopt for appropriate placement in Title 6 Chapter 2 the following prohibition: “1) Every vehicle at all times while being driven, stopped or parked upon the streets, alleys, roadways, municipal property or publicly owned parking lots of this city, shall: a) be registered in the name of the owner thereof in accordance with the laws of the state, unless such vehicle is not required by the laws of Utah to be registered. b) Display in proper position at least one (1) valid, unexpired registration plate, on the rear of such vehicle; and c) when required, current validation or indicia of registration attached to the rear plate and in a manner complying with the laws of the state of Utah, and free from defacement, mutilation, and other obscuring matters, so as to be plainly visible and legible at all times. However, if such vehicle is not required to be registered in this state, and the indicia of registration issued by another state, territory, possession, or district of the United States, or of a foreign country, substantially complies with the provisions hereof, such registration shall be considered as compliant with this code. 2) Any registered vehicle that has not yet received a permanent validation or indicia of registration shall display the temporary indicia of registration issued to such vehicle in accordance with the requirements set forth in section 41-1a-211 of the Utah code or its successor section. 3) The above requirements also apply to any trailer, vessel, outboard

486 motor, or other conveyance required to be registered in the State of Utah pursuant to Utah State
487 Code Title 41 (Motor Vehicles), Chapter 1a (Motor Vehicle Act).”

488
489 Councilmember Porter mentioned issues with car dealerships parking inventory on City streets.
490 Chief Black replied that this would be handled through business licensing as it was not allowed
491 to overflow onto other areas outside their property. He said that code enforcement would handle
492 this as a business violation.

493
494 **Councilmember Baskin moved that the North Salt Lake City Council approve Ordinance**
495 **2023-02 amending City Code, Title 6, Chapter 1 – Traffic Code and Chapter 2 – Parking**
496 **Regulations. Councilmember Knowlton seconded the motion. The motion was approved**
497 **by Council Members Baskin, Gordon, Knowlton, Porter, and Van Langeveld.**

498
499 6. CONSIDERATION OF PURCHASE OF ONE PUBLIC WORKS VEHICLE FOR THE
500 WATER DEPARTMENT IN THE AMOUNT OF \$69,375

501
502 Jon Rueckert reported that the budgeted vehicle in FY 2022-23 was a 2023 Ford F-550 Crew
503 Cab Chassis. The purchase would be under State Cooperative Contract MA3792 from Ken Garff.
504 The remaining budget would be used to rehab and repair the current utility bed on truck W-14 in
505 preparation for it to be removed and installed on this new chassis. He commented that the utility
506 bed could possibly be used on future vehicles as well.

507
508 **Councilmember Porter moved that the City Council approve the purchase of a Ford FT550**
509 **Crew Cab Chassis under the State of Utah Cooperative Contract MA3792 from Ken Garff**
510 **Ford American Fork for the price of \$69,375. Councilmember Gordon seconded the**
511 **motion. The motion was approved by Council Members Baskin, Gordon, Knowlton,**
512 **Porter, and Van Langeveld.**

513
514 7. CONSIDERATION OF PURCHASE OF TEN GENERATORS WITH FEMA GRANT
515 FUNDS IN THE AMOUNT OF \$788,518

516
517 Jon Rueckert reported on the FEMA Generator grant purchase and said staff had utilized
518 membership with Sourcewell to leverage a cooperative purchasing contract. Sourcewell
519 conducted “procurement by, or on behalf of, one or more public procurement units” as defined
520 by the American Bar Association Model Procurement Code for state and local governments. This
521 allowed staff to obtain cooperative purchasing bids from two local companies that participate in
522 these contracts. Bids were received from Wheeler Machinery for Cat generators and Power
523 Systems West for Kohler generators.

524
525 Mr. Rueckert explained this project was being funded through a 90/10 participation grant with
526 FEMA providing up to \$941,571 with the City to pay \$104,619 for part one of the grant

527 including acquisition of the generators. Part two would include FEMA payment for the
528 installation of this equipment.

529
530 **Councilmember Porter moved that the City Council award the purchase of 10 generators**
531 **from Wheeler Machinery for up to \$788,518. Councilmember Baskin seconded the motion.**

532
533 Mayor Horrocks asked about maintenance. Jon Rueckert replied that the generators would run
534 once a week and be tested yearly.

535
536 **The motion was approved by Council Members Baskin, Gordon, Knowlton, Porter, and**
537 **Van Langeveld.**

538
539 8. CONSIDERATION OF RESOLUTION 2023-08R: AMENDING THE CITY'S VOTER
540 PARTICIPATION AREAS TO INCLUDE THE VAL VERDA ANNEXATION AREA

541
542 Wendy Page reported that in 2019 Utah State code required governmental entities to establish
543 Voter Participation Areas following each redistricting by State Legislature based upon
544 population data. On January 1, 2023 the City enlarged its boundaries to include the Val Verda
545 annexation. The change in boundary necessitated amending the current voter participation areas
546 to include the annexed area.

547
548 Ms. Page stated Davis County conducted the City's elections and maintained current voter
549 information, so they were contacted and put together proposed areas (as shown on Exhibit A of
550 Resolution 2023-08R) in accordance with State Statute. She explained the amendments included
551 the addition of precinct NS10 and adjustments to Areas B, C, and D to redistribute some
552 precincts, so the voter participation areas stay along existing voting precinct lines and would be
553 contiguous and compact and of substantially equal population.

554
555 **Councilmember Porter moved the City Council approve Resolution 2023-08R: a resolution**
556 **amending the City's voter participation areas to include the Val Verda annexation area.**
557 **Councilmember Baskin seconded the motion.**

558
559 Councilmember Van Langeveld commented on the voting area, gerrymandering, and boundary
560 lines. The Council discussed legislative districts, the division of Foxboro, and equal population
561 in the areas.

562
563 Wendy Page clarified that voter participation areas were based on the number of registered
564 voters within a geographical area to clarify the application of signature thresholds, and to ensure
565 that signatures gathered in support of placing a referenda and/or initiative on a ballot represented
566 a broad range of residents as opposed to a small geographical area. She said precincts were
567 separate from this; however, the County had followed precinct lines when determining the voter
568 participation area boundaries.

569 **The motion was approved by Council Members Baskin, Gordon, Knowlton, Porter, and**
570 **Van Langeveld.**

571

572 9. APPROVAL OF CITY COUNCIL MINUTES

573

574 The City Council minutes of January 17, 2023 were reviewed and approved.

575

576 **Councilmember Van Langeveld moved that the City Council approve the City Council**
577 **meeting minutes from January 17, 2023, as written. Councilmember Gordon seconded the**
578 **motion. The motion was approved by Council Members Baskin, Gordon, Porter, and Van**
579 **Langeveld. Councilmember Knowlton abstained from voting.**

580

581 10. ACTION ITEMS

582

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

584

585 Councilmember Van Langeveld asked about the current item related to the Safety Committee
586 and an inventory of public safety weakness around schools. She spoke on potentially partnering
587 with Wasatch Front Regional Council to create a safety plan around the elementary schools.

588

589 11. COUNCIL REPORTS

590

591 Councilmember Knowlton reported on the request to the Council and staff to sign a letter in
592 support of the Utah Trail Network. He said this was part of the budget to establish a fund by
593 Governor Cox to create a trail network across Utah.

594

595 Councilmember Baskin reported tomorrow was the Senior Lunch Bunch and there was a new
596 volunteer, Janet Welsh, willing to help. Councilmember Baskin reported that she (Baskin) was
597 also part of the legislative policy committee and was following the bills during this legislative
598 session.

599

600 Councilmember Porter reported that the Jordan River Commission met recently and discussed
601 the formation of water committees. He invited the Council and staff to the Roadhouse and
602 Bamberger building for a history tour.

603

604 Councilmember Knowlton reported on the discussion during the Parks, Trails, Arts, and
605 Recreation Advisory Board meeting of City's 75th anniversary event and potential celebration
606 this year. He asked for feedback from the Council on an event.

607

608 Mayor Horrocks commented that the 2022 event was a great event and worried about
609 overloading staff and the Board.

610

611 The Council voiced support for another event if the Board and staff had the capacity to do so.

612

613 Councilmember Baskin reported that the new beverage/food manager for the golf course had
614 been hired.

615

616 Councilmember Gordon indicated the Youth City Council would be attending the leadership
617 conference in Logan this March.

618

619 Councilmember Knowlton asked about creating a resolution in support of the Utah Trail
620 Network. Ken Leetham responded the City Council could consider a resolution at its next
621 meeting.

622

623 12. CITY ATTORNEY'S REPORT

624

625 Todd Godfrey had nothing to report.

626

627 13. MAYOR'S REPORT

628

629 Mayor Horrocks reported on UTA in Demand with the top destinations including the Woods
630 Cross Front Runner Station, followed by Smiths in Woods Cross, and Walmart in Centerville.
631 He said a member of the South Davis Sewer District Governing Board passed away and Len
632 Arave was appointed to the open position.

633

634 Mayor Horrocks said the South Davis Fire District was short 11 firefighters but had 9 currently
635 in the academy. He asked about HB120 in the legislature and the proposal to tax electric vehicle
636 stations.

637

638 Mayor Horrocks spoke on Wasatch Integrated Waste and the desire for mandatory recycling. He
639 also said there was consideration for one contract for every city to better coordinate waste
640 management services.

641

642 Mayor Horrocks mentioned workplace safety and mental health issues. Ken Leetham commented
643 that in the departments where employees were most vulnerable to accidents, high amounts of
644 physical and emotional stress or physical danger, the City provides training in equipment, safety,
645 and being more open about mental health.

646

647 14. CITY MANAGER'S REPORT

648

649 Ken Leetham reported on the RAP tax bill with Senator Weiler. He felt there would be great
650 support for this bill.

651

652 Ken Leetham spoke on the hiring of a Washington DC lobbyist to assist the City with Union
653 Pacific Railroad related to the 1100 North project. This resulted in several representatives
654 reaching out to Union Pacific and a meeting with Union Pacific and staff. The suggestion was to
655 seek funding through the Federal Railroad Administration for a revised project. Mr. Leetham
656 spoke on some solutions for the bridge and felt there is a solution that Union Pacific would
657 support. The deadline for the funding application was in November.

658

659 15. ADJOURN

660

661 Mayor Horrocks adjourned the meeting at 9:10 p.m.

662

663 *The foregoing was approved by the City Council of the City of North Salt Lake on Tuesday*
664 *February 21, 2023 by unanimous vote of all members present.*

665

666

667 _____
Brian J. Horrocks, Mayor

_____ *Wendy Page, City Recorder*

Action Items for February 21, 2023

Item	Staff	Description
<u>New</u>		
1	Ken/Wendy	(2-7-23) Provide a letter to employers in the City in support of participating in the Safe Harbor workplace violence prevention training.
<u>Current</u>		
1	Sherrie	Staff to follow-up with Castlewood Development for a status report on the Williamsburg project. <i>Castlewood has reported that they are planning to start construction in summer/fall of 2024. Request sent to them requesting that the Chile Amor building be removed as we are starting to see graffiti on the building. (2/15/23)</i>
2	Ken	Include in the Hatch Park Design Project an inventory of existing trees and a detailed plan to keep existing trees as much as possible, particularly on the west side of the park and any areas where large mature trees exist.
3	Sherrie	(1-3-23) Schedule a work session to discuss a dedicated bike lane on Orchard Drive. <i>The work session is tentatively scheduled for March 7. (2/15/23)</i>
4	Sherrie	(10-18-22) Work session to review the Active Transportation and Town Center Master Plans. <i>The work session is tentatively scheduled for March 7. (2/15/23)</i>
5	Tyler	(10-18-22) Schedule announcements and open houses for the golf course and reception center renovations. <i>Staff will put together a program of announcements and an event to bring the public for an open house and tour of the facility. (10/27/22)</i>
6	Safety Committee	(9/6/22) Inventory of public safety weaknesses around the City's elementary schools. Identification of problem areas and recommendations for resolving pedestrian and other active transportation issues. (2-7-23) Seek WFRC funding for safety plan surrounding local elementary schools. <i>Safety Committee met on this on November 1. A meeting with interested CC members was scheduled. Safety Committee met with Councilmember VanLangeveld on this item on December 15, 2022. (12/28/22) Sherrie is checking with WFRC to see if there is funding assistance available for completion of safety plans around NSL elementary schools. (2/16/23)</i>
7	Sherrie & PW/Parks Dept.	<i>Combined Action Items:</i> (Various Dates) Park strips &: City owned property Review city code for park strip landscape requirements, propose alternatives for vegetation requirements (trees) & evaluate city owned park strips and properties for recommendation on conversion to water wise landscape & review compliance notifications and processes <i>Comm. Dev. will work with Parks Dept. over the winter months to present proposal to Council in early 2023 (9/29/22)</i>
8	Ken	(5-17-22) Staff to review alternatives for uses of City-owned properties at City Hall parcels and Hatch Park; develop process for making decisions. <i>Project report back should be in Spring, 2023. City staff will also be attending training on "Your Land, Your Plan" on January 9 to learn of the benefits of that program (12/28/22)</i>
9	Sherrie	(8/16/22) Staff to review the ten-day courtesy notice to see if the language could be softened. <i>Code enforcement is preparing response and suggested process (9/27/22)</i>
10	Ken	(4-19-22) Staff to follow-up with Woods Cross on the dog park and then report back to the Council. (11-15-22) Schedule work session item to discuss dog park options. <i>Schedule CC work session to discuss project options for a meeting in March. (2/14/23)</i>
11	Sherrie/Ken	(3/15/22) Review cemetery possibilities including land in (or outside of) the City. <i>Sherrie, Ken, and Ali met to discuss possible sites-Ali will review property deed restrictions on city owned properties and provide to Council. (9/29/2022)</i>
12	Sherrie	(3-1-22) Staff to review disproportionate and other fees related to businesses like gas stations (cost of local consent licenses and State liquor sales license). <i>Staff to prepare memo (5/10/22)</i>

13	Ken	(1-4-22) Options for emergency preparedness training for staff including windstorms, landslides, etc. <i>Staff is exploring solutions with Davis County (4/12/22)</i>
14	Ken	(2-16-21) Staff to prepare policy (or review current policy) related to tree removal particularly when related to sidewalk damage. <i>Staff is working on a follow-up report to the City Council.</i>
15	Tyler	Long range monitoring item: (1-3-23) Staff to present an analysis on the 20% resident discount at the Eaglewood Event Center versus 10% or 15% discount, events on weekdays versus weekends, and day versus night rentals. <i>Golf Department will report back on analysis in 2024. (1/10/2023)</i>
16	David, Ken	Long range monitoring item: (3-1-22) Review the park reservation cleaning deposit next year to see if it was effective in relation to damage/cleaning-Staff to provide a study by the end of 2022. <i>Public Works has built a work order system for tracking, reviewing and documenting damages and associated costs made to pavilions and will report back to council in 2023. (4/12/22)</i>
17	Sherrie	Long range monitoring item: (8/3/22) Inventory and evaluation of safe and unsafe locations for bikes, scooters, pedestrians within one year or August 1, 2023. <i>Ali is reviewing active transportation plan and will monitor scooter conflicts and make recommendations on safety improvements. (8/3/2022)</i>