

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
MAY 30, 2023

FINAL

Mayor Horrocks welcomed those present at 6:06 p.m.

PRESENT: Mayor Brian Horrocks
Councilmember Lisa Watts Baskin via Zoom and telephone
Councilmember Natalie Gordon via telephone
Councilmember Stan Porter

EXCUSED: Councilmember Ted Knowlton
Councilmember Alisa Van Langeveld

STAFF PRESENT: Ken Leetham, City Manager; David Frandsen, Assistant City Manager; Karyn Baxter, City Engineer; Todd Godfrey, City Attorney; Sherrie Pace, Community Development Director; Heidi Voordeckers, Finance Director; Wendy Page, City Recorder.

1. REVIEW OF THE ANIMAL CONTROL REGULATIONS IN DAVIS COUNTY CODE TITLE 6 AND CITY CODE TITLE 5, CHAPTER 4 AND TITLE 10

Sherrie Pace provided a comparison of the Davis County animal control ordinance with the City animal control ordinance. She said overall the County's ordinance was much more comprehensive and included definitions for dangerous animals, animals at large, working dogs, restraint devices, service animals, etc. She added the County's ordinance also included information on Animal Care Officers, power & authority, investigation & enforcement, interfering with officers, procedure for all peace officers, criminal citations, and notice of violations. Ms. Pace explained that the City's ordinance related to Animal Control Officials was very similar but less detailed than the County's ordinance.

Sherrie Pace reported on the Davis County and City ordinances related to licensing and registration. She noted these ordinances were also similar with annual renewal and exemptions for seeing eye dogs with the County requiring licensing with tag and collar for dogs as well as cats. She said the Davis County ordinance also had a section related to breeders and large kennels which required permits and site inspection. She mentioned the City's ordinance required commercial permits and kennel permits for three or more dogs. Ms. Pace said the kennel permit caused confusion and would be changed in the City's ordinance. She continued the County allowed for three dogs or cats or a combo per residence with a special permit for a fourth pet. She acknowledged the City currently allowed for no more than three dogs or cats per residence

and this would be updated to reflect the County ordinance allowance of three per residence. She stated the County also had exemptions to allow more than four in the event of a service animal or government dogs.

Mayor Horrocks mentioned litters of puppies and how long a resident could keep the puppies without being in violation of the ordinance. Sherrie Pace replied that the puppies could be kept for up to four months and then must be rehomed.

Sherrie Pace spoke on the Davis County ordinance for annual additional animal permits which included an annual fee, licensing of all animals, and the special requirements for a fourth animal. She stated these requirements included a site plan of the outdoor area, inspections, and a review of previous complaints/violations in the past year. She mentioned grounds for denial included lack of proof for spay/neutering, lack of microchip, failed inspection, and a notice of violation/citation. Ms. Pace said appeals could be made to the Animal Care Director. She explained that there were very few properties in the Foxboro area of the City that would allow for a fourth pet as the outdoor area must be no less than 100 feet from neighboring dwellings.

Ms. Pace stated the Davis County ordinance for conditions of kennels and standards of care for kennels & breeders included certain requirements related to size, condition, flooring, protection from elements, ventilation, temperature regulation, lighting, food storage, and cleaning.

Councilmember Porter questioned existing kennels in the City and if they would be required to meet the new requirements. Sherrie Pace replied that she assumed commercial kennels would be required to meet the conditions.

Sherrie Pace then reviewed the County and City ordinances related to nuisance animals. She explained these ordinances were similar with a nuisance deemed to cause property damage, unreasonable odors, unsanitary conditions, excessive noise, chases vehicles, and determined to be a public nuisance. She stated the County ordinance addressed abatement of public nuisance animals with an attempt to gain consent from the owner to abate the animal, abatement included euthanizing, relocating, impounding, etc. She shared the County's livestock control and fencing section which only applied to a few properties in the City. Ms. Pace indicated the next ordinances reviewed related to dangerous animals, animal waste, staking animals improperly, domestic fowl trespassing, and animals at large.

Sherrie Pace spoke on the Davis County ordinances related to the possession of wild animals (which was prohibited) and animals attacking persons and animals. She reviewed the City ordinance related to leasing to owners of fierce, dangerous, or vicious animals. She mentioned this included requiring insurance, proper licensing, fenced yard, leashed and muzzled outside of fenced area for any pets that qualified as fierce, dangerous or vicious. Ms. Pace said this provision could be removed from the code as she was unsure of when/if there had ever been a need to regulate this. She noted the City also had a wild animal ordinance which was similar to

the County ordinance in prohibiting wild animals particularly protected species by Title 50 of federal regulations.

Ms. Pace compared the ordinances related to impounding of animals and both the County and City ordinances were similar in that the following animals may be impounded: running at large, unlicensed, sick or injured, abandoned, unvaccinated for rabies, quarantine, or potentially dangerous and a dangerous animal not properly contained. She stated the City and County ordinances for impoundment recordkeeping were the same and included a description of the animal, the date/manner of impoundment, date/manner of disposal, location of pickup, name and address of redeemer, name and address of relinquishing individual, fees, and all expenses accrued during impound. She noted both ordinances included regulations for redemption, disposal, and impound fees.

Sherrie Pace reviewed the Davis County ordinances for vicious animal abatement and disposal and animal shelter sterilization. She said the ordinances related to rabies prevention and control, duty to report, and bites/attacks were the same. She mentioned the County ordinance for offenses concerning animals was more robust than the City's ordinance for prohibited acts/cruelty to animals but was similar in that animal fighting, abuse, abandonment, poisoning, killing of birds, etc. was prohibited. She indicated other prohibited acts in both ordinances included a duty to report when striking an animal with a vehicle and to remain with the animal. She acknowledged the City ordinance also included a provision related to the sale of animals under two months of age or in quantities greater than six, artificially dying animals, selling turtles, or feeding deer, elk, or turkey.

Sherrie Pace reviewed the City's ordinance related to domestic farm animals and the point system. She said every lot immediately had 18 points and the number and type of animal allowed on each lot was based on points that were determined by lot size. She explained that certain animals were not allowed in the City including roosters, donkeys, nuisance animals (raccoons, skunks), or non-domesticated or exotic pets. She provided the rules for coops/enclosures for chickens and domestic farm animals including that enclosures must be a minimum of 35 feet from the neighboring dwelling.

Councilmember Porter asked if existing coops/enclosures that were less than 35 feet from the neighboring dwelling would be grandfathered in. Todd Godfrey said that he would consider that a use of land and if it was lawfully established at some point then it would have grandfathering protection.

Ken Leetham commented that if something was lawfully permitted in the past and the City or County ordinance changed the use could continue as long as the use was not abandoned. He clarified that certain things such as a nuisance or uncleanliness would not be allowed. He said the intention of this agenda item was to provide some discussion prior to considering an ordinance in

the regular session which would replace and amend the animal control ordinances currently in Titles 5 and 10 and defer to Davis County for enforcement.

2. ADJOURN

Mayor Horrocks adjourned the meeting at 6:48 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
MAY 30, 2023

FINAL

Mayor Horrocks welcomed those present at 7:00 p.m. Shane Ballard and Landon Ballard offered the invocation and led those present in the Pledge of Allegiance.

PRESENT: Mayor Brian Horrocks
Councilmember Lisa Watts Baskin via Zoom and telephone
Councilmember Natalie Gordon
Councilmember Stan Porter

EXCUSED: Councilmember Ted Knowlton
Councilmember Alisa Van Langeveld

STAFF PRESENT: Ken Leetham, City Manager; David Frandsen, Assistant City Manager; Craig Black, Police Chief; Mitch Gwilliam, Assistant Police Chief; Karyn Baxter, City Engineer; Todd Godfrey, City Attorney; Sherrie Pace, Community Development Director; Heidi Voordeckers, Finance Director; Wendy Page, City Recorder. Terry Fritz, Sergeant; Jana Baggett, Police Admin; Jocelyn O'niones, Evidence Technician; Kristin Banks, Randon Carter, Ruben Correa, Coty Hansen, Alexandra Jeffers, Austin Lewis, Hilary Mills, Luis Rubio, Seth Shaffer, Officers.

OTHERS PRESENT: Audrey Beebe, Enos Beebe, Peyton Otis, Landon Ballard, Shane Ballard, residents/YCC; Dee Lalliss, Bruno Barron, Jake Gordon, residents.

1. CITIZEN COMMENT

There were no citizen comments.

2. SWEARING IN OF NORTH SALT LAKE POLICE OFFICERS

Chief Black said several officers had not yet been formally sworn in by the Mayor including Coty Hansen, Seth Shaffer, Luis Rubio, Austin Lewis, Hilary Mills, Ruben Correa, Alexandra Jeffers, Randon Carter, and Kristin Banks.

Mayor Horrocks performed the swearing in for the North Salt Lake police officers mentioned above.

Chief Black introduced each officer and then the officers each participated in a badge pinning ceremony and introduced those who came to support them.

Councilmember Gordon commented that she was amazed at the quality of the Police Department, training, and good work they did. Councilmember Porter expressed his appreciation as well.

Mayor Horrocks remarked on the support of the family and friends of the officers. He said it was a strength in the community to have this police force and Chief Black.

Councilmember Baskin thanked the officers for their service and efforts.

3. PUBLIC HEARING AND CONSIDERATION OF RESOLUTION 2023-25R: A RESOLUTION ADOPTING AN AMENDMENT TO ADJUST THE 2022-2023 FISCAL YEAR BUDGETS

Heidi Voordeckers reported that the HVAC system continued to struggle and leak. She explained this budget request was to increase the amount in professional services for government buildings by \$40,000 to a total budget of \$120,000. She said \$110,000 had been spent year to date which left \$10,000 to allow for repairs and any other building repairs or maintenance until the end of the fiscal year.

Mayor Horrocks opened the public hearing at 7:26 p.m. There were no public comments and he closed the public hearing at 7:27 p.m.

Councilmember Porter moved that the City Council approve Resolution 2023-25R: a resolution adopting an amendment to adjust the fiscal year 2022-2023 General Fund Budget. Councilmember Gordon seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, and Porter. Councilmembers Knowlton and Van Langeveld were excused.

4. CONSIDERATION OF RESOLUTION 2023-24R: A RESOLUTION ADOPTING AN AMENDMENT TO THE CITY'S YOUTH CITY COUNCIL CHARTER

Peyton Otis reported that she was the Youth City Council Mayor and said the YCC charter specified that the Mayor must be a senior in high school. She suggested an amendment to the charter to allow for juniors to also serve as mayor. She mentioned the YCC discussed and voted to propose a change to the charter allowing either a junior or senior to function as the YCC mayor. She noted during the discussion it was contemplated that juniors have a little less on their plates than seniors and may be able to devote more of their time to the position. She explained this change would also allow the outgoing mayor to mentor the new mayor.

Councilmember Gordon moved that the City Council approve Resolution 2023-24R: a resolution approving the amendment to the City's Youth City Council Charter allowing the youth mayoral candidates to be in the 11th or 12th grade during their term of service. Councilmember Porter seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, and Porter. Councilmembers Knowlton and Van Langeveld were excused.

5. CONSIDERATION OF 2023 SCHOLARSHIP AWARDS FOR THE YOUTH CITY COUNCIL EXECUTIVE COMMITTEE

Audrey Beebe reported on scholarships for the Youth City Council. She said the City's YCC met weekly and participated in a monthly service project while many youth city councils met just once or twice a month and participated in three to four service projects a year. Ms. Beebe spoke on the positions and responsibilities held by the executive committee members which included a youth mayor, city manager, activities chair, service chair, publicity chair, treasurer, and recorder. She said the City had previously offered scholarships to the YCC mayor for \$1,000 and the city manager for \$500. She stated last year the YCC mayor declined the scholarship in favor of using the funds for community service projects.

Audrey Beebe suggested a new scholarship structure consisting of \$800 for the youth mayor, \$400 for the city manager, and the recorder and four committee chair members would each receive \$200 for a total of \$2,200. She mentioned that the service committee chair for the 2022-2023 year abandoned his post so those funds if approved would not be dispersed to that individual this year.

This scholarship program would reward the youth, offer an incentive to remain invested in the program, and provide for high caliber members. These funds would come from the existing YCC budget.

Councilmember Gordon moved that the City Council approve the proposed 2023 scholarship awards using the remaining funds in the YCC 2022-23 Fiscal Year Budget. Councilmember Porter seconded the motion.

Councilmember Gordon said that the scholarships were not awarded in 2022 as the YCC mayor declined but felt this was a consistent way to distribute the scholarships going forward.

The motion was approved by Councilmembers Baskin, Gordon, and Porter. Councilmembers Knowlton and Van Langeveld were excused.

6. CONSIDERATION OF ORDINANCE 2023-07: AMENDING TITLE 5, CHAPTER 4 AND TITLE 10 RELATED TO ANIMAL CONTROL

Sherrie Pace reported that the Planning Commission reviewed the proposed amendments and held a public hearing on May 23, 2023. She explained the Commission was not required to review or recommend changes to City code outside of Title 10, Land Use and Subdivision Codes; however, amendments to Title 5, Chapter 4 were included with that review to provide context.

Ms. Pace said that Title 5, Chapter 4 currently provided regulations for dog licensing, prohibited acts related to animals, dangerous animals, rabies, bites and attacks, etc. She noted the items currently included in this code section would be replaced entirely by the Davis County Animal Control Ordinance. She stated as the County regulations do not address the specific land uses associated with animals, like animal hospitals or domestic farm animals a provision would remain in the City code to allow for the ability to seek civil enforcement of animal ordinances by the City's code enforcement process. She mentioned several revisions including the County ordinance specifying that household pets are limited to 3 cats or dogs, or combination therein and providing for a special permit for a fourth dog or cat. She continued the current City ordinance allowed residents to have two dogs and requires a kennel license for three or more dogs. She added the County ordinance defined a kennel as a commercial endeavor as there has been a lot of confusion surrounding the enforcement of that particular provision thus the definition of a kennel in City code was necessary.

Ms. Pace clarified that adoption of these changes meant that residents would now be able to have three household pets and may be permitted to have a fourth pet with a special permit. The special permit would be approved based upon the specifics of each application, such as size of pet, ability of the owner to care for four pets, previous animal control citations, etc. She said the City ordinance related to domestic farm animals would remain unchanged and provisions of that ordinance would be enforced by the City with the assistance of the County in the event nuisance animals have to be removed from a residential property.

Councilmember Gordon asked regarding dog boarding at a private residence. Sherrie Pace replied that a kennel/boarding license may be required if more than four animals would be at the residence.

Councilmember Porter moved that the City Council approve Ordinance 2023-07 amending Title 5, Chapter 4 and Title 10 in relation to animal control regulations 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.**

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

7. CONSIDERATION OF APPROVAL OF A PROPOSED CITY OF NORTH SALT LAKE FEDERAL AWARDS POLICY

Heidi Voordeckers reported with the increased availability of federal assistance and the funds recently awarded to the City that a policy should be put in place for the additional procurement, performance, and financial reporting requirements that must be met. She indicated the proposed Federal Award Policy identified these specific requirements and outlined the process the City should follow to accomplish regulatory compliance. She explained the attached Federal Awards Policy set the minimum standards for the City's financial management system. She noted this included guidance for identifying and documenting grant related expenditures, establishing budgetary control, and financial reporting. She stated the policy also established tracking requirements for capital assets purchased with federal funds, and defined the steps that must be taken for proper asset disposition.

Ms. Voordeckers said this policy also set up allowable/non-allowable project or program costs, allocating indirect costs, setting forth allowable procurement methods and thresholds, and avoiding compensating vendors who were suspended or debarred. She mentioned the proposed policy has been drafted to mirror the current City purchasing policy.

Councilmember Baskin moved the City Council adopt the Federal Award Policy as presented. Councilmember Gordon seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, and Porter. Councilmembers Knowlton and Van Langeveld were excused.

8. CONSIDERATION OF AMENDING THE CITY'S PERSONNEL POLICY AND PROCEDURES MANUAL RELATED TO TUITION REIMBURSEMENT

Heidi Voordeckers reported the current Personnel Policies and Procedures Manual contained language regarding "continuing education" benefits for City employees. She explained that the current policy related to tuition reimbursement was vague and did not allow for it to be a tax exemption for employees that participated. She indicated the proposed policy would provide for a qualified tuition reimbursement plan and a more equitable benefit for all employees. She mentioned the revised policy would also set funding limits for the benefit, subject to annual budget allocation by the City Council. Ms. Voordeckers stated the current policy did not specify any funding caps or thresholds; however, the proposed policy set a \$2,000/annual,

\$6,000/lifetime benefit per eligible employee. She added reimbursement was limited to tuition removing vague language regarding “necessary and approved” expenses and the repayment period was expanded from “1 year after graduation” to “within 24-months of receiving reimbursement.”

Ms. Voordeckers reviewed the additional changes including updated language to define how the program may be administered, that the program was designed for voluntary continuing education efforts conducted on an employee’s own time, the administrative process for employees to request participation, and requirements for reimbursement including coursework through accredited institutions, coursework related to the employee’s position, and proof of a passing grade.

Mayor Horrocks asked about the application process and determining the benefit to the City. Ken Leetham replied that he had taken the position that it was in the best interest of the City for employees to receive a college education whether it was related or not to their position. He said if an employee was taking courses related to their position it was a benefit to the City and college degrees were better than not having a degree at all.

Councilmember Porter asked about advanced training such as advanced software or similar and if this would include those courses as well. Heidi Voordeckers replied that the policy was written for any continuing education so long as it was supported for a position the City employed.

Councilmember Baskin questioned if the one year repayment period was long enough. Heidi Voordeckers clarified that the payback period was expanded to within 24 months of receiving reimbursement.

Councilmember Porter moved the City Council adopt the proposed amendments to “Section 17: Benefits” of the City’s Personnel Policies and Procedures Manual to include Tuition Reimbursement Program Language. Councilmember Baskin seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, and Porter.

Councilmembers Knowlton and Van Langeveld were excused.

9. CONSIDERATION OF AMENDING THE CITY’S PERSONNEL POLICY AND PROCEDURES MANUAL RELATED TO SICK LEAVE DONATIONS

Ken Leetham reported that this topic was discussed in 2019 but no action was taken. He said this amendment was proposed to cover a specific circumstance that was not an injury or illness related to workers compensation but an injury or issue that occurred outside of the workplace. He noted the reason this policy had become important was because the City no longer provided Short-Term Disability (STD) which was previously in place as a benefit to employees and which generally covers the ninety-day (90) period of time between the illness or injury and qualification for Long-Term Disability (LTD) benefits.

Mr. Leetham explained that this program would apply when an employee was ill and could not work for more than 14 days in a row and had used all of their leave time. He indicated these employees would be eligible to receive up to 400 hours of donated sick leave within a twelve month period. He stated employees could donate up to 40 hours to a pooled bank of donated hours within a twelve month period. He said the policy was limited to situations where an employee who had a qualifying medical emergency may receive donated sick leave only during the ten weeks immediately preceding the use of (LTD) benefits which the City provided. He explained receiving employees must have also used all of their own leave (sick, vacation, holiday and comp) before they are eligible to receive donated hours. He mentioned a qualifying medical emergency for the purposes of this policy was defined as an illness or injury which prevented the employee, or immediate family of the employee, from working for a period of time in excess of 14 consecutive calendar days. He added immediate family was defined as the spouse of an employee, a dependent child of the employee or another family member who resides in the employee's home and for which the employee has primary well-being and support responsibility.

Ken Leetham said the donations would be anonymous and the employees who qualified would receive the available donated sick leave.

Councilmember Gordon asked about the budget implications. Ken Leetham said that the City previously provided short term disability insurance which was never used so it was canceled and that provided a savings. He spoke on the sick leave payout program upon retirement which also may result in a savings if retiring employees previously donated sick leave hours. He explained that savings could also result when a higher paid employee donated hours to a lower paid employee instead of being paid out at the higher rate at end of the year.

Councilmember Porter moved that the City Council approve the proposed amendment to Section 19-4 of the City's Personnel Policies and Procedures Manual related to sick leave donations. Councilmember Gordon seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, and Porter. Councilmembers Knowlton and Van Langeveld were excused.

10. PRESENTATION OF THE ANNUAL FRAUD RISK ASSESSMENT

Heidi Voordeckers reported on the preparation of the annual fraud risk assessment related to internal controls and segregation of duties of financial activities. She said the City received the same score as last year of 365 out of 395. She acknowledged the City could improve the score by adopting formal written policies for IT and Computer Security as well as Cash Receipting and Deposits. She added the score may be further improved by adopting a formal internal audit function.

Mayor Horrocks asked about the IT and Computer Security. Ken Leetham replied that there was a daily offsite backup and the City had purchased additional safety products to protect against

fraud, and for training employees to recognize fraud attempts. He said the City was covered by the Utah Local Governments Trust in the event of any issue.

Heidi Voordeckers spoke on data breaches and security issues. She said the IT and Security policy could be put in place with formalized steps to mitigate any issues.

11. APPROVAL OF CITY COUNCIL MINUTES

The City Council minutes of May 16, 2023 were reviewed and approved.

Councilmember Gordon moved to approve the minutes from May 16, 2023, as written. Councilmember Porter seconded the motion. The motion was approved by Councilmembers Baskin, Gordon, and Porter. Councilmembers Knowlton and Van Langeveld were excused.

12. ACTION ITEMS

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

Mayor Horrocks reached out to the mayors of Bountiful and Woods Cross for a joint meeting and both were receptive to a joint meeting. Ken Leetham replied that he would work with the city managers to arrange the meetings.

13. COUNCIL REPORTS

Councilmember Baskin has nothing to report.

Councilmember Gordon mentioned that she would like to be remembered for being in support of the splashpad, which opened this week and finding the YCC advisors, the Beebes.

Councilmember Porter had nothing to report.

14. CITY ATTORNEY'S REPORT

Todd Godfrey had nothing to report.

15. MAYOR'S REPORT

Mayor Horrocks reported on the spring cleanup. He mentioned that 400 West needed to be on the maintenance schedule. He attended the Memorial Day service in Bountiful and appreciated the efforts made.

Mayor Horrocks mentioned an issue at the residence of Mike Taylor with a collapsing fence due to undermining of the soil behind his home. Karyn Baxter replied that she assumed he lived on Parkway Drive and said there was some undermining due to retaining wall construction at The Ridge. She reported staff would follow up on this issue.

Mayor Horrocks said he received some damage complaints due to the Google installation on Eagleridge Drive. Karyn Baxter explained staff oversaw the permits and work in the field. She said Google Fiber had installed everything except sections under moratoriums that would have to wait for installation. She indicated Google Fiber was working on some landscape restorations and removal of sealant in the trenches that were improperly placed. She mentioned they were no longer installing new lines.

Mayor Horrocks commented that Congressman Chris Stewart would be resigning.

16. CITY MANAGER'S REPORT

Ken Leetham reported on the spring cleanup and the monumental effort by Public Works staff. He mentioned that several staff members and the Mayor would be attending a Growing Water Smart Program in Logan next week. He noted this program was sponsored by the State to help with water conservation.

17. ADJOURN

Mayor Horrocks adjourned the meeting at 8:40 p.m.

The foregoing was approved by the City Council of the City of North Salt Lake on Tuesday June 20, 2023 by unanimous vote of all members present.



Brian J. Horrocks, Mayor



Wendy Page, City Recorder