

KAYSVILLE CITY COUNCIL
February 2, 2023

Minutes of a regular Kaysville City Council meeting held on February 2, 2023 at 7:00 p.m. in the Council Chambers in Kaysville City Hall at 23 East Center Street, Kaysville, UT.

Council Members present: Mayor Tamara Tran, Council Member John Swan Adams, Council Member Mike Blackham, Council Member Abbigayle Hunt, Council Member Nate Jackson, and Council Member Perry Oaks

Others Present: City Manager Shayne Scott, City Attorney Nic Mills, Finance Director Dean Storey, City Recorder Annemarie Plaizier, Community Development Director Melinda Greenwood, Assistant Finance Director Levi Ball, Information Technology Assistant Jordan Hansen, Parks and Recreation Director Cole Stephens, Public Works Director Josh Belnap, Josh Green, Brandon Rindlisbacher, Jon Galbraith, AJ Green, Kamron Barr, Chase Saxton, Bob Murri, Steven Haws, Judy Rigby, Fawn Morgan, Carl Galbraith, H. Lynn Galbraith, Brigg Lewis, Laurene Starkey, Val Starkey, Paul Nielson, Camille Jepsen, Marilee Jepsen, Rob Dansie

OPENING

Council Member Adams opened the meeting with a prayer and led the audience in the pledge of allegiance.

CALL TO THE PUBLIC

H. Lynn Galbraith said that he, along with a group of other citizens, have been discussing ideas for what to do with the old library building, and they would like to submit their own proposal for Council consideration. Mr. Galbraith also said that the council should allow for a lot of citizen input on any of these proposals before a decision is made.

Brigg Lewis said that he feels that it would be a bad idea to transfer funds from the electrical enterprise funds. The citizens voted several years ago to stop the city from using power funds for non-power items. The money is needed for upgrades to our power system. Mr. Lewis also commented that the cost of living has increased substantially and everything seems to be going up in cost. The council needs to keep in mind the vulnerable citizens in the city who are struggling to make ends meet as it is. Instead of taxing the citizens, the city needs to consider other options, including the possibility of cutting their workforce if necessary.

PRESENTATIONS AND AWARDS

LIBRARY BUILDING PROPOSALS

Parks and Recreation Director Cole Stephens explained that in 2022 there was an assessment done on the old library building. After reviewing the assessment report, the city announced an RFP allowing anyone to submit proposals for the library building. That RFP ran for two months from October to December 2022 and we received various proposals from interested parties. A

committee reviewed those proposals and narrowed the proposals down to the two that met the qualifications of the RFP. One of the proposals came from Alchemy Development, and the second was from City Creek Construction. Both are here tonight to present their proposals to the council.

Mayor Tran added that the RFP was posted in several places online and we welcomed anyone who was interested in preserving and repurposing the old library building, and who would be willing to help pay for it.

Josh Green, with Alchemy Development, introduced their company and the team that has been working on the proposal for the old library building. Mr. Green gave a presentation about what they are proposing for the building and explained that they tried to take all of the RFP qualifications and the financing for this project into consideration. Their proposal is to convert the historic library into a modern food hall. The existing building would be preserved and brought up to code. They want their project to keep the hometown feel that Kaysville has. There are existing problems with the building that will need to be addressed as part of the project. The food hall would have curated local food options and would have a flex space that could be used as an art gallery, or meetings, or pop-up retail events. They would like to create an outside patio in front of the building where local bands could play, and they would have drivable spaces between the building and the street for food trucks to park. These types of food halls are becoming more popular all over the country. There are some currently located in Salt Lake City and in Holladay. This development would add vibrancy to downtown Kaysville. It would provide more eating options, and could be a good place to meet for a business lunch or a place to bring your family.

Jonathan Galbraith, the architect for this project, said that this area is the hub of the community and we wanted to create a design that would preserve the historic nature of the building. They did not want to change a lot on the outside of the building so that the look stays the same. The stone on this building is a trademark of the other buildings on this city block. They want to make the windows on the front of the building larger to allow for more natural light into the building. The food restaurants would be on the east side of the building, close to the parking area. A patio would be built on the west side between the building and the existing memorial and flagpole. The memorial and flagpole would not be removed. Different local food trucks would be able to come and park in front, off the street, so as to not impede traffic. Events would be held here, such as community food truck rallies. Many people travel along this area of Main Street, and this food hall would help to draw people in. They would install slab on grade inside, and the windows would need to be replaced with more energy efficient ones. The roof will also need to be replaced.

Kameron Barr, a contractor working with Alchemy on this project, said that we want to preserve as much of the building as possible. It is good to include the contractor in projects early on to help identify concerns with the project early, and to help try to keep construction costs on budget. It is critical in today's market to control costs where possible. Mr. Barr said that they have experience using old buildings and retrofitting them into restaurants and office spaces, and they have been successful projects. This project would help liven the area and will draw more people here.

Josh Green said that it was mentioned in the RFP that the city does not have a lot of funds to be able to put into the project, so Alchemy has come up with a few ideas on how to handle the finances. One idea they liked the most was to have a public-private partnership with the city, which would allow the city to keep some control of the property and to share in some of the profits of the operation. The city would contribute the building and the land it is on as part of the

partnership, and then Alchemy's team would secure a bank loan. There are historic tax credits and other types of grants that are also available for these types of projects. AJ Green, who is part of their team, would help in capital raising and working to find investors for the project. There are other ways that the finances could be structured with the city, and they are willing to have further conversations with the city about other scenarios. They want this to be a collaborative project not just with the city, but they also want to involve the community.

Chase Saxton said that he is involved with the marketing for this project and these types of projects provide great opportunities for community engagement. There are local entrepreneurs who may have a food truck and might be looking for a brick and mortar space to expand their business. A place like this would be a great opportunity for them. We look for ways to involve the community with this project. Having members of the community involved helps to attract more people. We have already spoken with some of the local restaurants and food trucks who have expressed interest in this project. One way to get the community involved is to have a community vote on at least one of the tenants that should be here. Websites, online ads and social media campaigns will also help drive traffic to this location. Marketing will continue to be an ongoing effort. We also would ensure that this building be embedded with technology throughout the restaurants, such as including digital kiosks, mobile ordering, Wi-Fi beaconing and push notifications. We feel that this project would eventually sustain itself. There are many different types of partnerships that could be done as well.

Mayor Tran asked about the public-private partnership and asked if the city would donate the land with a long-term lease or are is Alchemy looking for the city to donate the land to them?

Josh Green said that their idea was that they would own it together with the city as a partnership. They had not yet determined any details of the partnership as of yet, but it would be negotiated with the city.

Mayor Tran asked about what kinds of restaurants would be here and what would happen if all of the restaurants were to leave?

Chase Saxton said that they have found with other projects of this type that there is always an interest from someone to fill these restaurant spaces. There are many food trucks that are looking for a brick and mortar location, and they cannot afford to have their own building. They would share the space and would share some of the amenities like drink stations, which helps with the cost for these restaurant owners.

Mayor Tran asked if the restaurants would lease or purchase their space.

Chase Saxton said that they would have long-term leases.

Council Member Oaks said that from what he has seen and heard, there seems to be a good market for these types of projects.

Council Member Hunt asked if the marketing would be ongoing, even after the project is complete.

Chase Saxton said that it would be an ongoing effort. They would provide some marketing, but it is common for these restaurants to put a percentage of their gross revenue into marketing as well.

Council Member Jackson asked about how large the flex space area would be.

Jonathan Galbraith responded that it would be a little bigger than the LeConte Stewart gallery area that is currently located inside the building.

Council Member Jackson said that he feels it would be important to have some of the local art and history within the building. It would be a good space to display things from our community for patrons to see. Council Member Jackson asked about the east entrance and if it could be made to look more inviting.

Jonathan Galbraith responded that they would like to do something more with it, but is not sure how much modification to the building is allowed in order to get historic tax credits and grants.

Council Member Adams said that he appreciates the proposal being presented because he did not want to see the building just torn down. It is nice to see what opportunities people have found for the building through the RFP process. Council Member Adams asked about if Alchemy would be willing to work with a citizens committee who would provide input on the design, specifically ensuring the preservation of the exterior of the building. Many individuals are passionate about preserving this building.

Mayor Tran commented it was her understanding that you cannot qualify to get certain historic grants or tax credits if you alter the building.

Jonathan Galbraith said that the requirements are convoluted and really depend on where the tax credit or grant is coming from.

Council Member Adams commented that the next proposal involves housing and he would not mind seeing a plan that included this food hall as well as the housing units.

Bob Murri, representing City Creek Construction, said that when there is personal connection to a project, there is more passion and power behind not only the process, but also what you deliver in the end. Mr. Murri said that he used to live in Kaysville where he raised his kids, and they have many fond memories of this old library building. The city wants to extend the life of the building and find a way to energize this part of the city. There are many things going on in downtown Kaysville, but we feel that the city could be doing more. We want to facilitate connectivity in downtown with residents and visitors in a way that will also complement the business along here. There also needs to be a financial structure that allows continued benefits to the city, and minimizes financial investment from public funds. Mr. Murri introduced their company, City Creek Construction and the team that has been working on their proposal for the old library building, including FFKR Architects and The Green Collective. As has been mentioned, this building is going to need a lot of work. They anticipate that this project will take eight to ten months to complete. They already have a couple of companies that have said they would help provide financial backing for this project. City Creek is also interested in creating a public-private partnership with the city so that the city can keep the property, and they be able to do a long-term lease agreement with the city. They want to be able to own the building, and when they are done with it they will give the city the first right of refusal to purchase the building back from them. They are not sure how long they would own and manage the building yet. There could be all

different kinds of tenants to occupy the old library building, such as a small coffee shop, or retail or professional uses. They would like to see that the LeConte Stewart gallery remain in this building. Steven Cornell is part of their team and was the State Historical Architect with Utah from 2018 to 2021. He has a lot of experience working on historic renovation projects. FFKR Architects will provide architectural services for the project. They have experience in doing renovations that have been very successful. This last year they renovated the historic Camp Williams Officers Club. They cleaned and restored all of the rock masonry on both the interior and exterior of the building. They were able to perform a complete structural and seismic upgrade to the building. Many of the same renovations they did to the Camp Williams building would also be done to the Kaysville library building in order to keep the historic value. As part of their project, they are also proposing to build a four-level apartment complex that would be designed to complement the city building, and would have a stepped, tiered design. It is estimated to have forty-six units. Parking is a problem in this area of Kaysville, and as part of their plan they have incorporated three levels of structured parking, with one level below grade, one at grade, and one above grade. The estimated number of parking stalls totals one-hundred and thirteen. This would help to increase the number of parking stalls in this area. We feel that this project would help to energize the heart of Kaysville. It would bring more people to downtown Kaysville, and those living here would help support the businesses in this area. It will help to generate continuous tax revenue for Kaysville. It will also provide covered parking for city employees. The estimated cost for this project is sixteen million dollars. The estimated construction time would be twenty-four to thirty months. They would create an LLC to manage the property. Both FFKR and City Creek Construction have significant experience constructing large multi-family housing projects. They have interested capital investors who would like to help make this project happen. They have met with several key city employees to seek understanding and knowledge of the needs and sensitivities of this project. They understand the historic tax credits that are available through renovation of the library building. If their proposal is chosen, the city will need to split the parcels on the city block to establish ground leases for the property under the library building and parking space area. The city will also need to help with rezoning the necessary parcels from Public Zone to a Commercial and Mixed Use zone. We would also ask the city to help where possible with tax increment, licensing fees, RDA funds or any other negotiable incentives. City Creek believes that their strength they bring as a team would help allow the city to be able to create the ideal solution to achieve the city's vision and create a new, fresh innovation at the heart of downtown Kaysville.

Mayor Tran asked Mr. Murri for more insight on what they envision for the old library building.

Bob Murri said that they have found that there are different professional services looking for small offices spaces to work from, and so they have envisioned parceling out the interior spaces for professional uses. They have also considered creating a space inside for the leasing office for the apartment building area. They would love to have an area inside to display art and have a museum for the city.

Council Member Jackson asked where the entrance and exit would be for the parking structure.

Bob Murri said that there would be two access points on the north and south sides. They would put one set of apartments on the main level, along the western side, and put parking behind them. It helps to soften the look of the parking structure.

Council Member Adams commented that he has some concerns with the amount of parking that would really be available to the public. If each of these apartment units were allowed to have two cars each, there would not be that much left for employees or the public to utilize.

Bob Murri said that the studio apartments would only be allowed one vehicle, and tenants would have designated parking.

Council Member Oaks thanked both presenters for presenting their proposals tonight. Some wondered if we would get any proposals through the RFP that would be something doable. There is such a love for the old library from the people of Kaysville, and we appreciate the consideration both groups have had for the building and for the community.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

Council Member Adams made a motion to approve the following consent items:

- a. Approval of Minutes of January 5, 2023.
- c. Award of design and coordination services for the 200 North Road and Utility Project – Kaysville Public Works.

The motion was seconded by Council Member Oaks.

The vote on the motion was as follows:

Council Member Blackham, yea
Council Member Adams, yea
Council Member Oaks, yea
Council Member Hunt, yea
Council Member Jackson, nay

The motion passed with a vote of four to one.

B. APPROVAL OF PURCHASE OF BRAINMASTER FREEDOM BRAINAVATAR – KAYSVILLE POLICE DEPARTMENT.

Council Member Blackham said that he had spoken with Chief Oberg about this item and it is another tool for our public safety therapist to use. In order for us to even qualify to purchase this, we had to meet certain staffing requirements. This equipment is something that our therapist can use with our ongoing police officer and firefighters who have faced tragic incidents and critical issues. It measures brainwaves in different areas of the brain to see if brain synapses are firing normally. It can help to pinpoint areas that may need to be restructured, which can be done by the therapist or referred elsewhere. Our Police Department is only receiving this equipment because they were awarded a grant through the State.

Council Member Oaks asked about qualifications to use this device.

Council Member Blackham said that our therapist has to go through a course to learn how to use it. It is required that we also have another independent person, not on our staff, to work the equipment alongside our therapist. Our therapist has spoken to doctors and psychologists that work with mental health throughout the county to find someone in order to meet that requirement.

Council Member Jackson said that he was unaware of any details about this item, including how much it would cost the city, and felt uncomfortable voting on any item that the council had not been properly briefed on. Council Member Jackson expressed concern regarding staff not giving the council proper presentation on consent items within council meetings before the items are voted on, especially if these items involve spending city money. Council Member Jackson said that he would have liked to have discussed Consent Item “C” tonight as well because he is very interested in the design aspects of the 200 North road and utility project.

City Manager Shayne Scott explained that the reason this item is being presented to the city council for approval is because it was not budgeted for in the FY 2023 budget. The city’s procurement policy dictates that items that are not included in the approved budget must be presented to the council for approval. The reason this item was not included in the budget is that staff was only recently made aware of this equipment and the ability to receive a grant to pay for it. The device provides neurofeedback that can identify the parts of the brain struggling with depression, anxiety, PTSD, and other mental health issues. For many clients seeking therapy, their brains have become stuck in a rigid pattern of thinking and responding. With neurofeedback, we can better enable clients to learn how to change physiological activity to improve mental health and performance. The financial grant that was recently awarded to us from the State of Utah covers the entire \$35,595 cost of this item, which means that the net cost for the city will be zero. All of this information was provided to the council prior to tonight’s meeting in a Staff Report within the city council’s meeting packet. As for procedures for council meetings, consent items are usually items that do not present much of an issue or where this not much of a decision to be made. Consent Item “C” went through an administrative bidding process and Staff was presenting the lowest qualified bidder to the council for approval. If a member of the council would like to discuss an item further, it can be pulled from the approval of consent items, like what happened tonight for Item “B”. This council procedure was established by the city council, and can be changed as the council sees fit.

Council Member Jackson said that while he understands the thought process of going with the lowest qualified bid, it might not be what is best for the city and for the project. Council Member Jackson asked if the grant for this BrainMaster equipment is the same grant that pays for our therapist. Does the city receive any additional money for the equipment besides the grant? Will the city receive any continuous funds after the grant is finished?

Shayne Scott responded that the therapist position is paid for through a different grant. The grant given for the equipment will cover the entire cost of the equipment. We have been told there will not be any additional cost for the equipment.

Council Member Jackson commented that he is not willing to consider any item that comes before the council for approval that is outside of the budget at this time.

Council Member Adams said that with all that is happening in regards to police officers in the US right now, our officers need all of our support, especially when it comes to their wellbeing. Council Member Adams said that even if we did not have a grant to pay for this equipment, he would be

willing to approve this because it will be very beneficial in helping our public safety employees.

Council Member Adams made a motion to approve the purchase of BrainMaster Freedom BrainAvatar. The motion was seconded by Council Member Oaks.

The vote on the motion was as follows:

Council Member Adams, yea
Council Member Oaks, yea
Council Member Hunt, yea
Council Member Jackson, yea
Council Member Blackham, yea

The motion passed unanimously.

COUNCIL MEMBER REPORTS

Mayor Tran said that tonight was City Manager Shayne Scott's last meeting and expressed her appreciation for all that he has done for the city during his time working for the city. Mr. Scott has been a great asset to the city and he will be missed. The City Council presented gifts of appreciation to Mr. Scott.

Shayne Scott thanked the mayor and council members and said that while he excited for what is to come with his next employer, he will miss the people here at the city the most.

CLOSED SESSION

Council Member Hunt made a motion to adjourn the city council meeting at 8:45 p.m. and reconvene into a closed session to discuss the purchase, exchange, or lease of real property, in conformance with Utah State Code §52-4-205. The motion was seconded by Council Member Blackham and it passed unanimously.

Council Member Adams made a motion to adjourn the closed session at 9:24 p.m. and reconvene into the city council meeting, seconded by Council Member Hunt. The motion passed unanimously.

ADJOURNMENT

Council Member Hunt made a motion to adjourn the City Council meeting at 9:25 p.m. The motion was seconded by Council Member Adams and passed unanimously.