

KAYSVILLE CITY COUNCIL

March 2, 2023

Minutes of a regular Kaysville City Council meeting held on March 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: Finance Director Dean Storey, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Community Development Director Melinda Greenwood, Information Systems Manager Ryan Judd, Fire Chief Paul Erickson, Firefighter James Wade, Firefighter Spencer Brothers, Bailey Frampton, Jayce Frampton, Carole Walker, Cheryl Tarbet, Kim Lee, Blake Montgomery, Marilyn Johnson, Erica Harper, Juliann Bradshaw, Tom Eads, Scott White, Juleen White, Allen Anderson, Katie Nolan, Erin Young, Becky Hope, Rich Shaw, Brent Dewsnap, Martha Rushforth, Careylynn Adamson, Drew Adamson, Julia Jenkins, Alan Jenkins, Annette Allred, Lee Allred, Mitch Probert, Val Starkey, Laurene Starkey, Clarissa Parker, Tavan Parker, Angela Wade, H. Lynn Galbraith, LeVar Thompson, Susan Lee, Ed Davis, Avery Taylor, Rebecca Taylor, Jill Dredge, Nedra Saunders

OPENING

Council Member Blackham opened the meeting by recognizing the city's crossing guards and thanked them for their service. Council Member Blackham offered a prayer and then led the audience in the pledge of allegiance.

CALL TO THE PUBLIC

Avery Taylor said that she moved to Kaysville about a year ago, is attending Kay's Creek Elementary, and that she loves her neighborhood. Miss Taylor said that she was sad to hear that their neighborhood bike and scooter path might be ruined by more cars and big trucks coming through their neighborhood, and asked that the city do all they can to protect their neighborhood by not letting the gas stations have entrances onto their street (Westgate Lane).

Rebecca Taylor thanked the council for their efforts on behalf of the Westgate neighborhood, and thanked all others who have tried to advocate for the residents of Westgate and for the kids that attend Kay's Creek Elementary. Mrs. Taylor said that the neighbors did not show up to speak at tonight's city council meeting to ask the council to eliminate the proposed gas station in their neighborhood, but time is running out and they are running out of options. The neighbors are asking the council, as their elected advocates, to protect their neighborhood by doing all they can to eliminate access to the gas station from the Westgate neighborhood. Mrs. Taylor said that when they had the opportunity to move back to Utah, they spent a lot of time trying to find a place where they could settle down and they chose Kaysville because of the semi-rural feel. They liked the Westgate neighborhood because they felt that it was safe and a good place for their kids to grow up. Mrs. Taylor gave the city council a photo of the kids in their neighborhood standing in front

of where the proposed entrance to the gas station would be located on Westgate Lane. Mrs. Taylor said that an entrance to a gas station onto a residential road isn't just a safety concern, but they are also concerned about the economic impact this gas station will have on their homes. Building a gas station in their neighborhood will shatter residents' dreams of what this neighborhood should be. As the council considers the difficult task of balancing a landowner's rights with the well-being of the community, the neighbors hope that the council will remember the kids and the neighbors living here. The neighbors are asking their elected advocates to do all they can in order to prevent access from the gas station onto Westgate Lane.

Blake Montgomery said that he lives directly across from where the proposed Kum & Go gas station entrance will be on Westgate Lane. Last week a letter was sent to the council asking that the council take action on this development and put a moratorium in place. The neighbors were hoping that a moratorium would help give them more time to find solutions and be able to navigate through the countervailing public interest shown in this property through the over 300 signatures from residents. Mr. Montgomery said that they are looking for solutions that would provide for the items listed in Kaysville City Code 17-1-2. The neighbors have come here tonight to ask the council to help them to be able to find a solution that will keep the Kum & Go access off Westgate Lane. There are multiple instances in the General Plan where it discusses the city protecting neighborhoods. It is necessary that an adequate buffer be created between the residential and commercial uses. Mr. Montgomery asked the council, to do all they can to advocate for the residents in order to protect the neighborhood and keep access off Westgate Lane.

Clarissa Parker gave a map to the council indicating traffic concerns that the neighbors of the proposed Kum & Go have, specifically in regards to the traffic traveling to and from the nearby elementary school, as well as traffic coming onto Westgate Lane to the gas station. It is common that traffic traveling west along 200 North during peak hours will be backed up as far east as Wellington Drive. Adding a gas station in this area will just cause further congestion, and will push traffic from the gas station onto the nearby surrounding neighborhood streets in order to avoid long lines of cars. This will add more cars onto residential neighborhood streets daily, especially during the time kids will be walking to and from school. There will also be large trucks coming and going from the gas station as well, right where some of their neighborhood kids will be crossing the street to go to school. The neighbors are asking for a reasonable, logical, and ethical decision to be made by the council, and implore the council to advocate on the residents behalf. The council should appeal to Kum & Go and ask them to be a good community partner and neighbor by considering moving access exclusively to 200 North Street.

Tavan Parker gave the city council a map depicting the Westgate neighborhood and how many children live here. Mr. Parker described their neighborhood and said that many of them have lived here for a year or less, but they have become a tight-knit group. The residents have spent hours trying to plead to the city on behalf of their children. More homes are continuing to be built here and there will likely be more kids living in this area. Innocent children will be impacted by this Kum & Go commercial development. The city needs to do more to protect the children who live here and who attend school here. Kum & Go's convenience and potential business access into the Westgate neighborhood is not more important than the safety and well-being of the children.

PRESENTATIONS AND AWARDS

PRESENTATION TO FIREFIGHTER JAMES WADE FOR 20 YEARS OF SERVICE

Fire Chief Paul Erickson made a presentation to Firefighter James Wade for his 20 years of service with the Kaysville Fire Department.

PRESENTATION OF 2022 FIREFIGHTER OF THE YEAR

Fire Chief Erickson presented the “2022 Firefighter of the Year Award” to Spencer Brothers and explained that the recipient of this award was nominated by his peers. Mr. Brothers is doing a lot for the department and he is continuing to further his education.

KAYSVILLE FIRE DEPARTMENT PRESENTATION

Fire Chief Erickson presented a report of the Kaysville Fire Department for the 2022 year. Chief Erickson explained that the fire department is currently staffed with 22 full-time firefighters, 13 part-time firefighters, 1 part-time Junior Fire Setter Counselor, and 1 part-time administrative assistant. Their department recently put a new medic rescue vehicle into service as of July 2022 when the department received their ALS license. The department’s Annual Training Plan includes over 80 firefighter specific classes and 45 medical specific classes, plus over 113 hours of continuous education. Medical calls account for 64% of the calls the fire department responds to, and therefore it is very important that their department keeps up-to-date on their training. During the pandemic, their department decided to take a different approach to fire inspections and have businesses do their own inspections for a time. During 2022, their crews went back to doing inspections on commercial businesses and food trucks. They do not currently have a Fire Marshal on staff, so crews conduct the inspections. The department holds monthly safety meetings, annual physical exams and annual fitness evaluations. The department provides a lot of mutual aid response to other cities, but we also have other cities help us out when we need it as well. Even with Fruit Heights City no longer contracting for fire protection services from Kaysville, the call volume has continued to rise, and they are seeing an increase in the number of responses they go to on the west side of the city. About 16% of their calls are overlap responses, meaning that our crews will already be on a call when a second call is made in the city. With being able to have more crewmembers staffed at our station, we are able to handle these overlapped calls very well. In 2022, the fire department had 55 reported fire calls, and 12 life saves. Our department is 83% compliant with the NFPA standard, which we have never reached before.

Council Member Jackson asked about fire towers used for training.

Chief Erickson said that Davis Tech has been lobbying to be able to get a fire tower. The only agency around this area that has a tower is in Layton, and they are always using it for fire academies and it is hard for any other agency or Davis Tech to be able to get in to use that tower. Having access to a fire tower would be beneficial because it would provide real-world training for our firefighters.

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 27, 2023
- b. Approval of Minutes of February 2, 2023
- c. Approval of Crushing Concrete and Asphalt for Repurposing Contract
- d. Approval of Burton Lane Roundabout Construction Project

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 Hunt, yea
Council Member Oaks, yea
Council Member Jackson, yea

The motion passed unanimously.

ACTION ITEMS

AN ORDINANCE AMENDING KAYSVILLE CITY ORDINANCE 4-2-7 “ELECTRIC REVENUES AND RATES”, REGARDING ELECTRIC FUND TRANSFERS

Mayor Tran explained that about six months ago, some council members expressed interest in considering other financial options to help areas of deficiency within the city’s budget. More specifically, being able to transfer funds from one enterprise fund to another area of the budget. Last year the council decided not to hold a Truth in Taxation hearing or change the tax rate for the year. The council has had several discussions about possibly moving some of the power enterprise funds to other areas of the budget, in order to see if we could keep taxes down. We purposely kept the review process slow and transparent because we need to make sure we are making a financially responsible decision. Recently the city saw a substantial increase to the costs of power, and because of that, we have new information to take under consideration. At the December 15, 2022 City Council meeting, a motion was made for the council to postpone the consideration of an amendment to the ordinance regarding electric fund transfers until February or March to give time for further discussion. This item has been put on the schedule again tonight in order to make a decision.

Mayor Tran opened the meeting for public comment for this item.

Val Starkey commented that he is in support of Proposition 5 because it was voted on and passed by the people. Mr. Starkey said that he is also in support of the power company because we all use power. A friend of his, John Palmer, who lives in west Kaysville and is a power engineer, sent him an email in regards to the city’s power company, which Mr. Starkey said that he forwarded on to the council members. Mr. Palmer said in that email that based on the reliability study that was done on the city’s power by the city a few years ago, the study is not sufficient basis for which to draw conclusion about the investment needed to maintain the capabilities and reliabilities of the

infrastructure. Our power infrastructure is old. Mr. Starkey said that he had spoken with Rocky Mountain Power and they told him that they would not consider purchasing Kaysville Power as it is now because it would take eighty-million dollars to get the infrastructure improved to where it needs to be. Mr. Palmer said that the city needs to deal with the inspection and testing of the infrastructure. The Power Superintendent has indicated that there are updates in the works. Mr. Starkey said that John Palmer has offered, not as an engineer but as a concerned citizen, to come and give the city a second look at the power infrastructure. Mr. Starkey encouraged the city to consider having Mr. Palmer come to look at the power infrastructure.

Susan Lee said that she appreciates the opportunity to be able to give the council some perspective from herself who was at the forefront of stopping the transfer of electric fund monies. Mrs. Lee said that when she was first put on the City Council she was put over the power department as her council assignment and, as part of that assignment, would attend trainings and UAMPS meetings. She said she quickly found out that the city was in a bad state of affairs with our infrastructure and reserve power funds, and she felt that something needed to be done. Prior to her getting onto the City Council, Proposition 5 was passed, and it was not easy. There was a lot of knocking on doors and collecting signatures. Proposition 5 was not passed overnight. It passed because people wanted to stop the transferring of funds from the power reserve. The current council had a chance to listen to Alan Farnes, Power Commission Chairman, speak at a recent City Council meeting and he indicated that the Power Commission had unanimously voted not to change Proposition 5 or the ordinance regarding the transfer of electric funds. Proposition 5 is not perfect, but it should not be amended. It is what the voice of the people has asked of the city. There are good reasons for not amending Proposition 5, one of which is because the price of electricity is increasing. Once that door is reopened, who is to say what the next council will do.

Jill Dredge said that she has lived here in Kaysville for a long time and years ago a storm knocked out power in areas of the city for four days in the winter and a lot of damage was done. Crews were brought in from all over to help turn the power back on. When that happened, it made citizens more aware that our power infrastructure situation was serious. Proposition 5 then came about and people voted for it. Ms. Dredge asked that the council protect resident's homes by keeping the reserve funds in place for only power needs.

Nedra Saunders said that she has lived in the city for 40 years and worked hard towards Proposition 5 to keep the funds in place for the power company. Ms. Saunders asked that the council be mindful of the people who voted for Proposition 5. Proposition 5 was the community's voice to say to the city that we want the power reserve funds to be left in their designated place. We budget and set aside funds for when we need it. Sometimes we have to find creative ways to pay for things, but taking funds from what has been designated for power is not the way to do it. Taking away Proposition 5 also takes away the transparency of the city, is not good budgeting, and it takes away the voice of the people.

There were no further comments or questions from the public. Mayor Tran closed the public comment for this item.

Council Member Hunt made a motion to deny the Ordinance amending Kaysville City Ordinance 4-2-7 "Electric Revenues and Rates", regarding electric fund transfers, seconded by Council Member Adams.

Council Member Jackson said that he applauds the community for sharing their concerns with the council. As a council, it is their due-diligence to review things from all angles, and determine what is best for the community and city. It has been very helpful to hear from community members who have provided insight and research into this item.

Council Member Oaks commented that the city and the council had received a lot of emails and phone calls about this, and there has been a lot of misconceptions and comments misrepresenting what the council had said in our discussions. It is unfortunate because the council have been called criminals and been accused of having already taken funds from the power reserve funds. Council Member Oaks said that many years ago when he was approached and asked to support Proposition 5, he was told that he would get money back from the city every year and that is why he voted for it. Yet no citizen received any money. Now, having learned what he has about Proposition 5 and that there was no money in reserve that point, and because of Proposition 5 we now do. We have been able to raise the funds needed to be able to take care of some of the power projects because of Proposition 5 passing. Last year when the council started discussing the possible transfer of power funds, the city felt that there needed to be at least eight million dollars held in the power reserve funds, and we had more than that. Our Power Superintendent was part of the discussions, and the council had asked him if there was anything that the power company couldn't do on their five-year plan if some of the funds were removed from the power reserves, and he told us no. The council relies on others to help inform us as we make our decisions because we do not have all the information. Part of the reason we discussed possibly transferring some power funds was because we wondered if by moving the funds to deficient areas of the budget, if it would help not to have to raise taxes or to decrease the amount we would need to raise taxes. However, life has changed in the last six months and power rates are much more expensive than we ever anticipated. It is not likely that costs will improve anytime soon, if ever. With the way things are currently, considering a transfer of power funds would not be a responsible decision. Unless power costs go back to the way they were previously, this is not something that we should consider.

Council Member Blackham said that he is in favor of using excess power funds for one-time capital improvements. Council Member Blackham said that he worked for Kaysville for many years and saw the benefits to the city of having excess power funds that could be transferred where needed in the budget. Mistakes were made, and that is why Proposition 5 was created. One example of something the city was able to do with power funds before Proposition 5 was in place was the city was able to purchase the property where the Smith's Marketplace now sits. Smith's serves our community and brings in hundreds of thousands of dollars back to the city every year in sales tax revenue. It was a win for everyone to use those excess power funds at the time. By approving this proposed ordinance amendment, we are not transferring any money tonight. This would just give the council the ability to transfer excess funds to cover other city costs in our budget when there are excess funds. Raising taxes is not always the answer. Having a power company should be an asset and not something negative. Council Member Blackham said that when he looks at the city's budget and sees an area where we have millions of dollars sitting in excess, he would like the ability to be able to use those excess funds in order to try to limit raising taxes. We should be able to use these excess funds to put towards one-time purchases. People act like the council is trying to steal money from the power company. The money that goes into the power funds is the citizen's money. Taking that money to put into a one-time purchase is reinvesting into our city. Our legislature is constantly changing laws that effects our city. Change happens and just because you have something on the books does not mean that it will not ever change in the future.

Council Member Adams said that at one point some in the city and community had suggested using some of the power funds to help renovate the old library. It is hard to see money sitting in a reserve fund and not want to use it for something, or have excess money and still have to raise taxes rather than using it to avoid raising taxes. Being able to use the funds so that we would not have to raise taxes was one of the initial appeals of the council. We have had a lot of constructive discussion about this item and have gotten many people involved in the discussion. Council Member Adams said that he struggled with justifying the spending of money in this reserve fund on something that was not power related. When we raise taxes, it is because we have to cover all aspects of the city's operation costs. Council Member Adams said he has also struggled with the idea of changing this ordinance because it was the will of the people who voted not to allow the transfer of funds. In the future, we may need to amend this ordinance because things change. For now, it needs to remain the same.

Council Member Hunt commented that she had felt uncomfortable with the idea of amending this ordinance from the beginning, but has appreciated that the council was given the chance to vet this out and look at the pros and cons of this. When the council makes decisions for the city, it is always helpful to have more evidence of what the residents want for the city. Proposition 5 is one of those times where the council was able to get a look at what the residents wanted, and not enough has changed since then to justify amending the ordinance at this time.

Mayor Tran stated that she appreciates all of the comments that have been made. The Council being able to take a chance to look at possible alternatives for the city is not bad policy, although there are some citizens who were very outraged that we would do it. It has been disappointing to witness that outrage as we went through this process and would hope that our residents would have more trust that their city council would make the best decision for our community. There were many reasons why the council looked into considering this as another option for our city. The council has been entrusted to manage the money of the city and we are trying to do what we can to be responsible with it. This is what good government should look like. If the council did not consider other options for the city, that would be irresponsible of us. That is why the council has had many discussions about this item and we have let our citizens know that we are having these discussions in open meetings. We have given ourselves a lot of time to vet this out. This is what transparency in the government looks like. It is because of the constructive comments from our citizens that we have been able to be given more information to make a more informed decision. As the council has looked over our budget over the last couple of years, we had a good savings in our general fund and so some of the money was used in order to try to keep a tax increase down or not to raise taxes at all. Looking at using power funds was just another way the council was looking to keep taxes down. The council is going to have to make some hard decisions in this upcoming budget cycle. Costs are increasing. Through this process, we can now show our citizens that we have looked at all available options, and hopefully our citizens see that we have done the best job that we can.

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, nay

The motion passed with a vote of four to one.

AN ORDINANCE AMENDING TITLE 17, CHAPTER 27 OF THE KAYSVILLE MUNICIPAL CODE REGARDING MIXED USE ZONING DISTRICT OVERLAY

Community Development Director Melinda Greenwood said that the council had reviewed this item previously, but had tabled the item to give the council more time to further review the proposed ordinance amendments.

Mayor Tran opened the meeting for public comment for this item.

Laurene Starkey said that some citizens had expressed concern about the proposed ordinance amendments about alcohol regulations and they do not want the city to lower the current standards for liquor laws. We need to be vigilant in keeping our standards high. Mrs. Starkey also added that although the properties west of Goldenwest Credit Union are already zoned for commercial, citizens have expressed concern to her that the historic nature of the buildings will not be kept in place, specifically for the FotoFly building on the corner of 200 North and 200 West. Mrs. Starkey said that we are aware that the commercial zoning cannot be changed at this point, but they wanted to let the council know that there are citizens that care about what is historic in our city and would like to see them preserved.

There were no further comments or questions from the public. Mayor Tran closed the public comment for this item.

Melinda Greenwood said that there are permitted uses and conditional uses that are listed in the code for each of the city's zone. Conditional uses mean that those particular uses are allowed, but they may need mitigation factors to be placed on the use. Conditional uses are more limited on what the city can regulate because cities are obligated to approve conditions that are only listed in the code at the time a conditional use permit application is submitted. The text amendments being proposed under the Mixed-Use Zoning District Overlay code would move the conditional uses to permitted uses, which eliminates the burden of review. The best practice with conditional uses is to have them in city code for a time so that the city can go through the conditional use permit approval process several times to see what shortfalls there may be with the code. The city would then change the code to address those shortfalls, and the conditional use would be moved to a permitted use. That is the intent of the amendments being proposed. It does not add any additional use that is not already allowed.

Mayor Tran asked about what alcohol regulations the city has.

Melinda Greenwood responded that the state regulates most locations that want to sell some form of alcohol. In Kaysville, we have two types of alcohol licenses that we issue. One is for on-premise alcohol sales, meaning that the alcohol will be consumed on-premise, such as a restaurant. The other type is for off-premise sales, where alcohol will be consumed off-premise, such as a grocery store or convenience store. The state does not regulate off-premise alcohol sites, and therefore municipalities would set up their own regulations, should they wish.

Council Member Blackham said that when the Mixed-Use Overlay ordinance was first put into

place, the council wanted to make sure that there was a specific percentage that remained with the base zone so that a development could not make a commercially zoned parcel as mostly residential units. As long as a development agreement is required for each mixed-use zone, the council can ensure that what is approved is what we want and what is best for our community. The council recently reviewed a commercial subdivision plat where the developer indicated that they were considering a Mixed-Use Overlay on two parcels, but one parcel would have the commercial and the other could have residential units built on it. This type of development is not what we had in mind for the Mixed-Use zone. Those two commercial parcels will likely be sold separately. With this overlay zone council is looking for developments where commercial uses would be located on the main floor, and residential units would be built on the floor, or floors, above. Or a similar type of development. We want the Mixed-Use zone to emphasize the underlying zone. Each proposed Mixed-Use zone will need to be looked at individually.

Melinda Greenwood said that mixed-use ordinances can be tricky to get right. Having the requirement of a development agreement as part of the zone gives the city flexibility to help bring forward a good project. The goal of the city should be to bring forward a successful project, and not be so focused on the underlying zone. The requirement of commercial space is difficult and sometimes you can force a project to create a lot of unusable commercial space. We want these projects to be able to create commercial space that will be leasable and occupied. Through a development agreement, the city will have full discretion to require what we want and how a project will look to a specific site.

Council Member Blackham said that we need to try to get more commercial in the city and there are some roads that more commercial would be appropriate.

Council Member Hunt said that there is an area designated in the city to allow for sexually oriented businesses and she would like to see that this mixed-use overlay zone not be allowed within that same area.

Melinda Greenwood said that she would add language to clarify that within the code.

Council Member Jackson said that he would like to remove the term “motels” from the code. Kaysville is a small community and motels bring in different clientele that we would not want in our city. If we leave the term in our ordinance than we are saying there may be a chance that we would allow them.

Council Member Adams commented that because a development agreement is required with the zone, the council would have the ability to restrict a project from building a motel through that development agreement.

Attorney Nic Mills added that there does not seem to be a drastic distinction between a hotel and motel. In our city’s code, a hotel and a motel are defined the same.

Council Member Jackson asked about creating more regulations regarding architectural designs for facilities.

Melinda Greenwood said that the development agreement would allow the city to give more direction on what architectural styling we would like on a building. It could be very project

specific on what a developer submits for approval, and could be negotiated through the development agreement.

Council Member Jackson said that he appreciated that storage units would not be allowed through this ordinance. Council Member Jackson suggested that the review discussed in 17-27-7(1)(a) include review of landscaping, as well as adding a provision that input be gathered from adjacent residents, as applicable.

Melinda Greenwood said that she would not recommend including trying to get the opinions of nearby residents. A better approach would be for the council to represent what they feel would be best for the community and what residents would want.

Council Member Blackham added that the code already includes that requirement that a landscape plan be provided when a Mixed-Use application is submitted.

Council Member Jackson asked about transit based parking reductions, as discussed in 17-27-7(5)(d)(iii)(2).

Melinda Greenwood said that because we do not have rail in our community, this applies to the bus stops in our city. One of the reasons this ordinance is in place is because the council selected it to be included for our modern income housing requirements, as required by the state.

The city council discussed the parking requirements for the Mixed-Use Overlay Zone.

Council Member Adams made a motion to approve an Ordinance amending Title 17, Chapter 27 of the Kaysville Municipal Code regarding Mixed-Use Zoning District Overlay with the addition to language be added to state that sexually oriented businesses not be allowed as part of this zone. 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.

The Mayor continued the “Call to the Public” Item to allow three members of the public to speak who were not allowed to speak during Call to the Public earlier in the meeting.

CALL TO THE PUBLIC (CONT.)

H. Lynn Galbraith said that during one of the discussions regarding the old library building, it was suggested that they borrow money from the power reserves with the agreement that the money would be paid back to that fund. Mr. Galbraith said that he was representing other citizens who feel that the historic library building should remain in the hands of the city as a public building,

and not be turned over to a private entity. They have hoped to be able to put in a museum and art gallery in the old library building, and they hoped to use it as a multicultural center. This would allow us to have a multi-use opportunity for the building. Originally, the city was going to use the building for more office space, and had considered getting the money to fund the renovation through a bond or grant money. The city has since lost interest in doing that. However, at some point during that time the city had promised their group of citizens that a portion of it could be used as a museum. In August 2021, Mr. Galbraith said that he had received a call from Tami Tran who indicated that Mayor Witt had enough votes from other council members to tear down the building. A council meeting was held to discuss this, and after a lot of debate, the council decided to vote in favor of saving the building and using it for public use. Now we are here again because the council wants to take the museum space away from us again, and put the building into private hands. Our group are opposed to this because they were promised that they would be able to have multiple uses for the building. Mr. Galbraith added that he feels that it is unfair to limit public comments to three minutes a person.

LeVar Thompson said that he had lived in Kaysville most of his life and he, along with a group of residents, have tried for many years to be able to use the old library building as a museum and art gallery. At this point, many have given up. Many people have accumulated historic items and will not give them to the museum group until there is a museum to put their items in. Bountiful, Centerville, Farmington and Layton all have museums, but Kaysville has no plans for one. If the building is given to a private business to build a restaurant here, there will be no place in the city to put a museum. We already have many restaurants in the city, but we do not have a museum or art center. If the city does not find a place for a museum within the next couple of years, it is unlikely that we will ever have one. Something needs to be done now or we will lose many of our members who are working towards creating a museum. Mr. Thompson said that he was recently approached by a council member and asked why the museum group had not raised money towards a museum. Many feel that they do not want to donate or do fundraising for a museum until there is a guarantee from the city that we will have a place for a museum. There needs to be a place where the LeConte Stewart paintings can be exhibited, and the city has broken agreements they had with the Stewart family by not displaying them now.

Susan Lee said that the new city building is sterile and does not display the heritage of the city as the previous city hall had. There is no representation of our city's history when you walk into this building. This seems to be how it feels for Kaysville because as citizens we do not have a representation of and for our heritage. The Mayor has said that she is wants to save the old library. Those that do care about preserving it care deeply about it. There are people who have been fighting for years to preserve the old library building, but not to preserve it for it to become a restaurant. It needs to be a place for a city museum and a LeConte Stewart Art Gallery. There needs to continue to be progression towards having fundraisers and getting grants. We are running out of time. We need to do everything we can to bring back the LeConte Stewart Art Gallery so that we can start showing it off again and showing the great people we have in this city. We could highlight in the museum the seventh governor of our State who was a resident of Kaysville. There is a lot of history of Kaysville that we have nowhere to display and to educate our children on our history.

WORK ITEMS

DISCUSSION OF AMENDMENT TO TITLE 17 CHAPTER 33 SIGN REGULATIONS, REGARDING LIMITING THE SIZE AND HEIGHT OF SIGNS ALONG THE WEST DAVIS CORRIDOR

Melinda Greenwood said that a proposed text amendment to the city's sign regulations was presented to the Planning Commission in January 2023 and Staff was asked by the Commission to research sign regulations that other cities have along Legacy Highway and other scenic byways in neighboring cities. West Bountiful and Farmington do not have specific sign regulations along Legacy Highway. Centerville has a shore protection ordinance that does not allow for any signage within 150 feet of a shore. The West Davis Corridor will be a scenic byway, similar to Legacy Parkway. UDOT uses different signage along scenic corridors and they will not regulate anything outside of their right-of-way. Kaysville's current city code does not allow for off-premise signage and therefore there no billboards will be allowed in Kaysville along the West Davis Corridor. Some concern has been expressed in regards to signage at the small commercial area on 200 North near the West Davis Corridor. Staff could do further research on other areas in the state that have scenic byways to see what kind of sign regulations they have implemented in order to preserve their scenic byways.

Mayor Tran said that this item was put on the agenda as a work item to give the council a chance to review the city's sign ordinance regulations. The council has different options to consider moving forward. The council could consider allowing only monument signs throughout the city from now on. However, this may cause some drawback as some retailers want to have taller signs. Another option would be to consider not allowing for tall pole signs along the West Davis Corridor.

Council Member Hunt said that she does not feel it necessary to create new sign regulations for the city as a whole. There are special circumstances along the West Davis Corridor, such as it being located close to migratory bird areas and wetlands, as well as residential areas, that would justify creating sign regulations just for this area.

Council Member Jackson said that he feels that having a thirty-foot sign along the West Davis Corridor is too tall. Council Member Jackson stated that he would be okay only allowing monument signs from now on throughout the city for commercial uses. There needs to be stricter sign regulations. Signs are not as necessary now that people use their phones to get where they need to go.

Council Member Adams said that the only commercial area next to the West Davis Corridor is surrounded by residential properties and a sign could affect the overall look and feel of a neighborhood. It does not make sense to have tall signs in the area that could project bright lights into the neighboring homes. Council Member Adams said that he would advocate to only allow monument signs near the West Davis Corridor.

Melinda Greenwood said that the city's sign ordinance regulates lighting and effects that signs can use and at what time of day. There are very specific definitions to help mitigate the impact of electronic signs.

Council Member Blackham said that many of the signs at Station Park are wall signs because the

businesses there are destination-driven. Once people know that Kum & Go will be at this location on 200 North, they will not need anything more than wall signs to show where they are. There is not any reason to have more signage along the street at the commercial location where Kum & Go will be. Kum & Go's signage should be kept to a minimum.

Mayor Tran directed staff to amend the language of the sign ordinance to address signage regulations along the West Davis Corridor based on comments made tonight.

Council Member Jackson said that he would like the council to have further discussion about implementing stricter sign regulations for the city as a whole at some point in the future.

Council Member Blackham said that whatever is allowed near the West Davis Corridor should be a ground sign and should fit in with the architecture, or be more organic that fits within the landscaping.

Council Member Hunt asked about the allowed height of monument signs.

Melinda Greenwood responded that she believes the ordinance allows for monument signs up to eight feet tall.

COUNCIL MEMBER REPORTS

Council Member Blackham informed the council that Chief Erickson had received the grant money for the equipment purchase the council had approved at the February 16, 2023 meeting for the Fire Department Rescue Task Force and Police Department SWAT.

Mayor Tran said that this year's Legislative session would be ending tomorrow and that cities have been very active on the hill this year trying to maintain municipal control.

ADJOURNMENT

Council Member Adams made a motion to adjourn the City Council meeting at 9:23 p.m. The motion was seconded by Council Member Hunt and passed unanimously.