

KAYSVILLE CITY COUNCIL

August 3, 2023

Minutes of a regular Kaysville City Council meeting held on August 3, 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 Jaysen Christensen, Finance Director Dean Storey, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Community Development Director Melinda Greenwood, Information Systems Manager Ryan Judd, Paul Hayward, Gayle McGraw, Bruce McGraw, Brigg Lewis, Laurene Starkey, Val Starkey, Jill Dredge, Flemming Hyllested, Scott White, Juleen White, Jed F. Barker, Brigg Lewis, Greg Fisher, Steve Lyon

6:00 P.M. – PUBLIC HEARING – FISCAL YEAR 2024 BUDGET TRUTH IN TAXATION

Mayor Tran opened the public hearing.

Paul Hayward stated that he had reached out to city staff over the past week and was pleased with the professionalism he encountered. Mr. Hayward said that his wife could not be present tonight but she wanted him to convey the message urging the council to consider reducing the proposed property tax increase to below 20%. Discussions have taken place concerning a future public works building renovation and a second fire station, both of which will cost the city over forty-three million dollars in total spending. The city needs to consider exploring methods of saving money on these projects. Mr. Hayward said that the last time he had spoken with the council was in regards to a proposed large tax increase to support the paramedic program, and when it passed he'd applauded; not because of the increased taxes, but because the proposed increase had been reduced by a third of what had originally been proposed. While he recognized that he was joining the budget project at this late stage, Mr. Hayward said that he had wished he'd been made aware of it sooner and pleaded with the council that they find a way to decrease the amount proposed for the tax increase, as the community has experienced continual property tax increases for years.

Gayle McGraw extended her gratitude to the Council for their dedicated efforts on behalf of the city. Mrs. McGraw also voiced her concern regarding the proposed tax increase and questioned whether the increase was driven by wants or needs. What happened to the idea that the council would not raise taxes higher than the cost of living or the inflation rate, as discussed a few years ago? Residents living on a fixed income lack the means to cover the cost of increased rates. Mrs. McGraw asked if there was an urgent need for these additional funds or if there were any areas of the budget that could be cut. Mrs. McGraw also asked about the potential impact the proposed tax increase would have on businesses in Kaysville.

Brigg Lewis asked that the city reconsider imposing additional taxes. There are a significant number of residents that are on fixed incomes, including himself. Mr. Lewis said that his pension will remain unchanged, and the last time that he had received an increase from Social Security it

was absorbed by rising Medicare expenses. Mr. Briggs asked the council to have compassion for the people of Kaysville, as inflation is an ongoing concern for everyone and it is not over yet. Numerous residents may face the risk of losing their homes due to financial strain. There may be areas that the council could look at reducing costs. Mr. Briggs added that residents were burdened with a road fee about four years ago, yet certain roads in the city remain in poor condition.

Council Member Oaks arrived.

Laurene Starkey thanked the council for upholding their oath of office in representing the citizens of Kaysville. In 2017, a road fee was implemented, and residents have been paying seven dollars a month towards it each month since then. Residents will have to pay a similar amount each month with this proposed increase in property tax. Additionally, there was a thirty percent tax hike a few years ago when taxes were increased to support the paramedic program. Many individuals these days are finding themselves taking on secondary jobs or extra shifts in order to make ends meet. Mrs. Starkey said that she appreciates the comments made by the council and city staff indicating that Kaysville's financial resources are respected and honored. When prices rise and income does not, we work to make due with less. Mrs. Starkey invited the city's representatives to do the same.

Jill Dredge expressed her appreciation for the city's dedication to hearing its citizens and commended the time and effort invested. Ms. Dredge said that over the last few years she had participated in a citizen group that led legislative bills. With each passing year, their concerns have only grown regarding the overreach of these bills and how they will affect Kaysville. Ms. Dredge said that she had reviewed parts of the city budget and expressed concern about the electric meters that were installed last summer, as well as the water meters that are currently being installed. There is a chance that residents will see a twenty-nine percent increase in water taxation. Ms. Dredge said that another item listed on the budget was for surveillance cameras, and while it is good to have some cameras, she is concerned about the number of cameras being installed and potential infringement on citizens' privacy. She is also concerned about tax allocation to special districts that might not align with the Utah constitution. Education taxes keep going up and yet we continue to lose students and teachers in Davis County. There are some big projects planned for Kaysville and there is a question as to how that will affect the taxpayers both now and after the project is completed. It is important that there is more increased citizen involvement in budget scrutiny alongside the council and the decisions that shape the city.

Jed Barker, a resident of Kaysville for sixty-three years, thanked the council for the opportunity citizens have to speak to the council. It is part of the obligation of the council as the representatives of residents. Mr. Barker expressed concern about what the increased tax funds may potentially be spent on, and questioned whether the expenditures would be spent on essential needs or discretionary wants. Most residents will not be receiving a cost-of-living increase this year. There are various areas of the budget where Mr. Barker feels that the city could save money or trim costs. Mr. Barker said that he had become aware of the proposed tax increase through a news source. Financial concerns are prevalent among all citizens at present, and he urged the council to be cautious and prudent with managing the city's funds in our current economic climate.

Greg Fisher said that he had come to the meeting tonight in hopes of seeing a little more detail on the specifics within the FY 2024 budget proposal. Mr. Fisher said that he had some questions regarding the utilization of the city's fund balances or retained earnings. Specifically, he was curious if the city had planned to tap into the available unrestricted balance from the city's funds.

Mr. Fisher asked if the city had experienced decreases in our revenue streams, necessitating a proposition of a tax increase in order to make up for a shortfall.

Bruce McGraw asked if the funds acquired through the proposed tax increase had been earmarked for any specific purposes and asked how much the city would be receiving from the tax increase. Mr. McGraw asked about when residents might see subsequent tax increases, and where in the budget the city had implemented cost-cutting measures.

Val Starkey said that they had been actively following the budget process for several months and one of the more significant expenses in the budget was for the purchase of a fire truck. They understand that it costs money to support the city's fire department, and as part of that, it is necessary to provide required resources for them. However, it seems that these major expenses are ongoing. Mr. Starkey added that he felt there was a lack of public information disseminated and questioned if the city had specific requirements they had to meet for sharing information. Mr. Starkey questioned whether these requirements needed to be reconsidered to ensure that all residents are adequately informed. Tax increases are one of these things that effects everyone and where everyone has some interest in it.

There were no further comments or questions from the public.

Council Member Blackham made a motion to close the public hearing 6:26 P.M. The motions was seconded by Council Member Oaks and it passed unanimously.

SPECIAL CITY COUNCIL MEETING

ADOPTION OF THE 2023 CERTIFIED TAX RATE FOR KAYSVILLE AND THE FISCAL YEAR 2024 BUDGETS

Mayor Tran opened the special city council meeting at 6:40 P.M. Mayor Tran explained the process that led the council to their present point where they are about to vote on the certified tax rate for 2023, and the Fiscal Year 2024 budget. Throughout the year, numerous discussions have transpired during council meetings and three work sessions where the council thoroughly examined the budget. One work session included the participation of the city's department heads. Each meeting and work session adhered to proper notice procedures and requirements. Mayor Tran emphasized the gravity with which the city council has approached this budget decision and expressed gratitude for the questions and feedback received from residents. The impact of tax changes affects all of us. When the proposed FY 2024 budget was initially presented to the council, there was a deficit of 2.3 million dollars. Several factors contributed to this deficiency. The discontinuations of fire support services to Fruit Heights City through Kaysville City resulted in a loss of funds. The time it now takes to order and receive a new fire engine led to an unexpected decision to purchase a fire engine in anticipation of future needs. Additionally, increased staffing costs and the need for the city to maintain competitive market salary rates were necessary to be able to retain our workforce. Through their many discussions, the council has continued to focus on potential cost-cutting measures, and distinguishing between wants and needs. The result of their rigorous deliberation has led to a reduction in the deficit to \$958,000. Consequently, the decision to raise taxes is being considered in order to cover this shortfall. Mayor Tran said that Kaysville's character as a hometown community sets our city apart from other cities. Many of Kaysville's residents prefer this area because of its lack of commercial. However, this absence of

a commercial foundation leads to lower revenue coming into the city in comparison to neighboring municipalities. Inflation is something that is out of our control, and is something that the city is not exempt from.

Council Member Hunt said that she appreciates the many residents who have reached out to the council through the whole budget review process. The city budget is complicated. Having citizen input has helped the council to look at other angles and consider things that we might not have before. This last year has been unique and we have faced many interesting challenges, including what was mentioned by Mayor Tran. During this prior year, the city had to find other additional revenue streams in order to cover the cost of a wage increase for our police officers so that we did not lose them. It seemed that every police force had a hard time hiring and keeping police officers on staff after the George Floyd riots occurred. On a national level, police departments had to increase wages of officers in order to keep police departments staffed, and Kaysville's police department was no exception. The council is aware that some citizens feel the city is spending too much. However, the money being approved in the proposed FY 2024 budget is going towards exactly the kinds of things that our residents expect to have, such as our public safety and city infrastructure. People expect to have access to those amenities. Kaysville struggles to bring in more sales tax revenue, but that is something that we can work to improve by trying to bring in more businesses. It is important for our residents and businesses to know that the mayor and city council have been working aggressively to try to find ways to bring in more sales tax revenue so that we do not have to keep falling back on increasing taxes to cover costs. Nobody wants to raise taxes. We will all be effected by a tax increase. Our residents need to know that the city council and staff have done their best on trying to keep costs down in the budget.

City Manager Jayson Christensen stated that when comparing Kaysville's tax rate with other cities in the county, only three cities have a lower tax rate than Kaysville. Among these are Farmington and Layton, both with substantially more commercial base and sales tax revenue than Kaysville.

Mayor Tran said that a member of the audience had asked if the city had considered doing a fund balance transfer. For the last couple of years the city has used fund balance to help supplement deficiencies in the budget. However, this is a problem because there is only so much money saved in the fund balance. What funds there were in the fund balance was accrued over time, not just within a calendar year. At the beginning of 2022, the council had considered doing some enterprise fund transfers using power funds. After much discussion, in the end citizens of Kaysville said they did not want the city using power funds in other areas of the budget. The City has been focused on trying to bring in more businesses to the city that would complement what we already have here, and would speak to our hometown feel. If the City continues to only use fund balance to supplement our budget, we will run out of money and then have to implement a much larger tax increase in order to cover costs. This is why the council felt it important to hold the Truth in Taxation hearing this year. Costs have increased everywhere, and we have all felt it and we experience it every day. The council feels that the only way to continue to be honest and responsible with the money of Kaysville citizens is to implement smaller incremental tax increases each year, rather than a large increase at once. The city has some major necessary projects that will need to be completed in the future and we will need to find ways to fund them.

Council Member Jackson said that the council members had walked through the operations center building and while it appears to be in rough shape, the bones of the building are still good. We are looking for into creative ways that we can make improvements to the building while keeping costs

low. There are already plans in place to have a new roof installed on the building. Throughout budget discussions, the council continued to ask city staff to rework the budget and to try to get by with what they have. The council has put a suspension on discretionary spending and have implemented a hiring freeze. As a city, we have invested a lot into our EMS and fire department and we have one of the best departments in Davis County. What happened with Fruit Heights City was unfortunate, but the city was not getting what was owed and that, in turn, ended up being put on Kaysville taxpayers. We want to continue to have a good relationship with Fruit Heights and there may be another opportunity to partnership with them again. Council Member Jackson added that the state legislature required all cities to install water meters on secondary water connections. However, there was never a clear answer from the state on how cities would pay for those meters. National and state politics effect our city and more residents need to be reaching out to our legislatures about how their decisions effect our city.

Council Member Oaks said the funds that the city will receive from a tax increase has not been specifically earmarked for anything, but rather it will be used to cover general cost increases. Taxes were not increased last year, and because of that, the city used fund balance to cover increased costs. The council looked at every option we could think of in order to not have to raise taxes this year. Our city was hit by inflation, just like everyone else in the nation. Had the city increased taxes by even just a small amount last year, we would be facing a smaller tax increase this year or maybe none at all. Council Member Oaks said he was grateful the city was able to get the deficit amount down as much as we were able to.

Council Member Adams asked about how much of the budget went towards salaries.

Dean Storey responded that it amounts to about ten million dollars a year for salaries.

Council Member Adams said that the social security cost-of-living adjustment was 1.6% in 2019, 1.3% in 2020, 5.9% in 2021, and 8.7% in 2022. Our employees live off a similar wage pattern, and if the city were to do a similar increase to what social security did in 2022, we would be looking at a cost-of-living increase of 8.7%. Cost-of-living raises are vital in retaining our employees. Council members have collectively been seeking ways to avoid raising taxes. It is something they do not want to have to do, given that they respect the value of residents' money.

Council Member Blackham expressed his opposition to tax increases and stated that he feels that one of the most important responsibilities of the city council members is to oversee the city budget and make careful decisions on how resources are spent in order to cater to residents' needs. Over the last year, the city has seen many increases. In order to retain existing police officers, the decision was made to increase their salaries to align with the average market pay. This adjustment amounted to an additional \$600,000 for the city. The city also had to assume responsibility for its paramedic services, previously managed by Davis County, which led to unanticipated costs. Davis County had not been collecting sufficient funds from residents to cover paramedic service expenses, adding to our financial burden and the need for a tax increase. Both of these expenses cannot be funded with sales tax revenues. In an effort to avoid tax increases, in 2022 the city decided to borrow money from the general reserve funds. However, this strategy is not sustainable long-term. The city has witness significant increases to operational costs, such as in our fuel and power expenses. It is important that the city have competitive employee salaries, particularly for public safety workers who require extensive training. These ongoing needs are funded through property taxes, as there is no dedicated revenue stream for police and fire departments. Kaysville

runs lean already, and we do not want to decrease the level of service that we are providing to our residents. City departments have already cut back on many things, and have deterred projects to future years. The timing of the fire truck purchase was driven by a three-year delivery timeframe for a truck order. The engine that the new fire truck will replace will be twenty-five years in three-years, and it was necessary to make the purchase. The tax increase being proposed stems from necessary purchases and essential costs that the city must make. Council Member Blackham said that the major rainstorm that occurred the day prior showed the city the need to maintain reserve fund balances for emergency or unexpected situations. The city council and city staff have worked hard on the budget to get it to where it is at now. Nobody likes tax increases, and the one proposed will allow the city to just break even. There are more projects planned for the future and we will have to figure out how to pay for them as they come.

Council Member Hunt made a motion to approve a Resolution adopting the 2023 Certified Tax Rate for Kaysville City and the Fiscal Year 2024 Budgets, seconded by Council Member Blackham.

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.

Council Member Oaks made a motion to adjourn the special City Council meeting at 7:08 P.M. The motion was seconded by Council Member Jackson and passed unanimously.

CITY COUNCIL MEETING

OPENING

Council Member Oaks opened the meeting at 7:08 P.M. with a thought and a prayer, and led the audience in the Pledge of Allegiance.

CALL TO THE PUBLIC

Laurene Starkey commented that there had been discussions with the Planning Commission regarding potential multi-family housing developments in the city. The idea of multi-family housing was introduced by the state legislature and is being imposed on every city in the state. Non-compliance by the city will result in fines. Having ownership of property teaches and encourages feelings of pride and wanting to enhance things for our city. The Planning Commission has considered allowing taller apartment buildings, as long as enough parking is provided. Mrs. Starkey urged the city to consider the consequences that may come from rezoning this property from its current commercial use, which could bring in commercial revenue for the city, to a housing zone. Many residents live in Kaysville because we like the way it is now, and we appreciate the council striving to preserve the character of Kaysville as it is. Allowing for apartment buildings

might be degrading to the city.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

ACTION ITEMS

AN ORDINANCE AMENDING SECTION 17-19 “GENERAL COMMERCIAL DISTRICT” AND SECTION 17-20 “CENTRAL COMMERCIAL” OF THE KAYSVILLE CITY CODE TO ADD RESTRICTIONS FOR VEHICLE-CENTERED USES

Community Development Director Melinda Greenwood explained that this item originally went before the Planning Commission in March as a draft ordinance to restrict additional car washes within close proximity to existing or permitted car washes. The draft concept was introduced after an influx of tunnel car washes, all within a few blocks of each other, was proposed or permitted in the city center area. The Planning Commission felt the original draft of the ordinance was inadvisable due to the wording of the ordinance and the limited action it would implement. The Commission directed city staff to expand the proposed restrictions to better support the 2022 General Plan City Center concept. A revised draft of the ordinance, which would eliminate uses which are singularly focused on vehicles, was presented at the July 13, 2023 Planning Commission meeting. At the meeting, the Planning commission held a public hearing and discussed the expanded draft ordinance. During the public hearing, one comment was received from a representative of Quick Quack car wash. While the commenter was supportive of the ordinance change, they asked for an exemption from the non-conforming use section of the City’s ordinance. Their request would allow The Good Spray car wash to demolish their existing facility and construct a tunnel wash over two adjacent parcels. After a lengthy discussion, the Planning Commission voted unanimously to send a recommendation of approval of the draft ordinance to the City Council. The Planning Commission also recommended that the city’s Redevelopment Agency use a Community Reinvestment Area and funding to assist property owners in the area to comply with the proposed ordinance change.

Mayor Tran opened the public comment period for this item.

Chase Bryan asked the council to consider adding an exception from the proposed language in Section 17-9-8 of the ordinance so that existing auto-related services would have the ability to improve or expand their business. The Staff Report for this item shows that it is unknown if there will be a fiscal impact by approving the ordinance. However, those property owners that have existing auto-related businesses will be financially effected by this ordinance because it will prevent them from being able to redevelop or improve their business. The owner of The Good Spray, Sydney King, has indicated that it will cost her \$2.7 million dollars if she is unable to make the improvements she wants to her property. Any time you prohibit someone from being able to make improvements to their property, their property could potentially degrade over time. The Kings have also indicated that they have had six different proposals for their property but all have failed because of deed restrictions on their property and other limiting factors. Adding more limitations to their property will be devastating for them. They should be allowed opportunities to improve their property.

Sydney King, the owner of The Good Spray, said that the proposed ordinance mentions "...spray and tunnel car washes which are not accompanied with a convenience store..." are prohibited. Ms. King said she would like the city to consider an exemption for her property to allow her to replace her current carwash with a new, updated carwash with an accompanying business that would not be a convenience store. It would be a small store, such as a soda shop or coffee shop, with inside seating and would be the combined use, as specified in the ordinance. Being allowed to do this type of mixed-used would create a better space for this area and would allow the city to continue to move forward with their redevelopment design.

There were no further comments or questions from the public.

Council Member Adams asked if the Quick Quack would be allowed here if they could keep their building the same as the existing building.

Melinda Greenwood responded that the city's code does not allow for expansion outside the existing footprint or of that use. Repairs and modifications could be made to the building as long as they remain within the footprint of the existing building. However, if the building of a non-conforming use were voluntarily demolished, they would not be allowed to rebuild that same non-conforming use in its place.

Council Member Hunt asked if they would be allowed to remodel their building to make it taller in order to accommodate taller vehicles.

Melinda Greenwood said that as long as it did not expand the footprint of the building it would be allowed.

Council Member Jackson asked why the language was written to only allow for car washes that are accompanied with a convenience store.

Melinda Greenwood said that the city's general plan encourages the creation of opportunities for mixed-uses. The idea behind including this language is to provide more opportunities for people to shop conveniently if it was tied to a use that was also automobile focused. The use would have to be a convenience store type of use, and not just general retail sales in order to be allowed.

Council Member Jackson asked about revising the language to be more specific about what we are looking for in a convenience store type of use with a car wash. Council Member Jackson also suggested removing the language "which are not accompanied with a convenience store..." in the prohibited uses section, after spray and tunnel car washes, and direct staff to add language to the ordinance defining a convenience store.

Melinda Greenwood clarified that by removing that section of language in the ordinance, the ordinance would not allow any new spray or tunnel car washes. If the council does not want to allow these types of uses in these areas of the city any longer, then there would not need to be further discussion about the convenience store mixed use aspect.

Council Member Jackson said that he feels that the city is looking for more diversity in our downtown area, and feels it would be worthwhile to have further discussion about these types of mixed uses with car washes.

Council Member Blackham commented that he has some concerns about Council Member Jackson's suggested language removal within the ordinance because the city is trying to encourage convenience stores to come to the city because of their retail sale. The Good Spray has been in the city for several years and Council Member Blackham said that he struggles with the idea of telling an existing business they cannot expand their business. The city council has been working on finding what kind of vision we want for Main Street, but we do not know what that vision is yet. Keeping the language as it is being proposed could open up more opportunities for diverse businesses come in. We have a lot of existing single family homes still along north Main Street that are zoned for commercial, and it's unlikely they will sell their homes anytime soon.

Council Member Jackson said that we need to protect our already established businesses. Council Member Jackson said that he feels that the vision for Main Street will come as the city makes more decisions creating more opportunities for diversity in the city.

Council Member Jackson made a motion to approve an Ordinance amending Section 17-19 "General Commercial District" and Section 17-20 "Central Commercial" of the Kaysville City Code to add restrictions for vehicle-centered uses, with the stipulation that the language in both Sections 17-19 and 17-20 be amended to remove the phrase "which are not accompanied with a convenience store". Council Member Hunt seconded the motion.

Council Member Oaks clarified that this ordinance would only prohibit these spray and tunnel car washes along Main Street between the city's northern border and 100 South Street, and along 200 North between I-15 and 100 East Street.

The vote on the motion was as follows:

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

The motion passed unanimously.

AN ORDINANCE ENACTING SECTION 17-31-4 "FIREWORKS STANDS, CHRISTMAS TREE STANDS, AND TEMPORARY OR SEASONAL RETAIL SALES" OF THE KAYSVILLE CITY CODE

Melinda Greenwood explained that this item is before the City Council for consideration because of a text amendment application that was submitted by TNT Fireworks. The request is for the city to allow seasonal retail sales of fireworks at Davis High School. In 2022, city staff mistakenly issued a business license for TNT Fireworks to sell fireworks from the parking lot of Davis High School, which is zoned R-1-8. Retail sales are not allowed in any of the R-1-8 zoning districts, so TNT Fireworks was notified that future sales could only take place if the city's zoning code was amended to allow for such uses. The City did not receive any complaints because of last year's sales, and the sales benefitted the high school as a fundraiser. At their July 13, 2023 meeting, the Planning Commission deliberated the draft ordinance, conducted a public hearing, and heard from

the applicant. The applicant spoke during the public hearing, but no other comments were received. Based on applicant comments and Planning Commission discussion, a portion of the draft ordinance was amended to require that adequate parking be provided, but did not set a hard number for that requirement. The Planning Commission voted unanimously to forward an approval recommendation to the City Council, and that motion included the minor adjustment to parking requirements as mentioned.

Council Member Adams commented that he would have liked to have the applicants present at tonight's meeting.

Melinda Greenwood said that the applicants were notified about their item being on the tonight's meeting agenda.

Mayor Tran opened the public comment period for this item.

There were no comments or questions from the public.

Council Member Hunt made a motion to approve an ordinance enacting Section 17-31-4 "Fireworks Stands, Christmas Tree Stands, and Temporary or Seasonal Retail Sales" of the Kaysville City Code. Council Member Oaks seconded the motion.

The vote on the motion was as follows:

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

The motion passed unanimously.

AN ORDINANCE ENACTING SECTION 17-31-5 "BEEKEEPING" OF THE KAYSVILLE CITY CODE

Melinda Greenwood explained that Planning Commissioner, Steve Lyon, is a beekeeping hobbyist and had submitted a text amendment application to the City requesting that the City adopt an ordinance allowing beekeeping in residential zones, as long as certain standards are maintained. Dan Jessop, the city's Zoning Administrator, reviewed the information submitted by Mr. Lyons and conducted some independent research. Through this process, he validated that the standards proposed by Mr. Lyons are acceptable for healthy hives and bees. If adopted, the ordinance would require that beekeepers obtain an appropriate license registration from the State of Utah and that they meet state requirements to keep hives. Those state requirements include that hives be inspected by the state, that hives be placed in rear yards, away from contact with humans and domestic animals, that the hives be placed at least five feet away from property lines, and that the hives have removable section frames, are six inches above the ground and have weather resistant tops. This item was reviewed by the Planning Commission on July 13, 2023 where a public hearing was conducted, but no comments were received. The Commission discussed the proposed ordinance and agreed that allowing beekeeping in the city is a favorable addition to the city's code.

Mayor Tran opened the public comment period for this item.

There were no comments or questions from the public.

Council Member Blackham said that beekeepers will sometimes call the Davis County Mosquito Abatement to ask for no-spray zones, and he asked that this ordinance be adopted with the condition that beekeepers would not be able to request a no-spray zone in Kaysville anymore. It becomes a problem because the neighbors of the requestor will complain to Mosquito Abatement because of the increase of mosquitos in their area. It also is harder for Mosquito Abatement to be able to control mosquitos that carry viruses in the area.

Steve Lyons said that most beekeepers keep their hives in their backyards, and as long as the Mosquito Abatement crews are correctly spraying, the spray should not reach the backyards, and therefore it should not be an issue for beekeepers. Bees are not typically active at night when the crews are out spraying for mosquitos.

Council Member Adams made a motion to approve an Ordinance enacting Section 17-31-5 “Beekeeping” of the Kaysville City Code, with the stipulation that language be added to the ordinance stating that residents keeping bees may not request a no-spray zone with the Davis County Mosquito Abatement District. Council Member Oaks seconded the motion

Council Member Jackson said that he is not in favor of restricting beekeepers from requesting no-spray zones because he does not feel he has enough information about how this could negatively affect bees.

Council Member Blackham said that there have been many studies done by all different kinds of groups both across the country, as well as locally, and they have found that as long as the mosquito abatement districts are correctly spraying the chemicals as per label, there is no detriment to bees. The Davis County Mosquito Abatement District is very careful in what they do, and they calibrate all of their equipment and have to show that it has been calibrated correctly.

The vote on the motion was as follows:

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

The motion passed with a vote of four to one.

COUNCIL MEMBER REPORTS

Council Member Jackson said that he had recently met with the City Engineer to discuss street improvements that are planned for 200 North Street, and the potential of adding trees and handicapped wheelchair access for sidewalks along 200 North. This street is the gateway for our city and Council Member Jackson said that he would love to see the street lined with trees.

Mayor Tran said that UDOT is working on restriping 200 North near the I-15 interchange so that there will be double turning lanes in both directions. This will help with traffic flow in the area, and they hope to have the project finished by the end of September. Also, the Burton Lane roundabout installation is going very well and should be completed this fall.

Council Member Jackson said that the Heritage Days would be held on August 3-5, 2023 at the USU Botanical Center.

CITY MANAGER REPORT

City Manager Jaysen Christensen thanked all of the public works, police, and fire crews that responded to calls in response to the large storm that occurred last night. There were multiple calls throughout the city and they did a great job prioritizing and addressing all of them. Mr. Christensen added that the city is working on implementing the new outage management communication system and hope to have it ready to go in the next couple of months.

ADJOURNMENT

Council Member Oaks made a motion to adjourn the City Council meeting at 8:14 p.m. The motion was seconded by Council Member Adams and passed unanimously.