

KAYSVILLE CITY COUNCIL
October 19, 2023

Minutes of a regular Kaysville City Council meeting held on October 19, 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, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Information Systems Manager Ryan Judd, Zoning Administrator Dan Jessop, Val Starkey, Laurene Starkey, Jill Dredge, Linda Gardner, Darlene Schons, Flemming Hyllested, Robin Stout

OPENING

Council Member Jackson opened the meeting with a prayer and led the audience in the Pledge of Allegiance.

CALL TO THE PUBLIC

Val Starkey expressed concern regarding homelessness in our area, and the agenda item regarding the building of a billboard in the city. Mr. Starkey said that he understands some of the pressures that cities are receiving from the State for helping the homeless. Kaysville is a beautiful place and the citizens of Kaysville are good people. We can do better for the homeless than what they have done in Seattle or San Francisco. Mr. Starkey also asked the city to be clear on how agenda items are titled.

Jill Dredge expressed concern about rapid changes in the country and state, and posed several questions to the council. She inquired about the roles of Envision Utah and the Utah League of Cities and Towns (ULCT), whether they influence state changes, and why the UN is not so prevalent in Utah. Ms. Dredge mentioned Governor Cox's recent warning to cities to comply with legislative desires or face enforcement through new state bills. There has also been mention of a push for the appointment of an attorney general. The topic of Utah becoming a sanctuary state has been brought up, and there are reports that illegal immigrants are being asked where they are going when crossing the border and many are saying Utah. Is this why more density housing and homeless shelters are being required of cities? The Utah Workforce Services recently reported that Utah's family sizes are declining. Ms. Dredge questioned the discrepancy between declining family sizes and the push for high-density housing, wondering if it stems from the ULCT and Envision Utah. She raised concerns about the feasibility of walkable cities, especially for elderly or young mothers during the winter. Ms. Dredge also posed questions regarding special districts with separate taxation powers and negative sentiments towards single-family homes. Mrs. Dredge also posted a question on whether the city and state representatives are staying true to fundamental

goals and representative responsibilities. She also highlighted Kaysville's commitment to preserving its small-town feel.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

Council Member Hunt made a motion to approve the following consent item:

- a) Approval of Minutes of September 7, 2023.
- b) Approval of Minutes of September 21, 2023.

Council Member Oaks seconded the motion.

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.

WORK ITEMS

BILLBOARD SIGN DISCUSSION

Mayor Tran stated that she had requested to put this item on the agenda because she serves on the Davis County Task Force, and a discussion was brought up in regards to the required homeless shelter that the State is requiring every county to provide within their county boundaries. The Davis County Task Force has identified a property located in Clearfield that appears to be an ideal location for a permanent Davis County Shelter. The property is currently owned by the Saunders Billboard Company and the family would be interested in negotiating and selling this property if the cities along I-15 would be willing to allow them to put a billboard along I-15 within their city limits. Many cities in the county do not have county-owned property within their city and many already have ordinances in place prohibiting billboards within city limits. Each city would need to discuss the potential to negotiate for billboards. The County has considered using the senior center, adjacent to Kaysville City Hall, and the emissions testing center, adjacent to the Deseret Mill, as possible permanent winter shelters in Kaysville. Staff does not view either of these locations, or any location in Kaysville, to be suitable for a homeless shelter for a number of reasons, including a lack of public transportation and other resources to support a shelter. Staff has also expressed concern about a homeless shelter being located so close to an elementary school, which would be the case if the shelter were put in the senior center. Other cities have similar concerns about potential locations located within their own cities. Should the senior center be used, it would

only be used as a temporary shelter during the evening, as it would still be used as a senior center during the day. Having people bussed to a location to sleep overnight is not going to fix the homelessness issue. Homelessness is a Utah problem, and there are legal issues with creating an ordinance only allowing one billboard within city limits.

City Attorney Nic Mills said that billboards are a highly litigated issue and would require special noticing requirements if the city were to consider allowing them. It is anticipated that every city enacting a billboard ordinance would likely receive an influx of billboard applications. The city would not be legally allowed to state that we would only allow billboards from one company. Every city enacting a billboard ordinance would likely face some kind of litigation. Billboards are such a high commodity that it is common for billboard companies to litigate them.

Mayor Tran said that when the Task Force had their initial discussions about this item, many members seemed open to considering this proposal. That has since changed as cities have had further discussion with legal staff and city managers.

Council Member Oaks said that there are many unanswered questions. What areas of the county are experiencing homelessness? Kaysville does not seem to have a homeless problem in our city, and by creating a homeless shelter here, we would just be bringing in problems that do not currently exist. We need to create solutions in areas where there are homeless issues. We are a Christian community and we want to help others. Besides trying to provide a homeless shelter, what other ways will the homeless be provided support so they can better their lives so they are not homeless anymore? How are we trying to solve the problem, rather than just giving handouts that the taxpayers have to pay for?

Mayor Tran said that the county would like to see a permanent facility built which would provide additional resources for the homeless. There are currently private companies that provide such a thing and they do it well. Mayor Tran agreed that homelessness needs to be addressed in areas of the county where there are current issues with it, rather than bringing problems to another city.

Council Member Blackham commented that the city has never allowed off-premise signs in the past and if we allow one, we will see ten more put up. We will not be able to have a say in what is on the billboards. The Task Force has only presented one proposed site for a homeless shelter, and those property owners are trying to write in their future.

Council Member Jackson said that homelessness exists within the county, and there are many mental health issues with those young kids among the homeless. There are ways the county can be compassionate towards the homeless and provide needed services. Council Member Jackson said that he is appalled that this billboard company seems to be using extortion to sell their property and ask that a billboard be put up in every city along I-15. If the County were suggesting that our senior center should be turned into a homeless center, it would be doing a disservice to our senior residents. Council Member Jackson said that he shares concern with others about having a homeless shelter located across the street from an elementary school, and every parent of a student at that school should speak up against it. Council Member Jackson expressed frustration that the State places these mandates on counties, but provides no resources for them. There are different types of homeless shelters, and there has not been enough information provided to determine what

would be best for our county. Homeless shelters should ideally be located near medical and mental health resources, as well as mass transit. Council Member Jackson added that he would never support the allowing of billboards in the city.

Council Member Hunt asked if an ordinance were written allowing billboards, could the number be limited.

Nic Mills responded that it would have to be written very tightly and would have to specify a limitation on billboards.

Council Member Hunt said that she would not be in support of allowing billboards in the city. Many billboards have derogatory or explicit ads, and there would be nothing to stop that if billboards were allowed in the city. Council Member Hunt added there is a large number of homeless kids in Davis County it is an issue that must be addressed. People deserve getting help to get back on their feet. There needs to be certain resources available for those who are homeless, and those are resources we do not have in Kaysville. We don't have many mental health resources available for them. We don't have a transit hub in Kaysville, which would not be conducive for those seeking employment and will need a way to travel to and from work. In addition, not all homeless people are dangerous; however, there is a certain level of dangerousness when you have a homeless center near a school. Council Member Hunt said that she would need further information before she felt comfortable making a decision on this.

Council Member Adams said he felt that the billboard company's property would be a good location for a homeless shelter, and he hopes that the owners would be given a fair price for their land. However, he does not like the feeling that the billboard company is trying to tie the City's hands.

Mayor Tran said that the County is considering many of their own properties because it will be a less expensive option. Mayor Tran added that it might be better for the County to consider investing in a new building because it will be more permanent and we need to be considering long-term solutions.

Council Member Jackson suggested having discussions with surrounding cities, religious entities in our area, businesses, and residents to see if they have any ideas for this matter. We need to come together to come up with a plan to help these displaced families and individuals.

MUTTON HOLLOW ANNEXATION PLAN DISCUSSION

City Manager Jaysen Christensen explained that earlier this year, residents of the Mutton Hollow Township area petitioned Davis County in a letter for help to get Kaysville to annex their area into Kaysville City. The County approached Layton City about the annexation request, and they expressed no interest. Despite Mutton Hollow's interest and the apparent interest of Davis County in Kaysville annexing this area, Staff feels it is not in the best interest of Kaysville to do so. One primary concern in relation to annexing is the cost of upgrading Mutton Hollow infrastructure, such as water, streets, and sidewalks, to Kaysville City standards. It is anticipated that the cost to do so would be millions of dollars, and would likely be heavily subsidized by current Kaysville

taxpayers. The estimated property tax revenue that would be generated from Mutton Hollow is \$130,000 per year, which is insufficient to address the infrastructure needs, let alone the ongoing cost of providing services and maintaining infrastructure. Additionally, Mutton Hollow receives some of its utilities from other providers, such as North Davis Sewer District and Rocky Mountain Power, which would not be an ideal arrangement for Kaysville. Because of this annexation inquiry, it was questioned as to why the Mutton Hollow Township area was still being included in Kaysville's Annexation Plan. The Mutton Hollow Township has been included in the Kaysville Annexation Plan for many years, including the most recently updated Plan in 2017. The updated Plan includes criteria to guide future annexation decisions, and Staff feels that an annexation of this area would not meet the criteria. If the Council agrees that annexing this area would not be in the City's best interest, Staff will start the process of removing the Mutton Hollow Township from our City Annexation Plan.

Mayor Tran added that she attended a meeting with the County, along with the City's Public Works Director and City Engineer, and discussed the issue of infrastructure improvement costs. The city was offered a couple of million dollars, but that would not be enough to cover costs. If the city does not intend to annex this area, it should just be removed from our plan.

Council Member Blackham made a motion to move the amendment of the Kaysville City Annexation Plan to an action item so that the Mutton Hollow area could be removed from the Plan, seconded by Council Member Adams.

Council Member Hunt added that she wishes that we could annex this area into the city, but the city cannot justify annexing this area when doing so would place the financial burden of upgrading the infrastructure upon our residents.

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.

COUNCIL MEMBERS REPORTS

Council Member Hunt said that the Utah State Institute for Land, Water and Air made a presentation to the Governor earlier that day, and she appreciated being able to participate in that. It is great that this group is trying to get policy makers to do research with them on these environmental issues so that they are able to make better decisions for the State of Utah. The report can be found online for anyone interested.

Council Member Blackham gave an update on the Burton Lane roundabout construction project, and the connector road project.

Council Member Adams said that his neighborhood is located in west Kaysville and they have seen a sudden problem with coyotes within the neighborhood, with some having killed neighborhood pets. Some of his neighbors have asked if they would be allowed to hunt the coyotes. Council Member Adams said that he had reached out to Chief Oberg who said that the city ordinances would have to be changed to allow for hunting in that area, but it would need to be controlled if it were allowed.

Council Member Oaks asked if Animal Control would help with the coyote problem.

Council Member Adams said that they had spoken with Animal Control and with the Division of Wildlife and neither were willing to help.

Nic Mills said that he could do research and ask other cities on how they have dealt with similar issues.

Council Member Adams commented that recently Governor Cox spoke about the housing crisis and he expressed that it was adamant that cities handle it. Governor Cox had stated that cities are delaying homes from being built, thereby contributing to the increased cost of homes. Council Member Adams said that he is unsure how cities would be able to have any control of the cost of homes in the city. The City Council has not been presented with any affordable housing projects to consider approving. Council Member Adams suggested that the city come up with something that would allow an application for an affordable housing project to be processed by the city more quickly than usual, as long as it meets city ordinances.

Jaysen Christensen said it is definitely something the city could consider, but it might become more complicated with projects that may only have a portion of their project as affordable housing.

Council Member Adams said that cities are not the ones building homes or dictating their affordability, and the burden needs to be placed back on developers.

Council Member Jackson stated that he would not be in favor of allowing hunting in the area. All cities within the county contract for animal services with the County and they should be part of resolving the issue. Council Member Jackson added that he would like to see a developer come before the council with a plan that included affordable starter homes. Every year the State Legislature is coming out with more legislation to force cities to comply with legislation or the State will withhold funds from the cities. Every community in Davis County has complied with the housing mandates that have been put forth. This fact was mentioned to the Governor and some of the legislatures and there was no acknowledgement of it. Their response was that cities are still not doing enough and that the state has the right to come in and take in city's abilities and powers away for zoning and development. This goes against everything we believe in as Americans and Utahns. The legislature needs to put forth a policy that cities can deliberate with.

CITY MANAGER REPORT

City Manager Jaysen Christensen said that the Alchemy Group, who has been involved in

renovating the old Kaysville Library building, has been making progress on starting construction, and have planned a soft target opening for July 4th of 2024. They will soon be starting environmental abatement and interior demolition. A concern that has been brought up about the building is regards to the roof as it is not seismically sound. It is also not the original roof, and would not be worth preserving. Alchemy Group would like to replace the entire roof to be able to meet seismic codes, and to be able build it in a way to hide the mechanical equipment located on the roof. The new roof will look like the original roof, and they would change the asphalt shingles to match the roofs of the other city buildings on this block. With the new roof, the new trusses will increase the vertical space inside of the building. Staff feels roof replacement will be a great improvement for the building. Mr. Christensen added that the Mayor had the idea of lighting the Kaysville star to show support for Israel and peace for that region, and it would be lit this upcoming Monday evening for the night.

ADJOURNMENT

Council Member Oaks made a motion to adjourn the city council meeting at 8:02 p.m. The motion was seconded by Council Member Jackson and passed unanimously.

KAYSVILLE BUSINESS PARK
ARCHITECTURAL REVIEW COMMITTEE MEETING
October 19, 2023

Minutes of a Kaysville Business Park Architectural Review Committee Meeting held on October 19, 2023 at 8:07 p.m. in the City Council Chambers of the Kaysville City Municipal Center at 23 East Center Street, Kaysville, UT.

Committee Members present: Chairperson Tamara Tran, John Swan Adams, Mike Blackham, and Abbigayle Hunt, Nate Jackson and Perry Oaks

Others Present: City Manager Jaysen Christensen, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Information Systems Manager Ryan Judd, Zoning Administrator Dan Jessop, Robin Stout

OPENING

Chairperson Tran opened the meeting by welcoming those present.

CONSIDERATION OF A MONUMENT SIGN FOR READING HORIZONS LOCATED AT 1194 WEST FLINT MEADOW DRIVE

Zoning Administrator Dan Jessop explained that Reading Horizons has made application to build a monument sign on their property at 1194 West Flint Meadow Drive. The proposed sign is a total of twenty-four square feet and is four feet tall and six feet wide. The sign will sit ten feet behind the property line. The submitted sign plans are in compliance with the design guidelines of the Kaysville Business Park. The Architectural Review Committee must approve signs that are proposed within the Kaysville Business Park. Staff recommends approval of the proposed sign.

Chairperson Tran asked if it would be a lighted sign.

Robin Stout, representing the sign contractor, said that it would be lit with twelve-volt LEDs.

Committee Member Adams made a motion to approve a monument sign for Reading Horizons located at 1194 West Flint Meadow Drive, seconded by Committee Member Jackson.

The vote on the motion was as follows:

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

The motion passed unanimously.

ADJOURNMENT

Committee Member Adams made a motion to adjourn the Kaysville Business Park Architectural Review Committee Meeting at 8:11 p.m. seconded by Committee Member Hunt and passed unanimously.