

KAYSVILLE CITY COUNCIL
November 16, 2023

Minutes of a regular Kaysville City Council meeting held on November 16, 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 (via phone)

Others Present: City Manager Jaysen Christensen, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Community Development Director Melinda Greenwood, Information Technology Assistant Jordan Hansen, Parks and Recreation Director Cole Stephens, Power Department Director Brian Johnson, Public Works Director Josh Belnap, Nathan Rich, Darelene Schons, Jill Dredge, Kim Smith, Laurene Starkey, Chandler Read, Brad Walters, Alicia Christensen, Hailey Christensen, Lisa Von Bose, Randi Von Bose, Charles Von Bose, Julie Hendrickson, Jim Tadge, Hannah Pendergast, Hillary Coombs, Tiffany Gibbs, Hayley Dixon (Alberts), Dan Chase, Megan Sevy

OPENING

Council Member Hunt opened the meeting with a thought and led the audience in the Pledge of Allegiance.

CALL TO THE PUBLIC

Nothing was brought under this item.

PRESENTATIONS AND AWARDS

SWEARING-IN OF KAYSVILLE YOUTH COURT

Kim Smith, Kaysville Youth Court Advisor, explained the Kaysville Youth Court program and presented the Youth Court judges and advisors for 2023-2024.

Mayor Tran swore the Kaysville Youth Court into office.

SUPPORT FOR MERCY HOUSING

Hayley Dixon explained that she was part of an undergraduate program for social work with Weber State University that has collaborating on a project with Mercy Housing, located in Kaysville.

Hannah Pendergast said that she is the Senior Case Manager at Mercy Housing, known as the Francis Peak View Apartments, which consists of 119 units of affordable housing. They serve

only very low-income families, seniors and individuals with disabilities, currently accommodating 221 residents. Among them, 89 are children under the age of 18, and 27 are seniors over the age of 65. The majority of the children come from single-parent households and they have a very diverse community. Mercy Housing not only provides affordable housing but also provides resident services programs to help support its residents. The students from Weber State University have been working with her on their project throughout the last semester.

Hayley Dixon said that as part of their macro class they needed a project that would benefit the community and focus on helping those in need, as they are work towards becoming social workers in the future. They decided to direct their efforts towards Mercy Housing. The goal for their project was to bridge the gap in the demographics within Kaysville, as residents of Mercy Housing constitute a very diverse group compared to the general population of Kaysville. Their aim was to help Mercy Housing residents feel more integrated into the community by building unity within it. They sought to raise awareness about Mercy Housing its resources by sharing the stories and livelihood of its residents. To achieve this, they decided to collect stories and recipes from Mercy Housing residents and compile them into a cookbook. Some classmates have been translating recipes from English to Spanish and vice versa. The objective is to distribute these cookbooks to both the residents of Mercy Housing and Kaysville. Many Kaysville residents are unaware of the existence of Mercy Housing, and their group hopes the cookbook project will help address this. Ms. Dixon proposed that the city distribute the cookbooks for new residents or make a PDF version available online on the city's website. The group is present tonight to request the city's sponsorship for funds to cover the printing costs of the cookbooks.

Hillary Coombs, with the Weber State University program, said that it had been an incredible experience to work with the residents at Mercy Housing and feels that this cookbook could be a great benefit for the community.

Council Member Adams asked if their group anticipated selling the cookbooks.

Hayley Dixon responded that they felt it better to have them be complimentary. They only anticipate printing a small amount of books for now, just as a starting point.

Council Member Jackson said that he felt that the cookbook was a great idea and it would be a great way to show our support for Mercy Housing.

Mayor Tran asked how soon the cookbook would be ready to go to print.

Hayley Dixon responded that they are still in the process of collecting about fifteen more recipes, which will still need to be translated.

Hannah Pendergast said they had discussed potentially doing an unveiling event of the cookbook in February.

POWER DEPARTMENT ANNUAL REPORT

Power Department Director Brian Johnson presented a report of the Power Department,

highlighting significant changes, positive improvements and completed projects that they have been able to see completed over the last year. Mr. Johnson gave an overview of current services to customers, equipment, and employees, and noted an increase of power demand being seen in Kaysville. The city's power sources were discussed, including coal, natural gas, wind, hydro, heat recovery, and transactions with UAMPS. Mr. Johnson informed the council about the conversion of a coal plant to a gas plant through IPA Utah, which is currently under attack right now in the state legislation. It is likely that Kaysville Power will need the city council's support against a proposed bill that will be devastating to that resource. The city has already had representation at the Hill voicing concerns in regards to the negative impact this bill will have on the twenty-three municipalities invested in this resource. Mr. Johnson explained that Kaysville participates in the Smart Energy Program through UAMPS, which offers rebate programs to residents. Mr. Johnson reviewed ongoing and future projects, including rebuilding the main feeder for the DTC, addressing aging equipment, and new developments including providing power needs for the West Davis Corridor and connector road. The Power Department have focused on maintenance and rebuilds specifically in the King Clarion area to address low voltage concerns and enhance services. Several switches have been installed throughout the city to help with outages and to help be able to manipulate the direction of power feed. The city's substations have been neglected for a number of years, and a substation tech has been hired to help figure out what substation repairs and new construction needs to be completed, including creating a SCADA system. Efforts have been made to control vegetation around power lines in the city, helping to reduce the risk of potential outages. The department is working to implement an Outage Management System (OMS), expected to be deployed in January, which will provide improved outage information to residents. Mr. Johnson showed a demo of the OMS system to the council to show how it will work when an outage occurs, and said that they would like to do a test run of the system with the city council sometime in December. The Schick Substation is at the final stages of engineering. There are upgrades needed for certain lines in different areas of the city, and cables that have reached the end of its lifespan. There have been more concerns as more people are purchasing electric vehicles. Some sections of our main feeder lines are already underrated and will need to be upsized. Residents may be advised to charge electric vehicles during off-peak hours to manage demand effectively.

Council Member Jackson commented that he is excited the city is implementing the OMS system and asked if the program will be able to show equipment that is about to fail.

Brian Johnson responded that it would not be able to predict when equipment may fail. However, they will be able to see the history of an area to see where there are trouble spots.

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 October 5, 2023.
- b) Appointment of Planning Commissioner Megan Sevy.

Council Member Blackham seconded the motion.

The vote on the motion was as follows:

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

The motion passed unanimously.

ACTION ITEMS

REQUEST TO REZONE 13.5 ACRES AT 1387 SOUTH SUNSET DRIVE FROM R-1-LD (RESIDENTIAL SINGLE FAMILY LOW DENSITY) TO R-1-LD WITH A PLANNED RESIDENTIAL UNIT DEVELOPMENT (PRUD) OVERLAY – BRAD WALTERS

Community Development Director Melinda Greenwood explained that this property located at 1387 South Sunset Drive was rezoned to R-1-LD in 2021. The property has been under construction installing improvements this last spring and summer, and it was recently discovered that the infrastructure that was constructed did not meet city street standard width as outlined in city ordinance. Due to the dimensions of the street width installed, the owner has chosen to rezone the property with a PRUD Overlay in order to provide a private street option. The street width installed meets a private street dimension, and it has been approved by the city engineer. As a private street, the responsibility of maintenance for the road will be through an HOA that will be set up by the owner. The city sent public notices to property owners within five-hundred feet of this subject property and only one comment was received, which was not relevant to the rezone application. The Planning Commission reviewed this request at their October 26, 2023 Planning Commission meeting. A public hearing was held but no comments were received. The Planning Commission recommended approval of the proposed rezone request as it will make the installed improvements in compliance with our private street ordinance.

Council Member Adams asked about how the street did not meet standards.

Melinda Greenwood explained that the city requires that the minimum asphalt width on a standard street be no less than thirty feet. For whatever reason, the asphalt was poured at less than that. Since the utilities had already been installed for the subdivision, rather than have to tear it all out, Staff and Mr. Walters felt it best to go through the subdivision process again with a PRUD overlay allowing for a private street. Had the road been poured at the correct width, the PRUD overlay would not be necessary. Our city engineer and our fire chief have already reviewed the plans for a private street, and saw no issues with changing this road to a private street. The owner plans to live on the five-acre parcel in this subdivision. It will be recorded with the subdivision that the road will not be the responsibility of the city, but rather will be the responsibility of the HOA. Those purchasing land here will be notified of the HOA through their title. As the subdivision process continues, Staff will make sure that public safety will still be able to respond to this area.

Mayor Tran commented that there are quite a few private roads within Kaysville City and they are very desirable roads to live on.

Council Member Jackson asked if the city is liable if private roads are not maintained or do not have snow removal done.

Melinda Greenwood responded that the HOA would be liable because private roads are privately owned.

Council Member Jackson asked if in the future, the HOA could request that the city take care of their private street.

Melinda Greenwood responded that the city does not accept streets that do not meet our street standards. They would have to reconstruct their street to meet city standards.

Council Member Jackson said that there have been other HOAs in the community that have not been able to maintain their privately-owned open space because they aren't charging adequate funds to maintain that space. Council Member Jackson expressed concern that creating a private street and HOA is an afterthought in order for the developer to make due of a poor situation and maybe the city needs to implement some kind of repercussion when mistakes like this happen in order to prevent them from happening again. Maybe the city needs to require that the road be widened in order to meet city standards.

Brad Walters said that he feels that there is a shared responsibility here between him and the city in regards to the width of the street being missed. Installation of all improvements and utilities is already complete. The road is twenty-three feet and all parties believed it was going to be thirty feet. Professional engineers from both sides reviewed the specifications and they were somehow missed. There is precedence for narrower roads across the city, and HOAs typically are very responsible with snow removal. The cost to widen the existing road would be astronomical because it is not just a matter of moving the curb and gutter. The infrastructure is already in, both above ground and below, and it would all have to be moved. Some might not be able to be moved at this point. Mr. Walters added that this will be a nice subdivision. He already has thirty-eight families interested in purchasing a lot in the subdivision and they are aware it could become a private street.

Council Member Blackham commented that he lives on a private street and enjoys it because parking is not allowed on the street. It is positive that the city has one less street to have to maintain. The fact is that the street was built smaller than what our street standards allow for public streets, and we need to figure out how to deal with it. What is being proposed will make the existing street in compliance for the subdivision and will make the lots more desirable. This will be a positive thing for the city.

Council Member Hunt asked about restricting parking on the street.

Brad Walters said that they may allow parking on Spur Lane, but otherwise would like to restrict parking along the main road.

Council Member Jackson commented that he would like to see the city do something to prevent this from occurring again with future developments.

Council Member Adams made a motion to approve the rezone of 13.5 acres of property at 1387 South Sunset Drive from R-1-LD (Residential Single Family Low Density) to R-1-LD with a Planned Residential Unit Development (PRUD) Overlay for Brad Walters. The motion was seconded by Council Member Blackham.

The vote on the motion was as follows:

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

The motion passed unanimously.

AN ORDINANCE AMENDING PROVISIONS OF THE KAYSVILLE CITY CODE
REGARDING ABANDONED, WRECKED, OR JUNK VEHICLES

City Attorney Nic Mills explained that currently city code requires that residents store unregistered or inoperative vehicles within a building or behind an opaque fence. City Staff has noticed that this code is somewhat onerous for citizens who are fixing or restoring cars. The proposed code amendment would allow citizens to store these vehicles in their driveways or beside their homes if an opaque screen covered them. Staff is concerned because the ordinance, as currently written, allows for very little flexibility for residents who are working on their cars.

Council Member Jackson made a motion to approve an Ordinance amending provisions of the Kaysville City Code regarding abandoned, wrecked, or junk vehicles. The motion was seconded by Council Member Hunt.

The vote on the motion was as follows:

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

The motion passed unanimously.

WORK ITEMS

DISCUSSION ABOUT TRANSITIONING TO A BUNDLED RATE FOR RECYCLING AND WASTE DISPOSAL

Nathan Rich, with Wasatch Integrated Waste Management District, explained that their Board has been deliberating on the future of the Waste Management facilities. The Davis Landfill, a significant aspect of their operations, has a limited lifespan and we need to consider how to extend its duration and determine the amount of waste we are willing to transfer to help extend its life. Our Board feels it is important to support robust recycling programs throughout the district. Cities with strong recycling programs can divert thirty percent of generated waste from landfills, contributing to waste stream reduction and decreased waste transportation needs. Currently, about one-third of waste is transported one hundred miles to the Tekoi landfill on the Skull Valley Reservation, incurring substation costs. Over the last year, the Board has been trying to figure out how to support robust recycling in the district and come up with some best practices. Meetings have been held with haulers and other stakeholders to obtain feedback. After doing so, the Board feels it best to implement a bundled service program. While recognizing that this approach will impact cities differently, participation in the program will not be mandatory for residents. Under a bundled service program, residents would see a single fee for one garbage can and one recycling can. Residents can choose not to have a recycling can, but the service fee would remain the same. Educational materials on recycling benefits and the bundled service will be created and sent to residents. The district has allowed ample time for implementation, with fee changes not expected until January 1, 2025. In about twenty months from now, if cities do not have a bundled service, the household-use fee paid to the district will increase by \$2 for each household per month. Due to Kaysville's existing strong recycling program, it is anticipated that there will be minimal pricing changes for Kaysville residents. Higher participation in cities could lead to lower costs for haulers, as closer stops and reduced garbage in case help improve efficiency. Representatives from the district are reaching out to city councils and are willing to attend city-sponsored meetings to convey their message. They are also collaborating with a recycling partnership that provides grants for such programs, and they plan to initiate educational outreach around April 2024.

Mayor Tran commented that seventy-three percent of Kaysville residents voluntarily participate in a recycling program already.

Council Member Blackham said that he likes that this program will be optional. It sounds like Kaysville residents are being very responsible.

Nathan Rich said that there is already one city in the county that bundles their service. Kaysville has a great program but the district feels that implementing a bundled service program would help to divert even more waste.

Council Member Jackson commented that he doesn't want to see the city require everyone to have a recycling can, or implement any fines for not having one or for putting wrong items into recycling cans.

Jaysen Christensen said that Kaysville City has been fortunate to have worked with Robinson

Waste, who has held our rate at a flat rate for a number of years. Our contract with them ends June 30, 2024 and we have been working with them to see pricing proposals they can offer. They have been a great provider for Kaysville for many years.

CITY MANAGER REPORT

City Manager Jaysen Christensen said the DTC has planned to build a CDL driving range and relocate their sandbox for their heavy equipment training to a different area of campus. This has many of the nearby residents very concerned and many questions have come up. The DTC has scheduled a meeting to discuss their plans and answer any questions next Tuesday, November 21 at 5:30 p.m. They city does not have a lot of say of what the DTC does because this is a proper use for their zoning and is an allowed use. However, all are invited to attend the meeting and we appreciate the DTC reaching out to the residents to see if they can help mitigate some of their concerns. Mr. Christensen commented that city Building Inspector Duane Gordon recently passed his exams to become a fully licensed commercial inspector. Mr. Christensen added that in the past, the city council had held a dinner with the city's state legislators and they would like to do that again on December 7 at 5:30 p.m., prior to the city council meeting.

CLOSED SESSION

Council Member Adams made a motion to recess the city council meeting at 8:55 p.m. and convene into a closed session to discuss pending or reasonably imminent litigation, in conformance with Utah State Code §52-4-205. The motion was seconded by Council Member Jackson and passed unanimously.

Council Member Adams made a motion to adjourn the closed session at 9:56 p.m. and reconvene into the city council meeting, seconded by Council Member Jackson. The motion passed unanimously.

ADJOURNMENT

Council Member Adams made a motion to adjourn the city council meeting at 9:57 p.m. The motion was seconded by Council Member Hunt and passed unanimously.