

KAYSVILLE CITY COUNCIL
February 15, 2024

Minutes of a regular Kaysville City Council meeting held on February 15, 2024 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 (via phone), 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, Community Development Director Melinda Greenwood, Public Works Director Josh Belnap, Information Systems Manager Ryan Judd, Business License Specialist Mindi Edstrom, Marilyn Johnson, Colleen Ostergaard, Laurene Starkey, Val Starkey, Russ Jensen, Kathy Jensen, Jon Spjut, Shawn Spjut, Trevor Edstrom, Chelsie Toone, Jami Robison-Healey, Dexter Fisher, Jason Largey, Robert McGuire, Ramona Porter, Carole Walker, Wenfei Yu, Kevin Hill, Genevieve Hill, Candice Miller, Hinckley Chase, Kimball Chase, Daniel Chase, Jill Dredge, Dale Webster

OPENING

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

Mayor Tran informed the audience that the city had created a document with information in regards to a proposed homeless shelter, and stated that no formal decision had been made yet, but there have been discussions between the county and its cities. The final recommendation will come from the county task force. Mayor Tran reviewed House Bill 499, which mandates certain counties, including Davis County, provide a winter response shelter. Mayor Tran explained that she had volunteered to be on the county's task force for this matter to be a voice for Kaysville. While Kaysville wants to contribute towards finding a solution for homelessness, the city lacks resources such as mass transit, job opportunities, and social services for a shelter. The task force recently requested funding from the State Legislature to appropriate \$30 million in one-time funding towards planning for a shelter in Davis County, and \$2 million in ongoing funding for the shelter, as shelters have many ongoing expenses in order to fund the necessary maintenance and support needed. The task force hopes the Legislature will approve an amendment on HB 499 to exclude counties with shelter plans from being required to provide temporary shelters. Mayor Tran emphasized the need for a well-planned, permanent shelter rather than investing in temporary solutions. County Commissioner Lorene Kamalu is in charge of Health and Human Services, and homeless services falls under her responsibilities. She will be providing further details on the county's efforts at the next council meeting.

City Manager Jaysen Christensen added that the comments received from the task force mirror those from residents, indicating that the proposed location at the emissions center in Kaysville is

not ideal for a homeless shelter.

Council Member Jackson expressed appreciation to Mayor Tran for volunteering to be on the task force, and for her commitment to transparency so that the council was aware of the discussions regarding the potential placement of a temporary shelter in Kaysville. The council wants to help to find a solution for the homelessness issue in the county and find suitable locations that works for the county and that has all of the resources needed for a shelter.

CALL TO THE PUBLIC

Dan Chase, residing on Laurelwood Drive, shared his experience of working for the federal government for twenty-eight years in the Social Security Administration. As part of his job, he said he had conducted extensive outreach to the homeless community, acknowledging the challenges in assisting them for various reasons. Mr. Chase mentioned his career experience in both downtown Salt Lake and downtown Ogden, witnessing the migration and evolution of homelessness. He noted unintended consequences resulting from the closure of Rio Grande to the homeless in Salt Lake, leading to a dispersal of the homeless issue across various areas. Mr. Chase expressed appreciation for the council's forward-thinking approach and the Mayor's involvement in the task force convened in response to HB 499. He emphasized the desire of residents to contribute to finding the best solution to homelessness, recognizing the complexities and varied needs of those struggling with homelessness or housing insufficiency in Davis County. Mr. Chase offered his assistance and support to the council in addressing homelessness in the county.

Candice Miller stated that she resides within walking distance of the emissions center building where the temporary homeless shelter is being considered. She expressed concern, as one of her children will be walking to school next year. Ms. Miller shared her volunteer experience at homeless shelters in Illinois and Phoenix, noting that temporary shelters typically allow people in at 8:00 p.m. and require them to leave by 6:00 a.m. the next morning. She told of the issue of individuals loitering around the area during the day after leaving the shelter. Ms. Miller emphasized that Kaysville currently does not have a homeless population, and if the shelter is approved, it will attract homeless individuals to the area. With limited beds available, many of them will spend their days near the shelter, potentially congregating at Barnes Park due to inadequate transportation. She expressed concern that Kaysville would effectively become a daytime homeless shelter. Its proximity to adjacent neighborhoods poses risks to nearby residents. Ms. Miller highlighted the potential safety risks, citing mental health issues and substance abuse problems among the homeless population. She cautioned that the emissions center's proximity to million-dollar homes will likely lead to an increase in burglary and theft. Ms. Miller argued that placing a homeless shelter in Kaysville would undermine its reputation as a family-friendly area and could expose children to unsafe conditions and undesirable influences.

Jill Dredge quoted information from the Davis County website regarding project proposals and planning within the county. Ms. Dredge raised concerns about locating a homeless shelter in Kaysville due to the lack of a nearby hospital and mental health facilities, as well as safety concerns regarding its proximity to railroad tracks and a park, and its impact on nearby residents and businesses. Ms. Dredge asked about the current locations of homeless populations within the county, and the potential influx from other counties. We need to have these statistics before

making an informed decision about the shelter's location. The shelter should ideally be situated where homeless populations already exist. Currently, there is not a homeless situation within Kaysville and Fruit Heights. Ms. Dredge suggested that there are likely other county-owned properties that would be a more suitable location for a shelter.

Val Starkey presented a letter he had written to the council, which included technical information in regards the effect diesel particles has on humans, and raised questions about the use of the emissions center building as a homeless shelter. There are safety concerns about using a former pollution-monitoring environment, now likely contaminated, as housing for destitute individuals. He questioned the rationale behind considering the emissions center building, given the contamination issues. While remediation is possible, it is costly. Mr. Starkey cited three documented resources indicating that workers in this specialized industry face a significantly higher risk of cancer, up to ten times more. Diesel engine exhaust has been linked to lung cancer in humans, and exposure to such chemicals should be minimized. It appears odd that this building would be considered for a shelter, given the evidence of its potentially harmful impact.

Jason Largey stated that he resides in the neighborhood west of the emissions center, where the proposed homeless shelter is located. He believes that the council and mayor are actively working to prevent any type of shelter in Kaysville. Mr. Largey expressed appreciation for the efforts made to garner citizen support in preventing potential developments beyond their control. Mr. Largey said that he had reached out to Commissioner Kamalu to inquire specifically about the emissions center's consideration as a shelter, to which she responded that it had not been identified as a possible location for either a permanent or temporary shelter, and also mentioned that operations by the health department inside the emissions center are scheduled through 2024. However, Commissioner Kamalu's email did not definitively rule out the possibility of consideration in the future. Mr. Largey acknowledged that while it may have been considered at some point, Commissioner Kamalu indicated it is not currently being identified for a shelter. Mr. Largey said that he had reviewed HB 499, which he found similar to other bills nationwide, potentially indicating this bill is part of a broader agenda aimed at centralizing power away from local jurisdictions. Mr. Largey also noted discrepancies in the Davis County Local Homeless Council Strategic Plan for 2024-2028, particularly concerning statistics indicating 12,000 children classified as homeless in the Davis School District, which vastly exceeds the total homeless population estimate for the county of 912 individuals.

Mayor Tran thanked the public for their comments and encouraged residents who have conducted research on the homeless issue to email it to the city council.

PRESENTATIONS AND AWARDS

PRESENTATION OF EMPLOYEE OF THE QUARTER

Community Development Director Melinda Greenwood expressed appreciation for the opportunity to commend one of her employees and explained the city's program where employees can nominate their peers for the Employee of the Quarter Award. Mindi Edstrom, Business License Specialist, received six nominations from her coworkers, who described her as someone unafraid to learn new skills to tackle challenging tasks, always willing to assist others, kind to everyone she

encounters, and a blessing to the community for her work with Kaysville Gives. Mrs. Greenwood added that she often receives emails from the Mayor about receiving compliments about Mindi from the business community, and new business owners have expressed gratitude for her willingness to assist in their obtaining a business license. Mindi also coordinates the city's monthly Business Supporting Business meetings, fostering a supportive environment for local businesses to connect. She consistently goes above and beyond to assist everyone who contacts their department, displaying warmth and friendliness to all. Furthermore, Mindi initiated the Kaysville Gives program several years ago and remains its driving force, contributing to its ongoing success and growth each year.

Melinda Greenwood presented Mindi Edstrom with the Employee of the Quarter Award.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

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

- a) Authorization of FY 2025 Road Maintenance Project on 200 North Street.
- b) Approval of 200 North/Main Street Betterment Agreement with UDOT.

Council Member Oaks 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 Oaks, yea
Council Member Blackham, yea

The motion passed unanimously.

ACTION ITEMS

REQUEST TO REZONE 7.74 ACRES OF PROPERTY AT 367 SOUTH ANGEL STREET FROM A-5 (HEAVY AGRICULTURE) TO R-1-14 (SINGLE FAMILY RESIDENTIAL) FOR DW MANAGEMENT

Community Development Director Melinda Greenwood explained that in late 2023, this property was under consideration for a rezone to the R-1-20 zone district, but the applicant withdrew their application prior to the City Council meeting. They have since submitted an application to rezone this property, located at 367 South Angel Street, from A-5 (Heavy Agriculture) to R-1-14 (Single Family Residential). There is currently an existing single-family dwelling on the property. This request was presented to the Planning Commission on January 25, 2024. A public hearing was held and during the hearing a resident spoke on behalf of the neighboring subdivision, and expressed opposition to the R-1-14 zoning. No reason was provided for their opposition. One

other comment was submitted to the Planning Commission via email, opposing the development in hopes of keeping the property rural and expressing concerns about traffic on Angel Street. The proposed rezone meets city regulations, and is appropriate for this location. The Planning Commission voted 6-0 to send a recommendation of approval of the rezone application to the City Council.

Mayor Tran opened the public comment period for this item.

Jason Largey commented that he was not familiar with the rezone request until tonight. He referenced the Davis County Homeless Plan, which identifies both a supply and price issue regarding affordable housing in Davis County. It says that not much can be done to influence home prices as they are largely driven by market dynamics, but there are things that could be done to subsidize home prices so that lower-income families could afford to purchase a home. It also states that more needs to be done to incentivize construction of high-density housing, such as zoning changes, grants, or loans to developers to lower development costs. Mr. Largey expressed disagreement with this County Plan and stated that he understood why the adjacent neighborhood would prefer the area to be rezoned to R-1-20 rather than the current R-1-14 zone, as it may lower home values. Mr. Largey voiced concern about the development of single-family housing over the past years, recalling a proposal during his time on the Planning Commission to redefine the term "family" in city definitions, potentially allowing unrelated individuals to live together. He emphasized the importance of preserving the city's current character and protecting existing residents. Mr. Largey also expressed apprehension about state-level recommendations that appear to push for converting single-family housing into high-density housing, limiting the city's ability to resist such changes and govern itself.

There were no further comments or questions from the public.

Council Member Oaks asked if Willow Brook Lane would be connected to this property.

Melinda Greenwood commented that the road configuration would be determined with the subdivision plans, and the city engineer will be able to determine what road connections there should be. However, the city always planned to have Willow Brook Lane connect to this subject property. The city often prefers more road connections, so the city will likely also require that a stub road be planned to the south within this development.

Council Member Hunt said that residents had conveyed to the Planning Commission their desire for a stub road to be planned to connect to the undeveloped land to the south, and she emphasized the importance of ensuring that the city engineer oversees its implementation. Road connectivity, particularly for first responders, is crucial. Concerns about traffic flow are frequently voiced by residents. Council Member Hunt highlighted that there is not a significant difference between the R-1-20 zone and the R-1-14 zone, and visually, the lots will resemble existing ones. While some residents worry about the new development increasing the number of children and burdening schools, the School District's projections indicate that each single-family home would likely add 0.89 children, resulting in a maximum of twenty-two additional children in the schools. Furthermore, Council Member Hunt mentioned that Angel Street would undergo full improvement with curb, gutter, and sidewalk as part of this development, enhancing safety in the area.

Council Member Jackson agreed that increased road connectivity is important and expressed support for including a stub road in the development. The proposed development is similar to what already exists in the area and will complement the existing neighborhoods, while also introducing a slightly different housing option to the area.

Dale Webster, the applicant, mentioned that this property was his grandfather's farm, and his father tasked him with overseeing its development. He was instructed to ensure that the development blended in with the surrounding neighborhood, which is why he is proposing the R-1-14 zone. The homes to be constructed will resemble those already present in the area but may offer slightly more affordable housing options.

Council Member Blackham said that upon comparison, the R-1-14 lots would be similar in size to those in the area. This is because neighboring subdivisions were developed as Planned Residential Unit Developments (PRUDs), allowing for smaller lots than what was originally zoned, provided enough open space was included in the subdivision. All setback requirements will align with those of neighboring properties.

Council Member Oaks made a motion to approve the request to rezone 7.74 acres of property at 367 South Angel Street from A-5 (Heavy Agriculture) to R-1-14 (Single Family Residential) for DW Management. 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 Oaks, yea
Council Member Blackham, yea
Council Member Adams, yea

The motion passed unanimously.

A RESOLUTION AMENDING SECTION 5.01 OF THE PERSONNEL RULES & REGULATIONS REGARDING DISCIPLINARY PROCEDURES

City Attorney Nic Mills explained that this amendment would expand the ability to give written reprimands to authorized supervisors. City policy anticipates graduated sanctions for employee misconduct. The current sanctions (ordered from least to most severe) are verbal warning, written reprimand, suspension, demotion, and dismissal. Under the current policy, supervisors can give verbal warnings only. This amendment would allow department heads to authorize supervisors to give written reprimands. The proposed policy include two oversight functions. First, department heads needs to authorize which supervisors may issue written reprimands. Second, the department head needs to agree that the misconduct warrants a written reprimand. City Staff believes that this change appropriately balances the need to maintain high-standards of employee conduct, whilst freeing department heads from having to handle every situation requiring this low-level of discipline.

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 the Resolution amending Section 5.01 of the Personnel Rules and Regulations regarding disciplinary procedures. The motion was seconded by Council Member Jackson.

The vote on the motion was as follows:

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

The motion passed unanimously.

WORK ITEMS

DISCUSSION ON PROPOSED CONSOLIDATED FEE SCHEDULE AMENDMENT RELATED TO DEVELOPMENT REVIEW FEES

Public Works Director Josh Belnap explained that with last year's legislative changes regarding development review, Staff began engaging with other cities and consultants representing smaller cities as we started identifying what Kaysville's code changes and development process would look like. One item that was identified in this coordination was that cities have started implementing ways to assign the cost impacts for the review and coordination process to the developers creating the impact, rather than just being absorbed by the existing residents. Staff has focused in on an option that would assign a fixed cost based on the number of units in a proposed development. That alleviates the cost burden experienced by the City, but also gives the developer a clear idea up front of what they can expect when planning their projects. Staff plans to review the development process and propose an applicable cost to the council as an Action Item to amend the Consolidated Fee Schedule. With the recent focus on development review time, and the potential for new developments approaching, we feel it is prudent to make this adjustment now, rather than waiting for the start of the new fiscal year.

Mayor Tran added that there are mandates from the state requiring cities to be more responsive to developers. While the city aims to encourage development within our communities, certain fees are still required to expedite the development review process.

Council Member Blackham suggested implementing a flat fee that developers are aware of from the outset, along with set fees for additional reviews if needed.

Council Member Oaks expressed a preference for including the fees in the Consolidated Fee Schedule, rather than involving outside consultants and ensuring that developers pay them.

Council Member Jackson agreed that outlining the fees in the Consolidated Fee Schedule would streamline the process and enhance efficiency.

Josh Belnap commented that Staff would continue to reach out to other cities to understand their processes and fee structures for developers. They will also review the development process internally and explore external consultant options. The goal is to ensure an accurate representation of costs in the Fee Schedule. They hope to utilize outside consultants on a short-term basis while working to hire a city engineer, who will eventually assume the responsibilities of the consultants.

Council Member Oaks made a motion to move the proposed Consolidated Fee Amendment related to development review fees to an Action Item, seconded by Council Member Jackson.

The vote on the motion was as follows:

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

The motion passed unanimously.

DISCUSSION ON KAYSVILLE CITY CENTER COMMUNITY REINVESTMENT AREA AND THE REDEVELOPMENT AGENCY ROLES

Melinda Greenwood provided an overview of the Community Reinvestment Agency Act in State Code 17A to the city council, explaining its utilization of tax increment financing (TIF) to address development impediments. City Staff has been working on establishing a Community Reinvestment Area (CRA) since 2021, which aligns with the City Center area outlined in the city's General Plan. The project area spans 261.5 acres, comprising 66.2% commercial, 18.3% residential, and 15.5% vacant land, with key streets including Main Street, 200 North Street, and Flint Street. Though larger than typical, the project area's acreage aims to generate a meaningful amount of tax revenue increment. Since its presentation to the City Council in September 2022, Staff has collaborated with Davis County and the Davis School District, revising the plan based on their feedback. The CRA plan received favorable reception from the County Commission, prompting its reintroduction to the Council for review, alongside the revised budget. Kaysville seeks participation from taxing entities, including the Mosquito Abatement District, Davis School District, and Davis County, at a 60% rate, with the city contributing at an 80% rate. The proposed CRA duration is fifteen years, with tax increment collection scheduled to begin in 2025. The Kaysville City Center CRA anticipates generating up to \$5.1 million in revenue for the Redevelopment Agency (RDA) within the project area, with a \$10 million TIF cap. The allocated TIF funds are earmarked for various projects within the project area, including streetscape enhancements, beautification, infrastructure development, pedestrian facilities, public open space,

parking improvements, historic preservation, utility upgrades, fiber optic networks, and façade improvements. Mrs. Greenwood reviewed the projected incremental tax revenues, noting administrative costs deductions and the 10% set-aside for affordable housing mandated by state code. While TIF revenues must benefit the project area directly, housing funds offer flexibility within city boundaries. Upon adopting the 2022 General Plan and the Modern Income Housing Plan, the city made a commitment to establish a down payment assistance program for its employees. We intend to utilize the housing funds generated from TIF revenue to develop and support this program, with the aim of helping more of our employees to reside within Kaysville boundaries. Additionally, the CRA facilitates infrastructure funding as property values rise, encourages private investment, enhances City Center aesthetics, and boosts business recruitment efforts. Further steps toward establishing the CRA include interlocal agreements between RDA and taxing entities, a work session with the School District, the posting of a public notice and holding of a public hearing on the plan and budget and the adoption of both, City Council ordinance adoption, and a 30-day protest period. Staff is optimistic that the CRA will be approved as it will create opportunities to improve our City Center area.

The City Council further discussed how revenue would be generated by the incremental tax with the CRA.

Melinda Greenwood commented that the project area is unlikely to see a significant increase in school-aged children. Any residential development within the area would likely focus on higher density housing, and single-family dwelling developments tend to attract more school-aged children. If this project area were anticipated to generate a substantial number of school-aged children, the School Board might be more cautious about participating. Redevelopment within the area is expected to prioritize commercial or mixed-use developments. One positive aspect of the project is the potential for job creation. Mrs. Greenwood added that their presentation to the School District and the County included some of the steps the city has taken in recent years to position itself favorably to propose this CRA. The city has been collaborating with multiple entities and applying for grants to leverage external funding resources, maximizing the investment from taxing entities. City staff has also been updating city code to ensure alignment with the community's vision outlined in the 2022 General Plan. One significant project involves repurposing the old library building into a food hall. By compiling these efforts, staff aims to demonstrate to taxing entities that the city is fully committed to the proposed CRA.

Council Member Hunt mentioned that during the Main Street Project, the city conducted several meetings with business owners along Main Street to determine the best ways to support them. The city plans to continue holding similar public meetings to gather input from business owners and involve the community in deciding how best to allocate funds for the city's benefit.

COUNCIL MEMBER REPORTS

Council Member Hunt remarked that the Communities that Care group is still expanding and making progress.

Council Member Jackson stated that he and Council Member Blackham have been attending legislative meetings at the capital, advocating for the city and seeking to influence potential state

legislation.

Mayor Tran expressed gratitude to the residents for their engagement and feedback to the council. The council is closely monitoring the bills under consideration by the legislature and striving to represent the citizens to ensure their voices are heard.

CITY MANAGER REPORT

City Manager Jaysen Christensen announced that the council would be meeting for a work session on Friday, March 1 at 8:00 a.m. to review the budget for capital planning for city buildings and parks.

ADJOURNMENT

Council Member Oaks made a motion to adjourn the city council meeting at 8:47 p.m. The motion passed unanimously.