KAYSVILLE CITY COUNCIL
JULY 7, 2015

Minutes of a regular meeting of the Kaysville City Council held July 7, 2015 at 7:00 p.m. in the City Council Chambers of the Kaysville City Municipal Center.

Council Members present: Mayor Steve Hiatt, Mark Johnson, Ron Stephens, Jared Taylor, Brett Garlick and Susan Lee.

Others present: Recorder Linda Ross, Engineer Andy Thompson, Zoning Administrator Lyle Gibson, Police Chief Sol Oberg, City Attorney Felshaw King, Parks and Recreation Superintendent Vance Garfield, Parks Director Cole Stephens, Fire Chief Brett Larkin, Louise Shaw-Clipper, Blake Webster, Chris Snell, Shauna Snell, Hannah Snell, Bethany Snell, Ruth Snell, Sharon Hadley, Mike Blackham, Carri Blackham, Lorene Kamalu, Derek Terry, Norda Covington, Christine Deppe, John Halladay, Ben Halladay, Nancy Ward, Bridger Ward, Chi Edwards, Brian Allred, Aimee Ellis, Kim Blackburn, Rob Brenchley, Lisa Brenchley, Carole Walker, Martha Rushforth, Brett Tarbox, Jake Garn, Dave McCowan, Nancy Pace, Seth Vining, Bradyn David, Brayden Humphreys, Lisa David, Kim Humphreys and Adele Clay.

VOLUNTEER OF THE MONTH RECOGNITION

Council Member Garlick recognized Chris Snell as Volunteer of the Month. He stated that Chris served eight years on the City Council and has been Chairman of the July 4th Patriotic Devotional for the past six years.

Chris Snell stated that receiving this honor is a privilege. He thanked the City and stated that this is a wonderful place to live because so many people give to the community.

YARD AND GARDEN AWARDS

This item was postponed.

CALL TO THE PUBLIC

Kim Blackburn stated that he recently met with City staff who shared clarifications about flag lots and gave him information so he understood the ordinances and changes that were going to be proposed. The information he gleaned from that was excellent. He distributed a copy of his list of recommendations. He asked the Council to consider adopting a new zoning designation for residential flag lots so when people come in and look at the zoning map they will see property that is zoned for that. He also asked that flag lots only be allowed in developed areas and not new areas.

Dave McCowan thanked the Council for the Kaysville Idol event. It was an outstanding experience with great staff support from Marny Clark and Robyn Dickson, who did a tremendous amount of work.

Lisa Brenchley asked the Council to amend the June 2, 2015 Council minutes regarding the Webb Lane rezone to include language requiring Brian Sorensen to set the building structure back 50' on the south side of his property.

Mayor Hiatt explained that the motion on that issue included the requirement of a 50' setback.

Lisa Brenchley apologized for not reading the entire minutes and stated that she is not against development in Kaysville but would like development to be done respectively.

ADOPTION OF TRAFFIC CALMING GUIDELINES

Andy Thompson explained that the City put together traffic calming guidelines with assistance from an engineering firm. This defines the process for traffic calming measures. If a resident feels there is a problem with traffic, they would fill out a petition along with three other residents on that street, do a one hour traffic count, and then turn that into the City for consideration of traffic calming measures. The City then would do additional research to verify that it meets the criteria as outlined. If it does, the City will then do further studies, including speed and volume counts. If it then meets all the criteria, it would go back to the neighborhood to see which traffic calming measures they feel would be appropriate for their situation. Once that is agreed upon by 60% of people living on the street, it comes back to the City Council for approval. The guidelines go into detail about traffic calming methods that could be used and the pros and cons of each method.

Council Member Lee stated that Susan Harris sent her an email with several questions relating to this issue. She wanted to know what it means when the guidelines reference the City.

Andy Thompson stated that staff at the counter in the Code Enforcement Department will review the document to see if it meets the criteria.

Council Member Lee wanted to know if emergency response route is defined somewhere in the guidelines.

Andy Thompson stated that the traffic calming device would be reviewed with the Fire and Police Departments to make sure the device would not interfere with where they need to go.

Council Member Lee wanted to know if volume control measures could become a problem.

Andy Thompson stated that the intent is to divert traffic to major streets that are designed to carry traffic and to make sure traffic is not diverted from one neighborhood to another.

Council Member Garlick stated that he hoped to see certain guidelines put in place for each type of street. If it is left up to citizens to come up with what they want, they would want a stop sign on every intersection and a speed bump. He recommended that this be tabled for furtber study.

Council Member Lee stated that she would like to see roads that have been built to handle more traffic be used more often than roads inside neighborhoods. She questioned whether speed should be increased on major roads to encourage use of those roads.

Blake Webster stated that this guideline is consistent with other cities around the nation but he believes there are improvements that can be made. Pushing traffic to another street is a concern. He also has a concern about the initial application going to City staff for determination of whether or not it is worthy to pursue further. He believes that a citizen review board should study these guidelines further with City staff. He stated that the guidelines say that full street closures should only be considered where all other calming attempts have failed. This seems inconsistent since full closure has been applied on Center Street at 750 East and was done so for the safety of children. He also believes that cost should be considered.

Mayor Hiatt stated that the Center Street issue began many years ago and has been a long standing issue. There was a dispute about the street itself and Center Street was never connected. At that location, Center Street was not a functioning street.

Brett Tarbox wanted to know how these guidelines would apply to residents currently in open dialogue about traffic concerns. He wanted to know if they would be grandfathered in or have to go through the process.

Mayor Hiatt stated that the City Council will make that determination.

Brett Tarbox stated that his concern is speed. If the process is overcomplicated, it reduces complaints from citizens. He urged the Council to make the process not as cumbersome and to involve residents.

Council Member Stephens stated that this has been a step in a good direction. It is also a step in terms of what steps to follow to initiate certain action. It identifies options the City has not thought about before and looks at things that have been successful. It also takes the subject out of an emotional arena. He believes that more work needs to be done. He complimented those that have been involved in this process. He spent time recently with the Police Department and was impressed with what was put together by Chief Oberg regarding speed reduction. He believes that this guideline also needs to consider ideas that the Police Department has put together in terms of other ways to deal with speed reduction.

Council Member Garlick recommended that Blake Webster, Brett Tarbox, and other citizens along with two Council Members, the Police Department, and City staff meet and review this.

Council Member Taylor made a motion to table this issue and establish a committee to review it with Council Member Garlick serving as Chair and Council Member Stephens as Vice Chair, second by Council Member Garlick.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

Brett Tarbox asked what would happen on Deseret Drive in the meantime.

Mayor Hiatt stated that more police enforcement would be provided.

FLAG LOT DEVELOPMENT

Andy Thompson stated that the Council and some citizens have expressed concern regarding access to a flag lot and the proximity of a new home on a flag lot to existing development. City staff believe that clarification of the existing ordinance through minor text changes should appropriately address the issues. The proposed changes deal with the overlay zone process, drive access, and setback requirements. Several years ago, the City Council recognized the impact and increased setback on every side from 15' to 20'. A PRUD overlay zone is the only zone where flag lots are allowed. Flag lots are finalized at the end of a rezone process and the flag lot is not applicable to the property until the plat is recorded. Double flag lots would be changed to require a 20' driveway. Also, two residential driveways cannot be closer than 12' to each other. Changes to Title 17 require a public hearing and recommendation from the Planning Commission before a final decision is made by the City Council.

Council Member Stephens stated that his concern is whether this would increase the distance from adjacent property owners. He is not sure the language being proposed will help with that concern. He wonders if a 35' setback requirement would be better.

Council Member Taylor stated that there may not be enough property left in the City for a lot of flag lots to be developed on.

Council Member Garlick made a motion to refer this matter to the Planning Commission with a recommendation that they consider increasing the setback, they review the suggestions from Kim Blackburn, and then they schedule a public hearing, second by Council Member Stephens.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

LOT 9, KINGSVIEW ESTATES AMENDED SUBDIVISION PRELIMINARY AND FINAL PLAT AND OVERLAY OF PRUD – PLANNED RESIDENTIAL UNIT DEVELOPMENT OVERLAY ZONE ON 1.19 ACRES OF PROPERTY AT 278 EAST SHEPARD LANE

Andy Thompson explained that this subdivision is located at 278 East Shepard Lane and consists of two lots, including one flag lot. Both lots conform to the existing R-A zone. The Planning Commission held a public hearing and recommended approval.

Council Member Garlick made a motion granting preliminary and final plat approval for Lot 9, Kingsview Estates Amended Subdivision and adopting Ordinance No. 15-7-1, Overlaying the PRUD Overlay Zone over the R-A Zone on 1.19 Acres of Property at 278 East Shepard Lane, second by Council Member Taylor.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

KAYSVILLE SUNSET EQUESTRIAN ESTATES PLAT 14C SUBDIVISION FINAL PLAT

Andy Thompson explained that this subdivision is located at approximately 850 West Western Drive and consists of 19 lots. Recently the property was rezoned to R-1-LD and received preliminary plat approval. The lots range in size from 15,000 square feet to just over 30,000 square feet. The plat connects the two roads that have already been stubbed into the property. The Planning Commission recommended approval.

Council Member Taylor made a motion granting final plat approval for Kaysville Sunset Equestrian Estates Plat 14C Subdivision, second by Council Member Johnson.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

ACCEPTANCE OF IMPROVEMENTS IN WEST CREEK SIDE ESTATES SUBDIVISION AMENDED

Andy Thompson explained that this subdivision is located at approximately 2260 West 200 North and consists of 28 residential lots and one large lot for a new elementary school. The improvements have been completed and inspected and found to be acceptable except for the asphalt on 200 North and Island Way. City staff recommends that the improvements be accepted except for the paving of 200 North and Island Way. These streets will be re-evaluated after the heavy equipment used to construct the elementary school are no longer present and considered for acceptance at that time. He recommends that the amount held for completion of the asphalt be approximately $100,000.

Council Member Garlick made a motion accepting the improvements in West Creek Side Estates Subdivision with a 10% surety and one year warranty with the stipulation that $112,000 be held as an additional cash escrow completion bond with a new one year warranty period once the school is complete, second by Council Member Stephens.

Seth Vining, representing Oakwood Homes, wanted to know if the additional cash escrow bond would be for 200 North or just the affected area.

Andy Thompson stated that it would be for the entire portion of 200 North that abuts their project.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

APPROVAL OF AGREEMENT WITH THE DAUGHTERS OF THE UTAH PIONEERS, DAVIS KAYSVILLE COMPANY, LLC FOR GIFTING AND PLACING A PIONEER CABIN AT HERITAGE PARK

Council Member Johnson made a motion approving an Agreement with the Daughters of the Utah Pioneers, Davis Kaysville Company, LLC for gifting and placing a pioneer cabin at Heritage Park, second by Council Member Lee.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

APPROVAL OF INTERLOCAL AGREEMENT FOR JUSTICE COURT SERVICES WITH FARMINGTON CITY

Mayor Hiatt explained that the City received a proposed agreement from Farmington City for Justice Court services. Farmington City would like to receive a signed agreement back by July 14.

Felshaw King stated that this agreement preserves the status quo for Kaysville. Farmington City will now operate the court instead of Davis County. The court will be held in the same place and the staff will probably remain the same but Farmington City will determine that. Revenue will be divided the same way. Kaysville City would not have any responsibility or liability. He believes that this is a good agreement.

Council Member Johnson made a motion adopting Resolution No. 15-7-1, Approving an Interlocal Agreement for Justice Court Services with Farmington City, second by Council Member Taylor.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

APPROVAL OF FINANCING FOR THE CAPITAL EQUIPMENT LEASE PURCHASE OF TWO AMBULANCES IN THE AMBULANCE ENTERPRISE FUND

Mayor Hiatt explained that the budget includes the purchase of two ambulances through lease purchase financing. The City has received proposals for the lease purchase and recommends the approval of the financing proposal from US Bank with a semi-annual payment of $44,130.00 at an interest rate of 1.75%.

Council Member Taylor made a motion approving the lease purchase of two ambulances through US Bank, second by Council Member Garlick.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

ADOPTION OF A RESOLUTION ENCOURAGING THE COUNTY OF DAVIS TO SUBMIT THE 0.25% LOCAL OPTION GENERAL SALES TAX DEDICATED TO TRANSPORTATION PROPOSAL AUTHORIZED BY HB 362 (2015) TO VOTERS IN NOVEMBER 2015, AND ENCOURAGING VOTERS TO SUPPORT THE PROPOSAL

Mayor Hiatt explained that during the past Legislative session there was a lot of discussion about transportation funding. The Utah League of Cities and Towns has been assessing transportation needs throughout the State. The Legislature opted to allow voters to determine if a 0.25% would be passed, which would provide .10% to cities and towns. That would mean $477,000 of additional funds to Kaysville City and would allow Kaysville to use the money not just for roads but for other transportation as well. This Resolution would encourage the Davis County Commission to put this forward to voters. He explained that the City Council can talk about this issue on their personal time but they cannot advocate for or against it on City time, through City email, or through any City funded means.

Council Member Taylor made a motion adopting Resolution No. 15-7-2, Encouraging the County of Davis to Submit the 0.25% Local Option General Sales Tax Dedicated to Transportation Proposal Authorized by HB 362 (2015) to Voters in November 2015, and Encouraging Voters to Support the Proposal, second by Council Member Stephens.

The vote on the motion was as follows:

Council Member Johnson, nay
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, nay

Council Member Lee explained that she voted against this Resolution because Kaysville City just passed a tax increase which puts a burden on taxpayers. She does not want to be part of that.

Council Member Johnson stated that he feels the same way.

The motion passed three to two.

COUNCIL MEMBER REPORTS

Council Member Johnson stated that a few days ago the power went out in his neighborhood. He walked over to where the power crew was working. None of the employees knew who he was. He was impressed with the crew who were sensitive to the power being out on a hot day and were working as quickly as possible to restore the power. He felt that they knew what they were doing and were skilled professionals.

Council Member Garlick thanked the Parks and Recreation Department, the Police Department, and all the volunteers that helped make the July 4th holiday a great success. He apologized for problems with the fireworks. 219 rounds failed to go off during the finale because of a failure in the cable line. The company providing the fireworks show guaranteed that they would add those 219 rounds back into the show next year as well as an additional 50 rounds.

Council Member Lee thanked the three LDS Stakes that helped clean up trash after the July 4th events. She recommended that garbage cans be placed along the parade route next year. She also recommended that more floats be encouraged next year.

MINUTES

Council Member Johnson made a motion approving the minutes of June 16, 2015, second by Council Member Garlick.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

Council Member Johnson, nay
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, nay

Council Member Lee explained that she voted against this Resolution because Kaysville City just passed a tax increase which puts a burden on taxpayers. She does not want to be part of that.

Council Member Johnson stated that he feels the same way.

The motion passed three to two.

COUNCIL MEMBER REPORTS

Council Member Johnson stated that a few days ago the power went out in his neighborhood. He walked over to where the power crew was working. None of the employees knew who he was. He was impressed with the crew who were sensitive to the power being out on a hot day and were working as quickly as possible to restore the power. He felt that they knew what they were doing and were skilled professionals.

Council Member Garlick thanked the Parks and Recreation Department, the Police Department, and all the volunteers that helped make the July 4^{th} holiday a great success. He apologized for problems with the fireworks. 219 rounds failed to go off during the finale because of a failure in the cable line. The company providing the fireworks show guaranteed that they would add those 219 rounds back into the show next year as well as an additional 50 rounds.

Council Member Lee thanked the three LDS Stakes that helped clean up trash after the July 4^{th} events. She recommended that garbage cans be placed along the parade route next year. She also recommended that more floats be encouraged next year.

MINUTES

Council Member Johnson made a motion approving the minutes of June 16, 2015, second by Council Member Garlick.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

CLAIMS

Council Member Garlick made a motion approving claims in the amount of $1,039,778.23, second by Council Member Taylor.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

CALENDAR

The Council Members reviewed a three month calendar.

Council Member Stephens made a motion for adjournment at 9:05 p.m., second by Council Member Taylor and passed unanimously.