

KAYSVILLE CITY COUNCIL
JULY 21, 2015

Minutes of a regular meeting of the Kaysville City Council held July 21, 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: City Manager John Thacker, Recorder Linda Ross, Engineer Andy Thompson, Zoning Administrator Lyle Gibson, Lieutenant Kenton Pies, Power Superintendent Gary Hatch, Resource Manager Bruce Rigby, Katie Witt, Carolyn Pierson, Jason Jones, Gil Miller, Andrew Langston, Heather Langston, Carter Shelley, Devin Shelley, Jake Alvord, Nick Harness, Tony Lujan, Nick Lujan, Brigg Lewis, Luke Bowers, Brian Bowers, Mary Bowers, Parker Johnson, Colby Johnson, Camille Johnson, Brad Keller, Daxton Dunn, Daniel Knowlton, Charles Brown, Sherrie Stoney, Ashby Michaelis, Steve Michaelis, Jimmy Smith, Carson Hinds, Richard Johnston, Alan Naumann, Nicholas Bradberry, Erik Hutchins and Carole Walker.

CALL TO THE PUBLIC

Bruce Rigby stated that Kaysville City has always encouraged solar power and will continue to encourage solar power in the future. Kaysville is also proactive on renewable resources and has a large energy efficiency program that the City spends a lot of money on to help people save money and to reduce power usage. His job is to keep costs as low as possible for all residents of Kaysville. He requested a temporary moratorium on net metering because he began to see large solar installations that were greater than the needed capacity. Customers who have solar are paying a minimum charge of \$5 for electricity yet they are connected to the power system and are still using power from the grid all the time. He doesn't want that cost diverted to other citizens. He is gathering information as quickly as he can so that the moratorium can be lifted.

Carolyn Pierson thanked the Council for being named Unsung Hero this year. It was a great honor. She enjoys volunteering and appreciates citizens in the community who are helpful, loving and caring.

Gil Miller reminded the City staff about placement of political signs. He stated that they should be placed on private property only. He asked candidates to make sure they receive permission to place their signs on private property and to police their signs. He asked the staff to remove signs that are in violation of City ordinance and place them at the City Operations Center for pickup rather than dispose of them.

Jason Jones stated that he believes that placing a moratorium on net metering stops solar installations. He encouraged the Council to accelerate their study time and to consider what the true impact of solar installation is. He stated that a lot renewable resources come from out of state. Bruce Rigby just mentioned that Kaysville is paying a premium for renewable sources and

would have maintenance costs. He wonders why the City can't pay that same rate to do it locally and avoid transmission costs.

Mayor Hiatt explained that in May the Power Department approached the City Council with concerns about solar applications not being fair to all citizens. 50 homes are participating in net metering. The City's net metering policy was created four years ago. If those participating are generating more than needed, they are not paying for maintenance of the system. The Power Department requested a moratorium. The City Council accepted that recommendation with the exception that there be a 30 day delay in implementation and that the moratorium go no longer than six months. The intent of the Council was to study the net metering program and to find something fair and equitable. Anyone on net metering now may not lose that benefit but that is part of the discussion the Council will have. He stated that no final decisions will be made without feedback from all sides. He requested that the Council receive a timeline on this process at the next Council meeting.

Nick Bradberry wanted to know if the net metering program would extend to businesses as well as residents. Rocky Mountain Power told him there is a feedback issue and they would have to update transformers to handle the load capacity, which will affect solar installations.

Mayor Hiatt stated that he can't speak to Rocky Mountain Power's policies. Kaysville owns their own power company. The net metering program will extend to both businesses and residents.

John Loveless stated that he has met with Bruce Rigby a few times. Bruce spent a lot of time discussing concerns with him about fixed administration costs and how solar affects those costs. In turn, he discussed financial savings. He looks at the sun and sees free energy. He believes it is immoral to not use some of it. He is an advocate for solar but doesn't want to be a freeloader. He hopes information gleaned is based on reliable data and facts and that everyone has input.

Alan Naumann stated that he has been in the solar industry since 2009. He doesn't believe a moratorium is necessary in order to study an issue and create a new policy. The solar industry wants to be involved in the new policy. If solar is preventing air pollution, that is a benefit that doesn't get calculated to its full extent. He asked the Council to forget the moratorium and stay with the current policy. He explained that federal and state tax benefits will not be available for much longer for citizens to take advantage of.

Devin Shelley stated that every summer he has enjoyed the 4th of July parade. This year he noticed there was not a lot of attempts to move people back who rush forward to get the candy and other items being thrown. Some people were standing in the middle of the street and people driving floats had to stop and ask them to move back. He doesn't want to see anyone injured during the parade.

Council Member Garlick explained that there was more police presence and volunteers this year involved with the parade. He will review this concern with the Police Department and the Parks and Recreation Department to see if there is something more that can be done.

**OVERLAY OF PRUD – PLANNED RESIDENTIAL UNIT DEVELOPMENT OVERLAY
ZONE ON 3.62 ACRES OF PROPERTY AT 615 SOUTH THERESA STREET FOR
ANGEL CREST CLUSTER SUBDIVISION**

Lyle Gibson explained that some corrections need to be made to finish multiple subdivisions that have been approved and recorded but which still require Council approval of the PRUD overlay zones. There are no proposed changes or modifications to any of the subdivisions and no variation in lot sizes or number of lots. The underlying zone also remains the same for each development, which has already been approved. The ordinance requires that the PRUD overlay be approved after a subdivision has been approved. There have been multiple instances where this final step was overlooked. In the case of each of the subdivisions, a hearing regarding the overlay zone has taken place and each has received final approval and a favorable recommendation for the overlay zone from the Planning Commission. Each development has also received final plat approval from the City Council.

Council Member Garlick made a motion adopting Ordinance No. 15-7-2, Laying the PRUD Overlay Zone Over 3.62 Acres of Property at 615 South Theresa Street for Angel Crest Cluster Subdivision, 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.

**OVERLAY OF PRUD – PLANNED RESIDENTIAL UNIT DEVELOPMENT OVERLAY
ZONE ON 5.30 ACRES OF PROPERTY ON MILL ROAD AT SANDERS LANE FOR
MILL CREEK HOLLOW SUBDIVISION**

Council Member Garlick made a motion adopting Ordinance No. 15-7-3, Laying the PRUD Overlay Zone Over 5.30 Acres of Property on Mill Road at Sanders Lane for Mill Creek Hollow Subdivision, second by Council Member Taylor.

Andrew Langston asked for more explanation on how this action would affect property owners in this area.

Lyle Gibson explained that the zone for this area is already in place. Because Mill Lane is a private street, there are different requirements for this road. Everything is built out and installed in this subdivision and no characteristics of the neighborhood will change with this action. The PRUD overlay zone would allow for the private street.

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.

**OVERLAY OF PRUD – PLANNED RESIDENTIAL UNIT DEVELOPMENT OVERLAY
ZONE ON 0.56 ACRE OF PROPERTY AT 159 NORTH 300 EAST FOR OLD APPLE
ORCHARD SUBDIVISION**

Council Member Garlick made a motion adopting Ordinance No. 15-7-4, Laying the PRUD Overlay Zone Over 0.56 Acre of Property at 159 North 300 East for Old Apple Orchard Subdivision, 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.

**OVERLAY OF PRUD – PLANNED RESIDENTIAL UNIT DEVELOPMENT OVERLAY
ZONE ON 5.02 ACRES OF PROPERTY AT 1787 SOUTH SUNSET DRIVE FOR
REBECCA'S GARDENS SUBDIVISION**

Council Member Garlick made a motion adopting Ordinance No. 15-7-5, Laying the PRUD Overlay Zone Over 5.02 Acres of Property at 1787 South Sunset Drive for Rebecca's Gardens Subdivision, 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.

**OVERLAY OF PRUD – PLANNED RESIDENTIAL UNIT DEVELOPMENT OVERLAY
ZONE ON 2.72 ACRES OF PROPERTY AT 525 WEST MUTTON HOLLOW ROAD FOR
CRIMSON COURT TOWN HOMES SUBDIVISION**

Council Member Garlick made a motion adopting Ordinance No. 15-7-6, Laying the PRUD Overlay Zone Over 2.72 Acres of Property at 525 West Mutton Hollow Road for Crimson Court Town Homes Subdivision, 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.

**OVERLAY OF PRUD – PLANNED RESIDENTIAL UNIT DEVELOPMENT OVERLAY
ZONE ON 0.67 ACRE OF PROPERTY AT 215 WEST 100 SOUTH FOR HAZEL WAY
SUBDIVISION**

Council Member Garlick made a motion adopting Ordinance No. 15-7-7, Laying the PRUD Overlay Zone Over 0.67 Acre of Property at 215 West 100 South for Hazel Way Subdivision, 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.

**OVERLAY OF PRUD – PLANNED RESIDENTIAL UNIT DEVELOPMENT OVERLAY
ZONE ON 7.93 ACRES OF PROPERTY ON WINDSOR WAY AND WINDSOR LANE
FOR THE WOODS AT WINDSOR LANE SUBDIVISION**

Council Member Garlick made a motion adopting Ordinance No. 15-7-8, Laying the PRUD Overlay Zone Over 7.93 Acres of Property on Windsor Way and Windsor Lane for The Woods at Windsor Lane Subdivision, 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.

APPOINTMENT OF POLL WORKERS FOR 2015 PRIMARY ELECTION

Linda Ross explained that the City Council received a list of proposed poll workers for the 2015 Primary Election. They should review the list and appoint them if they meet the legal criteria. Poll workers must reside in Davis County and cannot be related to a candidate.

Council Member Johnson made a motion appointing the list of poll workers as presented, 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 ACTIVE TRANSPORTATION PLAN SCOPE OF WORK AND SERVICES AGREEMENT

Lyle Gibson explained that in April the City Council approved a match agreement for grant money to hire a consultant to help the City create an Active Transportation Plan. Since that time, staff has worked alongside Farmington City staff requesting proposals from consulting groups. Alta Planning and Design, Inc. has been selected. Before they can begin, the scope of work, schedule, and budget require final approval from each jurisdiction. Farmington City has agreed to these terms and signed the agreement.

Council Member Taylor made a motion approving the Active Transportation Plan Scope of Work and Services Agreement, 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.

COUNCIL MEMBER REPORTS

Council Member Johnson wanted to know when the sidewalk project on Burton Lane will begin.

John Thacker explained that the project will be designed this winter and constructed next year. The dedication plat from USU for an additional 10' of property has been received and street improvements that will go in the right-of-way are being designed.

Council Member Stephens stated that he is impressed with the level of interest in net metering. He wanted to know when the Council will receive a report from the Power Department.

Mayor Hiatt stated that he would like to see a timeline at the next Council meeting which will outline the process. The timeline could show when a draft will be presented, when a public hearing will be held, when discussion will take place with all parties, and when an agreement will be ready.

Council Member Garlick explained that a meeting of the Traffic Calming Guidelines Committee will be held tomorrow. The Committee consists of himself, four citizens, a representative from the Police Department, and the City Engineer. His intention is to review the Traffic Calming Guidelines and the Police Department Speed Reduction Proposal and come back with one document and recommendations. Chief Oberg showed him some devices he has on loan. One is a portable unit that can be applied to any pole that will show a vehicle approaching and what their speed is and record information on how many cars pass and what each speed is. The cost for each device is about \$5,000.

MINUTES

Council Member Johnson made a motion approving the July 7, 2015 minutes, 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.

CLAIMS

Council Member Taylor made a motion approving two sets of claims, one in the amount of \$984,902.09 and one in the amount of \$1,016,036.23, 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.

CALENDAR

The Council Members reviewed a three month calendar.

Council Member Stephens made a motion for adjournment at 8:10 p.m., second by Council Member Garlick and passed unanimously.