KAYSVILLE CITY COUNCIL
NOVEMBER 10, 2015

Minutes of a regular meeting of the Kaysville City Council held November 10, 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, Brett Garlick, Susan Lee and Chris Snell.

Others present: City Manager John Thacker, Recorder Linda Ross, Finance Director Dean Storey, Engineer Andy Thompson, Zoning Administrator Lyle Gibson, Fire Chief Brett Larkin, Parks and Recreation Superintendent Vance Garfield, Parks Director Cole Stephens, Louise Shaw-Clipper, Robert Wood, Ed Erickson, Cami Moss, Margaret Brough, Orwin Draney, Camille Galbraith, Lynn Galbraith, Lorene Kamalu, Ellen Hadley, Dave Davies, Gary Rigby, Judy Rigby, Pam Sampson, Talmage Raehl, Aaron Raehl, Nash Madsen, Max Cheney, Karin Libby, Bowen Libby, Ryan Judd, Annette Judd, Ed Erickson, Rob Wood, Melanie Bingham, Steve Bingham, Lisa Jorgensen, Dallin Kenney, Zach Jorgensen, Carter Sonderedder, Brigg Lewis, Amelia Toone, Joyce Peterson, Sharon McKinlay, June Hayes, Art Morley, Dave Adams, Larry Page, Ronda Page, Michelle Cobbley, Brad Wilson, Steve Bingham, Jake Garn, Allen Tippetts, Jayden Allred, Virginia Allred, Josh Roylance, Roxy Madsen and Baxter Adams.

VOLUNTEER OF THE MONTH RECOGNITION

Council Member Brett Garlick recognized John Toone as Volunteer of the Month. John has been an assistant baseball coach, assistant basketball coach, head soccer coach and football coach for 11 years. He has also served as Kaysville's representative for USA Football's "Heads Up" training for the last few years where he trained all of the Kaysville coaches.

CALL TO THE PUBLIC

Orwin Draney asked the Council Members to delay a vote on City facilities until the new Council takes office in January.

Lynn Galbraith stated that he heard the City was going to tear down the former library building. He doesn't know why the City has the need to use the old library building for offices when they could use rooms in the police station and leave that building for cultural purposes. He asked the Council Members to leave the LeConte Stewart Art Gallery in that building and to table any action on City facilities so the new Council Members can make the decision on that.

Allen Tippetts stated that there is a proposal for a day care on the corner of 400 East and 200 North. 400 East is a busy road that dead ends at the high school and dozens of high school kids travel down that road. He believes that allowing a day care center there will decrease the value of his property and believes a day care center should not be allowed there.

Mayor Hiatt explained that this matter is not being considered by the City Council but will be discussed at the next Planning Commission meeting.

Dave Davies stated that he is concerned about the Council moving too quickly on major financial items and asked them to give citizens time to react to issues.

Mayor Hiatt stated that the item on the agenda tonight regarding the Municipal Facilities Master Plan is a presentation only. There is no action being taken on this item tonight and no budget for the City Council to move forward to remodel any buildings. To do some of the needed work, the new City Council would have to appropriate funds in next year's budget. Tonight the Council will hear a presentation of needs and possible ways to fix City facilities. There has been no plan for this City Council to amend the budget or find the necessary funds. There also has never been a discussion to tear down the old library building.

INDEPENDENT AUDITORS' REPORT FISCAL YEAR 2015

Ed Erickson, representing Hansen, Bradshaw, Malmrose and Erickson, explained that the Council has received a copy of the audit report. He stated that it is their opinion that the City's financial statements are in accordance with generally accepted accounting standards and principles and they have been properly prepared. He stated that a new requirement this year is that cities need to reflect pension schedules in their financial statements. The net pension liability for the City is $2.6 million and Kaysville has made all required payments to the Utah State Retirement System. He then explained that the City's assets grew $4 million, most being capital assets, and liabilities were less. As a result, the City's net position grew this year by about $5 million and the City's financial position strengthened this year. The City had more assets and debts were reduced. The General Fund has a balance of about $2.5 million, $1.7 million is unassigned. State law requires cities to keep a minimum of 5% in the General Fund. Kaysville is complying with that requirement.

Mayor Hiatt wanted to know how Kaysville compares regarding debt to capital asset ratios.

Ed Erickson stated that Kaysville's assets are $127 million at year end and the City's debt is about $18 million. Kaysville's bonded debt is less than the average city for the amount of assets they have. He explained that Kaysville has been fairly conservative and has a pay as you go attitude rather than bond. Kaysville's debt is lower than the average.

Council Member Garlick wanted to know if the City is in a stronger position than one year ago.

Ed Erickson stated that it is. Kaysville's position increased about $5 million this year. A lot of that is in capital investments.

Rob Wood, also representing Hansen, Bradshaw, Malmrose and Erickson, stated that as a Kaysville citizen he is very interested in what Kaysville does. He explained that each governmental entity is required to do two separate reports, a State Auditor compliance report and an internal control over financial reporting. They looked at controls the City has in place to manage cash receipts and disbursements and did not notice any material weaknesses. They recommend two minor items be corrected, payroll timecards for crossing guards need to be signed by their supervisor and after minutes are approved they need to be placed on the Utah Public Notice website. They noted no other internal control deficiencies or weaknesses. He stated that it is their opinion that the City's financial position is in really good shape.

HILL FARMS SUBDIVISION PHASE 3 FINAL PLAT

Andy Thompson explained that this subdivision is located at approximately 450 North Angel Street and consists of 35 lots, including two existing homes and several areas of common open space. The plat complies with the preliminary plat (with minor adjustments to make the utilities work), the Development Agreement and all other requirements. The Planning Commission recommended approval.

Gary Rigby stated that he knew what the zoning was in west Kaysville so he was not overly concerned with the Hill Farms development. He believes that the R-1-20 zone has not been fairly applied with this subdivision. He lives in a subdivision adjacent to this development. His subdivision, zoned R-A, was developed 25 years ago and has larger lot size requirements and animal rights. Three 11,000 square foot lots in this proposed phase will impact his property. He also believes this subdivision violates the LUDMA Act. When he first moved here, west Kaysville was restricted to no more than two homes per acre. That is why he moved there and that is what he expected. He believes an adequate buffer is not being required between his property and these new homes. He believes that there will be conflict with these neighbors because he has animals that smell and attract flies. He believes that Destination Homes should be required to install a fence to protect his property. He is also concerned that Destination Homes was allowed to aggregate all the land and none of the phases meet the R-1-20 guidelines. Destination Homes has included Dave Faerber's property. It is his understanding that Mr. Faerber entered into an agreement with Destination Homes to include his property when he is ready to build homes. He believes this property should not have been used in the aggregation for lot perimeters.

Steve Bingham, representing Destination Homes, stated that they are sensitive to Mr. Rigby's concerns. They spent a tremendous amount of time and effort meeting with surrounding neighbors to come up with a wonderful and appealing subdivision. They are compliant with all zoning regulations which allowed for variation of lot sizes. That plan has been approved for several years but it is their intent to be a good neighbor. They do not plan to have detached garages on the lots just south of Mr. Rigby's home. They would be willing to make sure the setback against those lots would be 15' from the fence and any attached structure would not be closer than 30'. The plans are not required to have a separation fence but they would agree to install a privacy fence there. He stated that they disclose to every buyer all surrounding agricultural use and all issues that may come into play. He believes the current use of the land will be very obvious to people that look at those lots.

Council Member Stephens wanted to know if someone who moves into that area could bring a complaint to the City regarding existing use on the other side of the fence forcing Mr. Rigby to make a change to his property.

Andy Thompson stated that what Mr. Rigby is doing on his property is a permitted use. A legitimate complaint that could be raised would be neglect to upkeep the property or the animals. To his knowledge, the City has never taken enforcement action on permitted farm use.

Council Member Garlick explained that the General Plan calls for two homes per acre in west Kaysville. There is an exception for higher density along major roads.

Andy Thompson stated that when this property went through the rezone process and plat approval, density was discussed. This development contains 100 acres and 250 units. The City Council rezoned the property to R-1-14, reviewed the exception for higher density along major roads and allowed 2 ½ units per acre.

Mayor Hiatt explained that this entire subdivision was approved as one development. There were several public hearings. If two units were to be applied to these abutting lots it would change the numbers slightly.

Andy Thompson stated that the rear setback requirement would be 15' and there would be three lots abutting Mr. Rigby's property instead of six. He explained that once the City Council approves the preliminary plat, the developer has the right to build a subdivision that looks similar to that plat. The reason it goes through the preliminary plat process is to give the developer assurance that the project can be built. The developer then goes to the expense of engineering and preparing a final plat. Minor changes can be made but the developer is vested at that point and has the right to develop.

Mayor Hiatt stated that the LUDMA Act does not appear applicable in this situation.

Gary Rigby stated that the lots are narrower. He believes inclusion of Dave Faerber's property allows that to happen and Mr. Faerber may never develop his property. He talked to Mr. Faerber who told him he was not aware that his property was being included with all of the Hill Farm property. That land has been included in the calculation reducing the size of the lots. On all the other buffers in the Hill Farms Subdivision there are half acre lots. He believes there should be half acre lots behind him.

Andy Thompson explained that Dave Faerber requested to be included in this subdivision and the preliminary plat shows the property in the subdivision. That should be counted in the density along with the other property. Mr. Faerber's property is included on the plat and he will be subject to the preliminary plat requirements when he develops. If he comes back and says he wants to develop five more lots, he has to meet zoning requirements which would violate the rest of the entire development and the City Council would have to decide if they want to allow that.

Council Member Lee wanted to know if an agreement could be made with people who purchase those lots to make sure they know there may be noise or smell from the adjoining property.

Steve Bingham stated that every homeowner signs a disclosure about agricultural use and other things, such as potential school boundaries, ground water, overhead power lines, and traffic. All that information is disclosed to them and they sign that they are aware of that and they are purchasing the lot in spite of that.

Council Member Johnson wanted to know if Mr. Faerber was included in the discussions for this development.

Andy Thompson stated that Dave Faerber is out of town on an LDS mission. He talked to his son a week ago who stated that Dave was fine with the plat as proposed and was aware of what was going on originally and asked to be included for development of his property in the future.

Council Member Snell made a motion granting final plat approval for Hill Farms Subdivision Phase 3, with the condition that the six lots on the northern border (Lots 301-306) have a 35' minimum setback, a privacy fence along the north property line, and the two lots directly behind Gary Rigby's property have rambler style homes, second by Council Member Stephens.

Roxy Madsen stated that she lives adjacent to this subdivision too and requested that the homes behind her be required to be ramblers as well.

Steve Bingham stated that they would prefer variations on height. Destination Homes would not be interested in doing all rambler homes along that row, however, they would agree to a 40' setback on two story homes.

Council Member Snell withdrew his motion and made a substitute motion granting final plat approval for Hill Farms Subdivision Phase 3, with the condition that the six lots on the northern border (Lots 301-306) have a 35' minimum setback for rambler homes and a 40' setback for two story homes, and that a privacy fence be installed along the north property line, second by Council Member Stephens.

The vote on the motion was as follows:

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

The vote passed unanimously.

ACCEPTANCE OF IMPROVEMENTS IN HILL FARMS SUBDIVISION PHASE 2A

Andy Thompson explained that this subdivision is located at approximately 386 North Angel Street. Improvements have been inspected and meet City standards.

Council Member Garlick made a motion accepting the improvements in Hill Farms Subdivision Phase 2A with a 10% surety and one year warranty, second by Council Member Johnson.

The vote on the motion was as follows:

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

The vote passed unanimously.

PRESENTATION OF DRAFT MUNICIPAL FACILITIES MASTER PLAN

John Thacker explained that JRCA Architects were engaged over a year ago to prepare a Facilities Master Plan for the City to include a closer evaluation and conceptual plan for the former library building and Municipal Center. JRCA will now present the draft Municipal Facilities Master Plan and concept plans for remodeling the Municipal Center and former library building and recommendations for other City facilities.

Jim Child, representing JRCA Architects, explained that the primary facilities included in this plan were the Fire Station, City Hall, the former Library building, Recreation building and Operations Center. They looked at how each facility was being used and operations going on within those facilities and they looked at improving those facilities to make them more efficient. He further explained that they developed a space needs assessment to verify current and future facility space needs, looked at the existing facilities and developed a facility master planning recommendation to support current and future needs. They were asked to look at the current Fire Station and potential need for an additional Fire Station. They went through need assessment interviews with each department to determine what was working and what isn't working. They did existing facility reviews and had mechanical engineers determine condition of facilities. They conducted master planning workshops and discussed how certain things would affect operations. They took an inventory of all the spaces to determine how to use the spaces as efficiently as possible. He explained that response times vary with the Fire Station. They also looked at the number of responders the City has and the distance from the Fire Station. Kaysville is within the response time standards. He recommends that the City continue to monitor and look for improvement in staffing ratios, volunteer locations, and response protocols. He believes that the need for an additional station is not there at this time but that should be reviewed occasionally.

Scott Holmes, also representing JRCA Architects, stated that they looked at space needs in each facility. Following are their findings and recommendations for each facility:

- Recreation Building
  - Findings: Constructed in 1968, building is structurally sound.
  - Current uses: Recreation administrative offices, gymnasium and classrooms, recreation program signup, recreation equipment storage.
  - Recommendations: Relocate administrative functions, program signup and equipment check-out and storage to Operations Center, remodel restrooms to meet accessibility standards, update interior finishes, replace HVAC systems and controls, upgrade lighting, fire alarm and audio/visual systems and install access control systems.
  - Recommended budget: \$750,000 - \$850,000
- Operations Center Building
  - Findings: Constructed in 1992, building is structurally sound, building is no longer sufficient to support both current and future needs of all four departments, building systems and finishes are at or near the end of anticipated lifecycle.
  - Current uses: Houses Power Department, Public Works Department, Parks administration, Fleet Maintenance.
  - Recommendations: Remodel interior to create proposed combined Fleet Maintenance and Parks and Recreation building, replace roofing system, replace HVAC systems and controls, replace emergency generator, upgrade lighting, fire alarm, data cabling and audio/visual systems, install access control system.
  - Recommended budget: \$2,400,000 - \$2,800,000 for building renovations and \$125 per square foot of building expansion
- Operations Center Site
  - Findings: Current usable area is approximately 5.68 acres, site includes 4.7 acres to the south that will be vacated by current lessee.
  - Current uses: Operations Center, fuel island, material and yard storage for Power, Public Works, Parks and Recreation, vehicle storage for all departments, public and employee parking.
  - Recommendations: Area appears adequate to meet current needs, however, improvements to yard layout and circulation, security should be addressed to improve work flows, vehicle storage, material storage volumes and additional site area will be required to achieve proposed site changes and new building construction.
  - Recommended budget: Phase One - \$4,590,000 (34,000 square feet for Power and Public Works building), \$1,250,000 (site work at south property and fence), \$250,000 (relocate fuel island). Phase Two - \$2,400,000 - \$2,800,000 (remodel existing Operations Center), \$972,000 (10,800 square foot vehicle storage building). Phase Three - \$750,000 (remainder of site work), \$24,300 (540 square foot covered vehicle storage), \$330,000 (6,000 square foot salt storage bin), \$204,750 (3,150 square foot material storage bins), \$214,500 (13 sander racks).

- Former Library Building
    - Findings: Constructed in 1944, building provides historical value to the community and is "context sensitive." Decisions regarding building remodel vs. building replacement will likely require public input and support, building will require substantial improvements and replacement of all building systems including a substantial seismic upgrade.
    - Current uses: Building is vacant.
    - Recommendations: Phase One – Remove and temporarily store Stewart Art Gallery while new gallery space is constructed at Municipal Center. Phase Two – Create the Kaysville City Community Development and Legal Building per architectural space plan, demolish the interior in its entirety, perform seismic upgrades to the building structure, replace roofing system, replace exterior window assemblies, new mechanical systems and electrical systems, provide automatic fire suppression system, construct floor plan.
    - Recommended budget: $1,365,000
- Municipal Center
    - Findings: Constructed in 1986, building is structurally sound, existing multipurpose provides adequate space for public meetings and other functions, building layout is no longer sufficient to support current and future space needs, mechanical systems are near the end of life expectancy and are not energy efficient nor code compliant.
    - Current Uses: City Administration, Community Development (Planning, Zoning, Engineering and Building Departments), Information Technology, City Council dais and multipurpose space, record storage.
    - Recommendations: Phase One – Relocate Community Development and remodel City Council/multipurpose space (dais, audio/visual, lighting). Phase Two – Construct phased remodel and re-purpose of specific areas per the architectural space plan, Information Technology will move into office space formally used by Building Department, create new public reception and clerk work stations, create new combined Stewart Art Gallery and large conference space, increase record storage capacity, construct new break room, new finishes at main building lobby space, construct vestibule at east door, provide access control at exterior doors, replace data cabling.
    - Recommended budget: $608,000 (interior remodel), $350,000 - $400,000 (replacement of HVAC system).

Council Member Snell wanted to know what project is a priority.

Scott Holmes stated that seismic upgrade in the Library building is a priority because of safety concerns and liability. Also, the Operations Center has outgrown its current needs. There is only one bay for fleet maintenance and that is very inefficient. There is not a lot of efficiency any more in that building.

Mayor Hiatt stated that this is an Assessment and Facilities Master Plan. There is no recommendation to move forward on any of these projects. This is a tool to address future planning. He recommended that the City now obtain feedback and comments and that a draft version of this plan be placed on the City website.

COUNCIL MEMBER REPORTS

Council Member Garlick thanked volunteers who assisted with the Armed Forces Recognition program. He then explained that the format for the Christmas Lighting Ceremony will change. The parade will be at the beginning of the event and the countdown and lighting will be done after the parade.

Mayor Hiatt stated that the City Council authorized staff to design a pedestrian crossing on 200 North by the Rail Trail. The City submitted a letter of intent to the Wasatch Front Regional Council for funding. A determination for this funding will be made in May with funding in late summer 2016. The amount available is $500,000. The estimated cost for this project is about $100,000. He explained that the City could wait for funding or look at other alternatives.

Andy Thompson stated that with federal funds you have to follow their criteria and use their specifications. It would be difficult to get paid after the project is complete.

Council Member Lee recommended that something be done temporarily.

Council Member Snell recommended that staff pursue options to have the City do the work themselves.

John Thacker stated that staff will look at all options and bring that back to the Council.

John Thacker explained that the Council approved a Justice Court agreement with Farmington City because the County decided to no longer be in the Justice Court business. The arrangement with Farmington City recently fell apart. The County is picking up the effort again and is telling Kaysville they need to do it by agreement. An agreement similar to what has been done in the past will come before the Council before the end of the year.

MINUTES

Council Member Johnson made a motion approving the October 20, 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 Garlick, yea
Council Member Lee, yea
Council Member Snell, yea

The vote passed unanimously.

CLAIMS

Council Member Snell made a motion approving claims in the amount of $1,025,541.69, second by Council Member Garlick.

The vote on the motion was as follows:

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

The vote passed unanimously.

CALENDAR

The Council Members reviewed a three month calendar.

Council Member Stephens made a motion for adjournment at 10:25 p.m., second by Council Member Johnson and passed unanimously.