KAYSVILLE CITY COUNCIL
June 16, 2016

Minutes of a regular meeting of the Kaysville City Council held June 16, 2016 at 7:00 p.m. in the City Council Chambers of the Kaysville City Municipal Center.

Council Members present: Mayor Steve Hiatt, Susan Lee, Chris Snell, Larry Page, David Adams and Jake Garn.

Others present: City Manager John Thacker, Finance Director Dean Storey, Engineer Andy Thompson, Zoning Administrator Lyle Gibson, City Recorder Maria Devereux, Parks Director Cole Stephens, Parks and Recreation Superintendent Vance S Garfield, Fire Chief Brett Larkin, DeeAnn Schultz, Cathy Rice, David E Robinson, Marc D. Robinson, Joyce Peterson, Louise Shaw, Lorille Clark, Mary Clark, Sara Clark, Kay Allen, Jenna Mecham, Clay Allen , Kate Hart, Lee Cammack, Cheryl Garbet, Ramona Porter, Cal Harris, Duane Gerrard, Andrea Davis, morgen Davis, Heber Davis, Toite McClure, Gergory Frank, Kenton Pics, Katie Witt, Alyssa Rangel, Lean Kemeny, Joe Rangel, Ryan Makaruk, Steve Kemeny, Lindsay Kemeny, Eric Myrberg, Brigg Lewis, Nick Haroldsen, and Kathryn Haroldsen.

INTRODUCTION OF MISS KAYSVILLE/FRUIT HEIGHTS

The Kaysville/Fruit Heights Royalty were not present.

CALL TO THE PUBLIC LIMITED TO THREE MINUTES

Joyce Peterson explained that she has lived on Brookshire Drive in Kaysville for 47 years. She stated her concern of the upcoming fire season and dry grasses behind her home. She asked the Council to make the area behind her home a ‘no-fireworks’ zone.

Dwayne Gerrard stated that many areas within Kaysville City are prone to fire. He asked the Council to consider a citywide ban on fireworks.

Cal Harris expressed his thanks to Vance Garfield, Cemetery Sexton, for keeping the Cemetery manicured and beautiful on Memorial Day. Cal Harris also stated his concern of fireworks and the potential fire hazard.

Rick Lewis shared a humorous story.

David Robinson stated that he would like to know the outcome and results of questions asked at the last meeting. He asked if a plan had been established for the next citywide clean-up in case of an emergency, if a Standard of Conduct for City Officials and Council Members had been established, and asked if the City has implemented a bidding program, Bidsync. David Robinson suggested that responses to public comment be given after the regularly scheduled items.

Mike Schueler discussed prohibiting the discharge of fireworks within Kaysville City. He stated that fireworks need to be regulated and suggested that residents should be educated about the discharge of fireworks.

Mayor Hiatt stated that the Council will do their best to address public comment appropriately and will create a more formal plan.

ADOPTION OF RESOLUTION AMENDING THE KAYSVILLE CITY BUDGETS FOR FISCAL YEAR 2016.

Dean Storey, Finance Director, noted that there are action items in relation to the City budget. He explained that there are Amendments for Kaysville City budgets for FY 2016. He noted they are proposing an amendment to the General Fund, the Redevelopment Agency Fund, the Debt Service Fund, and Class C roads with restricted revenues due to a timing issue. He explained that some projects were approved in 2015 and completed in 2016. He noted that there are amendments to the Redevelopment Fund that include the payment of two inter-fund loans in the amount of approximately $925,000 and project expenses in the amount of approximately $40,000. Dean Storey explained that the amendment in the Debt Service Fund is for a capital lease of a wide area mower used in the Parks and Recreation Department. He explained that the Capital Projects Fund has amendments that include $25,000 for facilities planning, a carry over-over from FY 15; a reduction in the City Hall video/sound project and design costs for the Burton Lane Project paid for with transportation impact fees.

Council Member Snell made a motion to Adopt the Kaysville City Amended Budget for Fiscal Year 2016 as proposed, Second by Council Member Lee.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed unanimously.

ADOPTING THE KAYSVILLE CITY BUDGETS FOR FISCAL YEAR 2017, A CONSOLIDATED FEE SCHEDULE, A COMPENSATION SCHEDULE FOR CITY OFFICIALS AND EMPLOYEES AND THE CERTIFIED TAX RATE FOR FISCAL YEAR 2017.

Dean Storey, Finance Director, explained that this is the action item for next year's budget that begins on July 1st, Fiscal Year 2017. He noted that the budget is ready for adoption. He stated that there are two changes that have been made in regard to the budget. He stated the first change is the local option sales tax for active transportation, and explained that they believe it should be included in intergovernmental revenue. He noted that the second change is in regard to the Vehicle Replacement Fund. He stated the amount of $75,000 has now been allocated from the Vehicle Replacement Fund to road projects in the General Fund. He explained that there is a 1% increase in the General Fund, from the current year and includes a total of $16,345,650 for governmental funds and $26,906,800 for proprietary funds.

Dean Storey clarified that the budget includes funding for on-going activities, operational costs and capital improvements. The Fiscal Year 2017 Budget does not include a tax increase or significant fee increases. He explained that adoption of the budget includes adoption of the consolidated fee schedule, a compensation schedule and includes setting a certified tax rate as calculated by the State Tax Commission. He directed the Council to consider adoption of the ordinance with the budget, the fee schedule, the compensation schedule and the certified tax rate.

Council Member Adams stated that he would like to see budget cuts of 10% and suggested the new City Manager implement these budget cuts in the future. He noted the importance of having a discussion with Department Heads in regard to how to create a lean budget.

Mayor Hiatt stated that has confidence that the new City Manager will be able to give the Council an objective view of budget management and budget cuts.

Council Member Snell explained that the certified tax rate is calculated by the County. He noted that the tax rate is going down this year.

Council Member Snell made a motion to Adopt the Kaysville City Budgets for Fiscal Year 2017, Adopting a Consolidated Fee Schedule, Adopting a Compensation Schedule for City Officials and Employees and Adopting the Certified Tax Rate for Fiscal Year 2017, second by Council Member Page.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member Lee, Yea

The vote on the motion passes four (4) to one (1).

ADOPTION OF A RESOLUTION AUTHORIZING KAYSVILLE CITY TO LOAN FUNDS TO THE KAYSVILLE REDEVELOPMENT AGENCY FOR PURPOSES AUTHORIZED IN THE KAYSVILLE REDEVEOPMENT AGENCY BUDGET FOR FISCAL YEAR 2017.

Dean Storey explained that this is a related budget item for Fiscal Year 2017 that includes an interfund loan to the Redevelopment Agency. He noted that the majority of the funds will go to the final payment for the Flint property (200 North) and misc. administration costs.

Council Member Snell stated that the funds are primarily related to economic development.

Council Member Page made a motion to Adopt the Resolution authorizing Kaysville City to loan funds to the Kaysville City Redevelopment Agency to be used for purposes authorized in the Kaysville City Redevelopment Agency budgets for Fiscal Year 2017, second made by Council Member Garn.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed unanimously.

HILL FARMS SUBDIVISION PHASE 4 FINAL PLAT AT APPROXIMATELY 2100 WEST 200 NORTH , CONSISTING OF 28 LOTS WITH OPEN SPACE ON THREE STREETS.

Andy Thompson explained that the Hill Farms development has been constructing various phases of the project. He stated that the next phase has now been submitted for the final plat approval. He explained that the Planning Commission reviewed this request and voted unanimously to recommend approval of the final plat of the Hill Farms Subdivision Phase 4.

Council Member Adams made a motion to suspend approval of the Hill Farms Subdivision Final Plat until the surrounding neighbors can be made aware, motion fails for lack of a second.

Council Member Page made a motion to approve the Hill Farms Subdivision Phase 4 Final Plat, Second by council Member Snell.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed four (4) to one (1).

AWARD OF CONTRACT FOR 2016 STORM DRAIN REHABILITATION PROJECT.

Andy Thompson explained that this matter was reviewed per the City Councils request. He stated that after review they were able to determine that prices were high and that the City would like to consider a change order to replace a small area of pipe. He explained that when there is a better bidding environment, they will reassess and put the project out to bid at a more opportune time. He recommended that the City postpone this project for an additional three months to allow time for more bids and potentially better rates.

Council Member Lee made a motion that the City rejects the contract for the 2016 Storm Drain Rehabilitation project, second by Council Member Adams.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed unanimously.

CHANGE ORDERS FOR 2016 STREET IMPROVEMENTS PROJECT

Andy Thompson, City Engineer, suggested that change orders be approved to replace a pipe, and suggested approval for paving the Heritage Park parking lot. He noted that paving needs to be done immediately since a big portion already has curb, gutter and storm drain installed. He explained that Advanced Paving could do the job more efficiently though with a slightly higher cost. Andy Thompson noted the City feels it is a reasonable price, and if it goes out to bid it could be after August, and cost may be higher at that time. Andy Thompson suggested the City include curb and gutter in the Burton Lane project. He noted that best option for timeliness to keep project moving forward.

Council Member Adams asked if any bids were received, Andy noted that there were 3-4 bids received.

Council Member Adams suggested that Bidsync may attract more bidders for a better price. .

Council Member Garn noted that it may be appropriate to wait and find out the priorities of the roads in Kaysville by utilizing LTAP. He noted that if the Council agrees to move forward with the change order or bids, that the City may be setting precedence.

Council Member Adams made a motion to reject the Heritage Park parking lot change order and submit an Invitation for Bid, second by Council Member Lee.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed unanimously.

Council Member Adams made a motion to reject the change order to replace a portion of the pipe (Storm Drain project) and send this out to bid again, second by Council Member Lee.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed unanimously.

Council Member Adams made a motion to table the Burton Lane project change order, second by Council Member Lee.

Reed Nelson, resident, explained that the residents that live on Burton Lane are ready for the project to begin.

Kate Hart, resident, offered to help gather information from the residents pertaining to costs. She offered to coordinate with City staff in regard to this project.

Council Member Snell made a motion to have Andy Thompson gather data on the Burton Lane project to present to the Council in three weeks, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed unanimously.

UPDATE ON SUNSET EQUESTRIAN ESTATES DRAINAGE

Andy Thompson explained that the drainage project is nearly complete. He recommended that the owners take over this project and asked that the City reduce liability issues by allowing the owners put in their own yards, sprinklers, and lawn. He explained the differences in cost to supply drainage to a larger portion of the area versus a smaller area.

Joe Rangle stated that the residents don't mind restoring their yards but thought that they would still be assisted by the City.

Andy Thompson suggested that the City still participate but reduce the liability to the City by asking the homeowners to install their own lawn, fence and sprinklers to limit the City's liability.

Council Member Lee noted that she has personally dealt with a similar issue and feels the City is setting precedence. She explained that she took care of it previously on her own and doesn't feel that each issue is a problem of the City.

Mayor Hiatt noted that the Council made agreement to pay to assist with drainage issues.

Motion made by Council Member Garn to withdraw the previous support offered, second Sby Council Member Snell.

John Adams noted that he is disappointed in the City Council for changing their minds and stated they went through months of frustration and presented their case with documentation. He noted that the Council unanimously agreed and should uphold their agreement.

Joe Rangle, stated that City came and graded property after it was already initially graded. He thought that tonight they were here to discuss details. He noted his appreciation for the Mayor and his adherence to uphold the original decision.

Mayor Hiatt noted that he can see both sides of the coin. He stated that there may be repercussions and feels it could be justified to take care of this matter. He suggested that the City Council move forward with the motion that was made.

Council Member Page noted that the City didn't make a mistake in this instance. He feels that the City and the property owners can work together on this project and find a solution. He suggested taking this matter out of this forum to be discussed further.

Andy Springer, resident, noted that he routinely has six inches of water in his yard he feels that they can participate to repair a fences, and grass. He stated that he is a project engineer and feels they can draft a document to clarify expectations. He stated that there are no extra costs for mobilization and suggested that digging the trench further would fix the problem.

Council Member Adams made a motion that the City give $20,000 minimum, motion failed for no second.

Mayor Hiatt directed Andy Thompson to draft and provide an agreement that clearly defines the scope of the project, responsibilities and the cost.

APPROVAL OF FEDERAL-AID AGREEMENT FOR RAIL TRAIL CROSSING PROJECT

Andy Thompson explained that Kaysville city has been awarded a grant to install improvements at the 200 N Rail Trail crossing. He explained that the agreement is the document that defines the terms of the grant money and execution of the agreement will allow the City to spend the grant money on the project.

Mayor Hiatt praised UDOT and the Wasatch Front Regional Council (WFRC). He noted that they were accommodating and enabled Kaysville City to start the project sooner than expected.

Council Member Garn made motion to approve the Federal Aid Agreement for the 200 North Rail Trail Crossing, second by Council Member Adams

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea

Council Member Garn, Yea
Council Member Lee, Yea

The motion passed unanimously.

ADOPTION OF ORDINANCE PROHIBITING THE DISCHARGE OF FIREWORKS WITHIN SPECIFIED AREAS OF KAYSVILLE CITY.

Council Member Page noted that there is overwhelming support for this ordinance since areas within the City are dry and can easily catch fire.

Fire Chief Brett Larkin noted that there are many high risk areas within the City of Kaysville. He stated that risk assessments have been done and that the City has been fortunate thus far. He noted that his recommendation is to restrict and prohibit the discharge of fireworks within specified areas of Kaysville City. He stated that many residents bring this to his attention every month.

Mayor Hiatt noted that a citywide ban may not work well since there are areas in the City that may be safe.

Brett Larkin noted that fireworks aren't able to be sold until next week so the City is ahead of the sales.

Council Member Page made a motion to Adopt the Ordinance Prohibiting the Discharge of Fireworks within specified areas of Kaysville City with the effective date, second by Council Member Snell.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed four (4) to one (1).

VEHICLE USE POLICY AMENDMENTS

Council Member Garn noted that there are small changes that pertain to liability issues that has improved the overall policy.

Council Member Garn made a motion to table this subject until the next Council meeting, second by Council Member Adams.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed unanimously.

COUNCIL MEMBER REPORTS

Mayor Hiatt noted that Burger King has withdrawn their business request.

Mayor Hiatt stated that he had a conversation with David Church (ULCT) about protected records. He noted that the findings were that records from a closed meeting can be opened to the public and irrelevant subject matter can redacted, based upon majority vote.

Ms. Hart asked that the Council come together as a unified body and open the closed meeting to determine the discussion from that meeting that day.

Council Member Adams suggested that Maria Devereux, City Recorder, transcribe the entire meeting minutes and redact the meeting minutes that do not apply to payment of the claim.

Council Member Snell noted that the answer was given and is not interested in revisiting this closed meeting item. Council Member Garn, Page and Lee, all expressed the same opinion.

Council Member Snell noted they had a successful Arts in the Park on June 11^{th}. He noted that it was an enjoyable event and emphasized the need for additional parking.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed unanimously.

MINUTES

Council Member Snell made a motion to approve Minutes from May 28, 2016, second by Council Member Lee.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea

Council Member Lee, Yea

The motion passed unanimously.

CLAIMS

Council Member Snell approved the claims for $1,440,270.99, second by Council Member Lee.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed four (4) to one (1). .

CALENDAR ITEMS

Mayor Hiatt noted that July 4th activities commence on June 27, 2016 and begin with the Idol Talent Competition.

Council Member Lee made a motion to adjourn at 11:45 p.m, second by Council Member Garn and passed unanimously.

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