KAYSVILLE CITY COUNCIL

Meeting Minutes
Oct 6, 2016

Minutes of a Public Hearing with the Kaysville City Council held Thursday, Oct 6, 2016 at 6:30 p.m. in the City Council Chambers of the Kaysville City Municipal Center.

Council Members present: Mayor Steve Hiatt, Council Member Lee, Council Member Snell, Council Member Page, Council Member Adams and Council Member Garn.

Others present: City Manager Shayne Scott, City Engineer Andy Thompson, City Recorder Maria Devereux, Parks Director Cole Stephens, Police Chief Oberg, Carole Walker, Doug Larsen, Shirley Larson, Kristen Montierth, Abby Montierth, Macy Montierth, Cody Montierth, Tracy Murray, Braden Montierth, Robert Maximus McGraw, Robert McGraw, Jaron Gibby, Ethan Valentine, April Jones, Clark Jones, Blake Jacobsen, Ryan Rushton, Tyler Spencer, Owen Samuelson, Brennen Castillo, Aaron Aston, David Stuart, Kurt Robb, Kellie Robb, Brook Humpherys, Carson Robb, Mark Dyson, Devin Smith, Eric Hopper, Steve Burke, David Moore, Gladys Moore, Terry Messerly, Scot Poole, Mike Barnett, Pamela Barnett, Ed Fowler, Brett Larkin, and Denise Larkin.

PUBLIC HEARING – POWER COMMISSION

City Manager Shayne Scott explained that in July of this year, he and Council Member Lee met to discuss the idea of a Power Board or Power Commission. After speaking about pros and cons of such a Commission, he noted that they discussed the criteria of a commission with Power Superintendent Gary Hatch. He stated that the recommendation from City Staff is to review the comments received at the Public Hearing and suggest any necessary changes to include or exclude anything in the document. Shayne Scott suggested that the ordinance is ready to be adopted.

Mayor Hiatt opened Public Comment.

John Loveless stated that he is a resident that has solar panels. He is interested in having a Power Commission, and noted that he is also an electrical engineer. He is interested and qualified to assist in coming up with options that may benefit the City.

Mayor Hiatt noted that individuals will be appointed to the Power Commission. He noted that the Council is involved with the decision making process.

Shayne Scott stated that the Commission will be comprised of a group of individuals who have expertise in the Power industry and have the ability to make recommendations to the City Council on important items specific to Power in Kaysville City. He noted that a Power Commission application will be available in the near future.

Council Member Lee made a motion to close the Public Hearing, second by Council Member Snell.

The meeting was adjourned at 6:50 p.m. The regularly scheduled Council Meeting convened at 7:00 p.m.

Minutes of a regular meeting of the Kaysville City Council held Thursday, Oct 6, 2016 at 7:00 p.m in the City Council Chambers of the Kaysville City Municipal Center.

Council Members present: Mayor Steve Hiatt, Council Member Lee, Council Member Snell, Council Member Page, Council Member Adams and Council Member Garn.

Others present: City Manager Shayne Scott, City Engineer Andy Thompson, City Recorder Maria Devereux, Parks Director Cole Stephens, Police Chief Oberg, Carole Walker, Doug Larsen, Shirley Larson, Kristen Montierth, Abby Montierth, Macy Montierth, Cody Montierth, Tracy Murray, Braden Montierth, Robert Maximus McGraw, Robert McGraw, Jaron Gibby, Ethan Valentine, April Jones, Clark Jones, Blake Jacobsen, Ryan Rushton, Tyler Spencer, Owen Samuelson, Brennen Castillo, Aaron Aston, David Stuart, Kurt Robb, Kellie Robb, Brook Humpherys, Carson Robb, Mark Dyson, Devin Smith Eric Hopper, Steve Burke, David Moore, Gladys Moore, Terry Messerly, Scot Poole, Mike Barnett, Pamela Barnett, Ed Fowler, Brett Larkin, and Denise Larkin.

VOLUNTEER OF THE MONTH

Council Member Snell recognized Kristen Montierth as Volunteer of the Month for October. He explained that Kristen Montierth moved to Kaysville with her family in June of 2011. In an effort to get involved in the community she joined the Celebrate Heritage Park Committee and noted that she has loved working on the Arts and Musical Festival and the Monster Mash and Dash. He stated that Kristen and her family participate in many of Kaysville's awesome programs and events. They love the Daddy/ Daughter Dance, Kaysville Idol, Fourth of July Block Party and Parade, football, soccer and basketball. Kristen, her husband Braden, and their children Bryn, Cody, Abby, and Macy love being part of this community and calling Kaysville home.

Mayor Hiatt expressed his gratitude to Kristen for her hard work and dedication to the City.

KAYSVILLE CITY LIBERTY TREE – CARSON ROBB

Carson Robb explained how he desired to establish a place where people can cultivate a sense of freedom. He explained that he had a plaque made to commemorate the 240th anniversary of the signing of the Declaration of Independence. He encouraged residents to visit the Liberty Tree in Kaysville City. He explained that by understanding history, we can understand each other more.

Mayor Hiatt thanked Carson Robb for his forethought and the plaque. He noted that it was a sign of great leadership.

USING DATA IN DECISION RELATED TO THE GENERAL PLAN AND ZONING.

Devin Smith thanked the City Council and Staff for using complete and accurate data in regard to the general plan and zoning. He referred to a heat map that was created by Jordan Hansen, GIS Specialist, and thanked him for his hard work. He explained the housing unit heat map, developed as a result of his presentation to the Council on May 19th, should be used to accurately collect data in the future regarding general planning and zoning items.

Mayor Hiatt directed City staff to add an effective date to the map and have it available on the website. He noted that it should also be included in future zoning decisions.

Jordan Hansen noted that complete and accurate data would need to be researched and compiled.

POLICE DEPARTMENT REPORT

Chief Oberg reviewed the Kaysville Police Department Annual Report of 2015. He noted that the report covers the Organizational Chart, Police Service Calls, Traffic Statistics and more. He explained that for a fairly large city, Kaysville City has a low crime rate. He discussed the pharmaceutical disposal program and noted that it is a beneficial Public Safety program.

Chief Oberg explained that he was asked to visit the Whitehouse in 2015 to participate in The President's Task Force on 21st Century Policing. Chief Oberg included a copy of the 2015 manual. He explained that the task force focused on trust and supporting community based initiatives addressing core issues such as poverty, education and health and safety. The task force recommendations are organized around six topics; Building Trust and Legitimacy, Policy and Oversight, Technology and Social Media, Community Policing and Crime Reduction, Officer Training and Education and Officer Safety and Wellness.

Chief Oberg explained that his Department is taking part in the annual, *No-Shave November*. He explained that over the years, the proceeds have gone to the Children's Justice Center, the Wounded Warrior Project, and other worthwhile causes. He explained that businesses have the opportunity to contribute and match funds.

He noted that spooky clowns are an issue at this time and are considered a public safety issue. He noted that these people dressing like clowns frighten children.

Chief Oberg noted that average response time is under five minutes but explained that varies upon how many are on a shift at a time, how many incidents they are responding to, and other factors.

Council Member Adams noted that the Kaysville Police Department has responded when his home alarm has gone off and appreciates the quick response. He stated his appreciation for Kaysville City police officers.

Council Member Page noted that he would like to reach the goal to have the lowest crime rate but noted that many issues, such as divorce and child custody, contribute to the crime rate and reporting. He explained that he appreciates the Department and the good work they do.

Chief Oberg stated that one of the biggest challenges their Department has is how to connect with the youth in Kaysville. He noted snapchat and other social media avenues were outlets to reach the community.

Mayor Hiatt expressed his appreciation for keeping the City safe.

CALL TO THE PUBLIC

Mayor Hiatt noted that Call to the Public is the time to address agenda items and asked the audience to keep comments limited to three minutes.

Mayor Hiatt noted that the agenda item; Rezone of 0.43 acres of property to include the PRUD (Planned Residential Unit Development) overlay zone has been withdrawn.

Steve Burke stated that he opposed the rezone on Crestwood Road and noted that there are six homes from 30 West to Main St. He explained that four of them still stand and two are vacant lots. He noted that one of the six is zoned as multi-residential. He stated that this area is inundated with multi residential structures and explained that the park is a wonderful attribute to the neighborhood. He is not in favor of the Rezone and thinks this should be kept as residential property.

Eric Hopper noted that he is concerned about the rezone. He explained that residents are against rezoning the area to create a more dense area. He echoes the concerns of other neighbors.

Mark Dyson noted that he is against the rezone. He stated that privacy matters to him and explained his concerns about heavier traffic volume and a dense neighborhood.

Mike Barnett noted that there are many businesses in the area that make the neighborhood too dense and feels the neighborhood cannot support the large community.

David Moore stated that he is against a change in zoning. He explained that this is an extremely small piece of land and will decrease his property value.

Terry Messerly explained that rezoning would be a safety issue with children. He noted that due to higher traffic volume and children that live in the area, there is an immediate issue with safety on the roads.

Steve Spencer noted that development and growth are good for the City but feels the zoning shouldn’t be changed and that it doesn’t support high density housing.

Devin Smith asked the City Council to protect R1 Zoning.

David Fisher noted that he is against the rezone and stated that it doesn’t make sense to put in more units.

Mike Barnett suggested to enlist youth, create a youth ambassadorship, to put messages on social media for the Police Department.

REZONE OF 0.95 ACRES OF PROPERTY FROM R-1-8 (SINGLE FAMILY RESIDENTIAL) TO R-2 WITH A PRUD OVERLAY ZONE.

Andy Thompson, City Engineer, noted that this property was reviewed by the Planning Commission earlier this spring with a request for R-4 zoning to accommodate a 12 unit townhome type development. He explained that after much discussion, the Planning Commission denied the rezone with a 6-1 vote. The applicant elected not to proceed. He explained that the Developer has now submitted an eight unit proposal which would meet the density allowed in an R-2 zone. The general configuration of the project is still the same but there are four less units and more open space. The individual units would be slightly larger.

Council Member Garn stated that the Planning Commission was split three to three. He noted that his understanding is that density and compatibility are issues. He explained that it effects the homes surrounding it, and doesn’t fit with the surrounding area. He stated that he would vote no to the rezone.

Dan Stevenson, Developer, noted that several professionals in the area wanted something close to the park, no yardwork and close to shopping. He explained that the area is superb with the development of the park and the homes would be similar in price to those surrounding it.

Dan Stevenson explained that each unit is approximately 1900 sq. ft.

Andy Thompson noted that under the existing R-1-8 zone all five single family units could fit on this property.

Council Member Adams stated that private property needs to be respected and he feels that he needs to support the residents.

Council Member Lee noted that residents need to feel assured that zoning will stay the same. She noted that she would not support changing it.

Council Member Snell made a motion to deny the request to rezone .95 Acres of Property from R-1-8 to R-2 with a PRUD overlay zone, 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

Motion passes unanimously.

INTERLOCAL AGREEMENT WITH FRUIT HEIGHTS CITY REGARDING FIRE/EMS SERVICES.

City Manager Shayne Scott explained that Fruit Heights was presented with their annual invoice for their participation in the costs of the Kaysville Fire and Emergency Response Department. He explained that a significant increase in the department budget resulted in an increase in the bill to Fruit Heights who was concerned with the increase and the lack of communication on the part of Kaysville City. He reviewed the attached agreement and noted that it includes changes made by Fruit Heights City.

Shayne Scott recommended that the City Council review the document and suggest any necessary changes to include or exclude anything in the document. He explained that the document has been modified from the previously adopted version though the key principles remain the same. He noted that Staff believes this document is ready for approval.

Council Member Snell noted that he liked the verbiage better with the changes.

Council Member Brent Halliday, Fruit Heights City, noted that he appreciates this partnership and stated that the item is on their agenda for Tuesday and they will accept it as it is.

Council Member Adams noted that he is glad that there is synergy between the two cities and expressed his appreciation towards Fruit Heights City.

Council Member Snell made a motion to approve the Interlocal Agreement with Fruit Heights City regarding Fire and EMS services with noted exceptions within the document, second by Council Member Page.

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.

AIR PACK BIDS

Fire Chief Brett Larkin explained the importance of air packs and the noted improvements. He noted that he received bids and based the choices upon warranty, popular features for comfort, and cost. He noted that the cost dropped substantially since they only needed less air packs than first thought. He noted that his recommendation is to go with Honeywell since it has the best service available and has the best price, $126, 504. He noted that part of their consideration was consistency.

Council Member Adams stated that battery-life has been a problem with Honeywell devices.

Chief Larkin noted that they looked at them all, and stated that he hadn't heard anything about an issue but is willing to look into it further before purchase. He noted that the warranty is good and doesn't feel there are safety issues. Chief Larkin stated that he has talked with other Cities to gain a consensus, and after researching price and features, they decided upon Honeywell. He explained that going with Honeywell may be a $40,000 savings. He is waiting to hear from both MSA and Honeywell to see the final cost after trade in.

Council Member Adams noted that the Police and Fire have his full support and should have the best equipment they need to do their jobs.

Chief Larkin noted that they had a $200,000 budget and was surprised at the reduced cost of the air packs. He noted that he will do more research and stated that a few of the bidders did not meet requirements.

Shayne Scott, City Manager, noted that we can justify and uphold our choice in regard to which bid is chosen.

Council Member Adams made a motion to table the item and allow time for Chief Larkin to conclude his research, 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.

CODE OF CONDUCT

Shayne Scott, City Manager, explained that over the past 4-6 months, the idea of a Code of Conduct has been discussed both at official City Council meetings as well as in various work groups among City Council Members. He explained that Mr. Robinson assisted with the first draft. This version was put on the Kaysville City website and comments were accepted for 30 days. He explained that after the comment period on September 1st, Council Members directed staff to come up with a simplified version. The current version was posted to the Kaysvillecity.com website and comments were solicited to ethics@kaysvillcity.com.

Mayor Hiatt discussed the Code of Conduct and noted that he particularly likes item three; Conduct of Members.

Council Member Garn liked items one: Act in the Public Interest and item three. He noted that the words ‘not permitted’ could be changed to discouraged instead.

Council Member Snell made a motion to table the Code of Ethics for two weeks pending modifications as noted, regarding items one and three, 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.

POWER CREATION CREATED

Shayne Scott, City Manager, noted that a Power Commission will be formed. He stated that this is a 7 member board responsible for discussing, vetting, and recommending policies and practices surrounding the Kaysville City Power Company to the city council. This commission will meet on a monthly basis. He suggested that preference be given to those individuals with experience in the various electric or power related industries but noted that all interested parties are encouraged to apply. Applications can be hand delivered to the Kaysville City office or emailed to powerboard@kaysvillecity.com.

Mayor Hiatt discussed rotating terms of the board with each appointed member serving for a specified staggered term. He noted that electrical rates should be set by members of the City Council after recommendation of the Power Commission.

Council Member Lee made a motion to adopt the ordinance to create a Power Commission, 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.

POSSIBLE ADOPTION OF THE KAYSVILLE PURCHASING POLICY.

Shayne Scott explained the procurement policy. He explained that a temporary adjustment was made to the procurement level at which City staff is instructed to go through formal bid process. This adjustment took the formal bid process threshold from $50,000 to $15,000. He noted that Council Member Adams and Council Member Garn met in a work meeting to discuss bid splitting, collusion, cronyism, spending limits and authorization levels, bids over $10,000 requiring the authorization of the City Manager and more. He explained that this policy also addresses procedures of disposal of surplus City Property and expressly prohibits scrapping or other disposal for an employee's personal gain.

Council Member Page noted that it is somewhat confusing to limit bidders to Kaysville City only. He noted that it is extremely important that we allow open bidding and encourage all companies to bid, not just local companies. He encourages a level playing field. He noted that the current draft provides that if a company has a business license with the City of Kaysville they would have the opportunity to match the low bid if they were within 3%.

Council Member Adams noted that he likes the 3% match and appreciates the 'live here, shop here' motto.

Mayor Hiatt noted that he doesn't have an issue with the 3% match. He noted that he has a reservations with how they will become a certified local bidder.

Council Member Garn noted that this process should be simplified. He feels it is unfair to the person giving the lowest bid, and to offer an alternative.

Council Member Snell noted that they should maintain a local bidders list. And invite them to bid on the work.

Council Member Page noted that our City specifications should be up to date and correct before releasing bids.

Council member Adams stated that 'Cronyism' should be added to the document to protect the City.

Mayor Hiatt noted that he has a few items to address. He noted that Item 1 states 'written or verbal request 'on page 5 of the document.

Shayne Scott, City Manager, noted that the request for the bid is Item 1, and should be able to be done verbally or in writing. He explained there will still be a written document.

Shayne Scott noted that Council Member Adams suggested the City have an email dedicated to bids that can be accessed by a few people within the City, this is a good way to track correspondence.

Mayor Hiatt noted that Section 4, in regard to the rejection of bids, to add that the Council has the right to reject the bid for any valid reason, he noted to add the word 'valid'. He noted that criteria should be established for a local qualified bidder.

Council Member Page noted that the City can create an email list. He noted bottom of page 5, He has concern with Professional Service contracts and feels it is easy not to diversify. He noted that it is easy to hire a friend. He noted that competitive bidding is needed.

Council Member Garn noted that criteria is built differently and there needs to be minimum qualifications depending upon the service provided.

Shayne Scott noted that the City can define a local bidder as someone with a Kaysville City business license. He noted that the document says we require free and open competition.

Council Member Adams noted his concern of nepotism and that if the City is doing business with a contractor or another business, that the family association is disclosed.

Council Member Snell made a motion to table this item to allow City staff to update the document, 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.

<u>DISCUSSION ABOUT CODIFICATION</u>

City Manager Shayne Scott explained that codification has been done by the City Manager and the previous City Recorder in the past. He noted that passed ordinances, ongoing codification and resolutions need to be orderly, current and accessible to the public. He recommended that City staff be allowed to review several different firms that provide codification services and recommend the chosen company to the City Council for approval.

COUNCIL MEMBER REPORTS

Council Member Adams explained that it is exciting to see improvement on the City level. He noted that there was a concern with UTA slowing down the Burton Lane and Rail Trail project. He noted that he would like to see Burton Lane connected to the Rail Trail for the safety of children. He proposed to put 40 ft. of sidewalk along Burton Lane to add a walkway for children and improve safety. He noted that he sees a big advantage adding the sidewalk to the trail.

Andy Thomson, City Engineer asked if there is enough benefit.

Mayor Hiatt stated that it may be beneficial to get the project done while work is in progress on Burton Lane. Andy Thompson noted that there are other needs of a similar nature that should also be addressed. However, he stated that if this is the priority, they can certainly get this project completed.

Mayor Hiatt asked for the Council's consensus on installing these additional improvement with this project. The Council unanimously supported this recommendation.

Council Member Adams offered his assistance to work with UTA and noted that he is the Public Works Liaison.

MINUTES

Mayor Hiatt asked for a motion to approve the Minutes for September 15, 2016.

Council Member Snell made a motion to approve the Minutes for September 15, 2016, second by Council Member Page.

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

Mayor Hiatt asked for a motion to approve the September 15, 2016 claims.

Council Member Snell made a motion to approve the current set of claims, 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.

CALENDAR ITEMS

The current calendar items are listed on the website.

Council Member Snell made a motion for adjournment at 11:24 p.m., second by Council Member Adams and passed unanimously.