Approved

KAYSVILLE CITY COUNCIL

Meeting Minutes
November 3, 2016

Minutes of the Kaysville City Council meeting held Thursday, November 3, 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, Zoning, City Recorder Maria Devereux, Parks and Rec Superintendent Cole Stephens, Finance Director Dean Storey, Police Chief Oberg, Aaron Hixson, Cami Moss, Carole Walker, Ramona Porter, John B Warnick, Gabe Griffin, Jace Haven, Cole Beynon, Bobby Mcgyre, Graeger Andreasen, Jaysden Allred, Tim Allred, Trenton Davis, Carter Sampson, Andrew Moore, Mike Haven, Katie Witt, Stanley Miller, Ryan Asplund, Jake Asplund, Nicholas Watkins, Sam Duncan, Michele Duncan, Tad Neuenswander, Rhett Neuenswander, Scott Pierson, and Spencer Luke.

Opening provided by Council Member Adams. Council Member Adams asked Josh Belnap to open with prayer.

VOLUNTEER OF THE MONTH

Council Member Snell noted that the Volunteer of the Month award will be presented at the next Council Meeting.

DEPARTMENT REPORT – POWER DEPARTMENT, GARY HATCH

Gary Hatch, Power Department Superintendent, gave an update on the organizational chart for the Power Department. He gave a progress report in regards to upgrades within the City from 4KV to 12KV and explained the areas on the map that are still in need of updating. Gary Hatch noted that they anticipate completion of this project sometime early next year due to limited manpower.

He noted that the community should be aware of any downed power lines and explained how to identify them as a hazard. He noted that 911 should be called immediately and advised that live power lines can electrocute and be deadly.

Council Member Lee asked if the City will paint the green power boxes.

Gary Hatch, noted that the City will not be painting these boxes.

Mayor Hiatt thanked Gary Hatch for his report.

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.

No public comment given.

APPOINTMENT OF PUBLIC WORKS SUPERINTENDENT

Mayor Hiatt introduced Josh Belnap as the new Public Works Superintendent and welcomed him to the City.

Council Member Snell welcomed Josh Belnap and noted that Mr. Mills, the previous Public Works Director, stayed until his planned retirement and that he has appreciated his service throughout the years.

Council Member Snell made a motion to accept the appointment of the new Public Works Superintendent Josh Belnap, 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.

FISCAL YEAR 2016 COMPREHENSIVE ANNUAL FINANCIAL REPORT AND INDEPENDENT AUDITORS REPORT

Dean Storey, Finance Director, explained that City Staff has completed the preparation of the FY 16 Comprehensive Annual Financial Report (CAFR) and in accordance with State law, the financial statements have been audited by an independent auditor. A firm of Certified Public Accountants, Hansen, Bradshaw, Malmrose and Erickson has completed this year's independent audit.

He noted that the information in the report is accurate in all material respects and stated it presents fairly the financial position and the results of the operations of the City in accordance with generally accepted accounting principles. He noted that disclosures necessary have been made to enable the reader to gain a proper understanding of the financial affairs of the City.

Dean Storey stated his appreciation for Cami Moss, Staff Accountant for her assistance with this matter.

Aaron Hixson, accountant, explained that the Comprehensive Annual Financial Report (CAFR) of Kaysville City for the year ended June 30, 2016 was entirely prepared by the Kaysville City Finance Department. The City was again awarded a Certificate of Achievement related to Excellence in Financial Reporting.

He explained that the overall financial position of the City is strong, with an increase of $4.5 million over the prior year. This is, in part, attributed to a well-trained and a very experienced finance department, who are vigilant over budgeting and encourage all departments to be fiscally responsible. He reviewed the document with the City Council members.

Council Member Snell asked if the auditor is confident that the plan in place will protect the City from future issues.

Aaron Hixson explained that well designed policies and procedures, if followed, will protect the City due to good checks and balances. He explained that purchasing cards enable a City to have stronger controls. He recommended that anyone handling cash should read through the City Policy and Procedures, sign that they agree and understand, and ensure they understand their actions and consequences. He noted that the Finance Director, Dean Storey and the City Manager Shayne Scott are well versed in policy and procedure.

Clifton Subdivision Preliminary Plat and PRUD (Planned Residential Unit Development) Overlay of 1.61 acres of property at 42 North Angel Street.

Andy Thompson, City Engineer, noted that the City Council following the recommendation of the Planning Commission approved the rezone of the subject property from the A-1 (Light Agriculture) zoning district to the R-A zoning district in July of 2016. He noted that at the time Mr. Clifton informed staff, the Planning Commission, and the City Council that his intent was to do a flag lot development.

A preliminary plat has now been submitted showing the 1.61 acres being divided into 3 lots. The existing home will remain on a standard lot fronting Angel Street while 2 half acre lots will be accessed via flag stems on the north side of the property. The PRUD Overlay zone is required to develop in a flag lot configuration.

He explained that the Planning Commission voted unanimously to forward a favorable recommendation to the City Council for the proposed preliminary plat and PRUD overlay zone.

Council Member Garn made a motion to approve the Clifton Subdivision Preliminary Plat and PRUD Overlay of 1.61 acres of property at 42 N Angel Street, 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

Motion passed unanimously.

HILL FARMS SUBDIVISION PHASE 5 FINAL PLAT APPROVAL AT APPROXIMATELY 250 N ANGEL STREET AND 450 N HILL FARMS LANE R-1-20 AND R-1-14.

Andy Thompson, City Engineer, noted that throughout the past few months, the Hill Farms development has been constructing various phases of the project. The next phase has now been submitted for final plat approval. He explained that most of Phase 5 is located just north of 200 North and east of Angel Street. The plat also includes 4 lots on a private lane off of Hill Farms Lane a little further to the north. The plat consists of 34 lots and several areas of common open space. The plat complies with the preliminary plat.

Andy Thompson explained that the Power Department has asked that additional open space be included in this phase to better accommodate their facilities and the developer has consented, however the drawing has not yet been modified. He noted that City Staff has reviewed this project and it complies with the preliminary plat, the development agreement, and all other applicable requirements. The Planning Commission voted unanimously to recommend approval of the final plat of Hill Farms Subdivision phase 5 subject to the open space modification as described.

Council member Lee asked if there were ditches that were part of this project.

Andy Thompson stated there are no ditches as part of this project.

Council Member Snell, made a motion to grant the plat approval for the Hill Farms Subdivision Phase 5 at Approx. 250 N Angel St and 450 N Hill Farms Lane subject to the open space modification as described, 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.

COMMERCIAL GENERATING FACILITY FEED-IN TARIFF

Shayne Scott, City Manager, explained that Kaysville City does not have a policy in place to address a commercial Generating Facility. (solar, wind, etc.). Davis County school district has a 260kw solar system on the new Kayscreek Elementary School that they are waiting to put online. He explained that Staff has had other customers inquire about commercial solar. This temporary policy could be put into place now, to let the Kayscreek Elementary School come online. The Davis County School District understands that this policy would be temporary and subject to change at a later date.

Shayne Scott noted that City Staff recommends implementation of a temporary commercial Generating Facility feed in tariff rate structure.

Council Member Garn noted that the school has invested in a dual meter and noted that the temporary solution may become permanent over time.

Council Member Page, made a motion to approve the Interim Commercial Generating Facility Agreement, second by Council Member Snell.

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 KAYSVILLE PURCHASING POLICY

Shayne Scott, City Manager, explained that in March of this year, a temporary adjustment was made to the procurement level at which city staff is instructed to go through the formal bid process. This adjustment took the formal bid process threshold $50,000 to $15,000. At that time, Mayor Hiatt asked Council Member Adams and Council Member Garn to work with City staff to address concerns in a purchasing document. Items that were emphasized were Bid Splitting, Collusion, Cronyism, Spending limits/authorization levels, Bids over $10k require authorization of the City Manager, Bids will be in writing, sealed, or to a designated bid email that only IT can access, Establishment of Purchase Orders for purchases over $5k or when requested by vendors, Local option, Altering the formal bid process threshold from $15,000 to $25,000, The ability to purchase off of state contract without the formal bid process, and establishment of a 15% threshold for change orders before they come back to City Council for approval.

Shayne Scott noted that the discussion took place at the October 6, 2016 Council meeting in which many suggestions for changes were made. The key issue discussed was the local option. He explained that part of the discussion at the last meeting was to come up with three options. Three possible options include:

1) Local Option as was presented. Includes a 3% threshold in which a local bidder/contractor can agree to match the low price if they are within 3%.
2) Remove local option all together. Staff can maintain a list of local/interested parties who we notify as bids/RFPs go out. This list is generated by business licenses, local knowledge of business owners that may live in Kaysville but do not have a business in our city, as well as any interested party with whom it is appropriate to do business. We do everything we can to invite and encourage local bidders and other interested parties and let contractors know that doing business in Kaysville is the best thing to do.
3) Local Option as presented but we change a local bidder to simply those having a business license.

Shayne Scott noted that Mayor Hiatt suggested a change of wording, such as:
"valid" reason. He explained that if we maintain in our bid docs we can reject for any reason and he feels this is safer legal ground and is a standard established by most other municipalities.

While Kaysville currently has a procurement document, new staff and three new city council members make it a unique opportunity to review what was currently in place and to make positive changes. This new document will also give department heads the opportunity to further educate themselves on current city staff in proper procurement and surplus property disposal procedures.

Shayne Scott explained that solicitation can still be verbal, but the actual request for bids would still be in writing, this is specified in paragraph two.

Council Member Adams asked if wording could be added to the document in regard to use of green materials, cost effective materials, appropriate and comparable pipe options and use of used materials within a project. He prefers specific verbiage be added to prevent any misunderstanding with City projects, such as: *'any deviation from spec needs to be approved by the city manager'*.

Shayne Scott noted that specifications need to be followed with each project, in regard to materials.

Andy Thompson noted that this matter should be covered by a change order in the policy.

Council Member Garn noted that in regard to policy in general, is to have it broad enough not to address every situation, but specific enough in overview and principles ….

Council Member Lee noted that this is a good policy to put into place and to make sure procedures are done and feels that bids going out will be consistent.

Mayor Hiatt asked for the consensus of the Council.

Council Member Garn noted that he is not as concerned about the wording and feels it is covered sufficiently and doesn't see the need for the change.

Council Member Snell explained that he is not interested in adding clarifying verbiage to the document.

Council Member Page asked for clarification and stated he is not interested in changing verbiage in the document.

Council Member Lee suggested the City Council approve this matter tonight with the caveat that Council Member Adams further discuss this matter with Shayne Scott.

Council Member Garn, made a motion to adopt the purchasing policy as is with the Local Option Two, 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 to one.

COOPERATIVE AGREEMENT WITH UDOT FOR FUNDING OF 200 N ANGEL ST., INTERSECTION IMPROVEMENTS

Andy Thompson, City Engineer, explained that approximately three years ago, Kaysville City applied for Federal funds to do intersection improvements and other work at the intersection of 200 North and Angel Street. The City was awarded just over 3 million dollars for this project to be available in the 2019 construction season. With the rapid growth in traffic in this area over the last year, the City has ask UDOT if the funding could somehow be made available sooner. UDOT has offered to “exchange” the City’s Federal money for State money. He noted that this makes the money available immediately and removes most of the Federal requirements.

He explained that the Cooperative Agreement outlines the requirements for this exchange, including an exchange rate of 85%. This means that the City will only receive $2,584,333. Other Cities that have used this process have found that with the elimination of the Federal requirements, the 85% funding has been more than adequate to accomplish their projects.

Mayor Hiatt noted that he met with UDOT and the WFRC (Wasatch Front Regional Council), and appreciates them and other cities that allowed our project to be completed expediently ahead of other cities.

Andy Thompson explained that City Staff recommend that the Agreement be accepted so that the much needed improvements can be constructed next summer. Staff also believe that the reduction in funding is offset by the reduction in the Federal process and that the same improvements can be built.

Council Member Lee made a motion to accept the Cooperative Agreement with UDOT with funding of 200 N Angel St. intersection improvements, 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.

CONSULTANT AGREEMENT FOR DESIGN SERVICES FOR 200 N ANGEL ST. INTERSECTION IMPROVMENTS.

Andy Thompson, City Engineer, noted that the City would like to have this project under construction by the summer. He noted that the City has received five proposals and after review the City recommends to award the bid for design services to Civil Science, their bid was $189,900 with time and materials.

Council Member Snell noted that this project includes acquisition of right of way.

Council Member Garn expressed his appreciation since the project was moved up 2 years.

Council Member Snell made a motion to award the consultant agreement for design services to Civil Science Infrastructure, 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 REPORT DISCUSSION

Shayne Scott, City Manager, stated that Claims are currently presented before the legislative body at each Council meeting. Checks are run as close to Council meeting as possible in an effort to hold these checks until the Council reviews and approves their payment. The current system is inefficient and does not allow for the timely payment of received invoices. At times an invoice is received immediately after a council meeting and therefore can’t be paid for two or three more weeks and in some cases the city can be charged interest on some of these payables.

He explained that staff recommendation is to make the Claims portion of the City Council agenda a review item rather than an approval item. This way staff can operate efficiently and cut checks on a weekly basis as opposed to a bi-monthly basis. Council can and should still review items and ask questions about expenditures. This would allow staff to research, answer questions, and even change procedures if necessary while not obstructing the day to day business of the city.

Shayne Scott noted that the benefit of this change is that most invoices will be paid more quickly.

Dean Storey, Finance Director, noted that the change is reviewing the claims versus approving the claims. He explained that the City is able to pay invoices immediately rather than wait two weeks.

Council Member Adams noted that he is against this change and feels that Kaysville City pays timely.

Council Member Lee stated that she feels that the claims should be reviewed and approved at City Council meetings every two weeks.

Council member Garn stated that he would like checks to be prepared weekly.

Council Member Page noted that this new process ensures efficiency and approves of this change.

Council Member Snell made a motion to approve a change of procedure to allow claims to be an item to review instead of an item to approve, second by Council Member Garn.

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, Nay

The motion passed three to two.

COUNCIL MEMBER REPORTS

Council Member Lee explained that a committee will be formed to organize design and use of the old library. Funds will be raised for construction of a small museum. She noted that more items will need to be collected to place in the museum.

Mayor Hiatt noted that the Council will approve designs or arrangements for the old library building before they are finalized, if funded by the City.

MINUTES

Mayor Hiatt asked for a motion to approve the Minutes for October 20, 2016.

Council Member Snell made a motion to approve the Minutes for October 20, 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

Mayor Hiatt asked for a motion to approve the October 20, 2016 claims.

Council Member Adams, asked about a $1200.00 bill from Felshaw King, Attorney, in February.

Shayne Scott, City Manager, noted that this matter is in the hands of the resident and no further action will be taken until contacted by resident.

Claims were reviewed by the Council.

CALENDAR ITEMS

The current calendar items are listed on the website.

Council Member Lee made a motion for adjournment at 10:05 p.m., second by Council Member Garn and passed unanimously.