KAYSVILLE CITY COUNCIL
October 16, 2025

Minutes of the regular Kaysville City Council meeting held on October 16, 2025, at 7:00 p.m. in the Council Chambers of Kaysville City Hall, located at 23 East Center Street, Kaysville, Utah.

Council Members Present: Mayor Tamara Tran, Council Member John Swan Adams, Council Member Mike Blackham, Council Member Abbigayle Hunt, Council Member Nate Jackson, and Council Member Perry Oaks

Others Present: City Manager Jaysen Christensen, City Attorney Nic Mills, Assistant City Attorney Katie Ellis, City Recorder Annemarie Plaizier, Finance Director Maryn Nelson, City Planner Anne McNamara, Power Department Director Brian Johnson, Information Technology Assistant Jordan Hansen, Lt. Paul Thompson, Paul Toller, Tucker Bartels, H. Lynn Galbraith, Camille Galbraith, Jane Dunford, Bob Dunford, Tucker Hunsaker, Emma West, Madeline West, Mark Trice, Robert Stockdale, Jeana Stockdale, Don Edwards, Rob Dansie, Zann Call, Emilee Call, Mckenzie Randall, Cameron Randall, Ashley Olsen, Tom Olsen, Chase Maxfield, Josh McBride, Maggie McBride, Kaylee White, Joyce Clarkson, Mike Bryant, Erin Heaps, Austin Estep, Scott Woodward, Skip Tippetts, Val Starkey, Laurene Starkey

OPENING

Mayor Tran called the meeting to order and welcomed all attendees.

Council Member Adams opened with remarks on civility and kindness, encouraging residents to rise above division and maintain respect in all interactions. He referenced current global tensions as a reminder of the importance of peace and unity. He concluded by urging kindness and goodwill within the community.

Following his comments, Council Member Adams offered an opening prayer and led the audience in reciting the Pledge of Allegiance.

CALL TO THE PUBLIC

No members of the public came forward to speak.

PRESENTATIONS AND AWARDS

PROCLAMATION DECLARING OCTOBER 2025 AS PTA MONTH IN CELEBRATION OF 100 YEARS OF SERVICE AND ADVOCACY

Mayor Tran presented a proclamation declaring October 2025 as Parent Teacher Association (PTA) Month in Kaysville City in honor of the Utah PTA’s 100th anniversary. She read the proclamation, which recognized the organization’s founding in 1925 and its century of advocacy for children, families, and schools. It highlighted the PTA's efforts in promoting education, protecting school trust lands, and supporting quality learning opportunities. Mayor Tran commended local PTAs for their continued dedication to strengthening family engagement and student success, and encouraged all residents to celebrate the milestone.

ANNUAL FRAUD RISK ASSESSMENT REPORT

Finance Director Maryn Nelson presented the Annual Fraud Risk Assessment Report as required by the Utah State Compliance Audit Guide. She stated that Kaysville City's results reflected a low risk of fraud, citing strong internal controls, separation of duties, and required employee ethics training.

Ms. Nelson noted that the city currently did not have a certified finance professional on staff following recent leadership changes but was working toward compliance. She said she is pursuing a Certified Government Financial Manager (CGFM) credential, and the Deputy Finance Director has completed part of the CPA exam. She anticipated that the city would meet certification requirements by next year.

Mayor Tran thanked Ms. Nelson for her report and commended her ongoing efforts to ensure sound financial practices within the city.

POWER DEPARTMENT ANNUAL REPORT

Power Department Director Brian Johnson presented the department's annual report and began by expressing gratitude for the opportunity to serve Kaysville residents and to work alongside the dedicated Power Department staff. He thanked the Mayor and City Council for their support and explained that his report would cover both operational updates and regional energy developments.

Mr. Johnson reported that Kaysville Power & Light served 11,921 customers across roughly 10.5 square miles with 15 employees. He noted that the city's annual energy usage had reached a record 169,530,463 kilowatt-hours, reflecting continued growth and increased demand from electric vehicles and modern energy systems. He said the department continued to educate residents on time-of-use efficiency to help manage demand and maintain stable rates.

He outlined Kaysville's energy portfolio, explaining that the Nebo Plant in Payson—a natural gas facility supplying about 40% of the city's total power—was offline for major repairs after a mechanical failure caused severe turbine vibration. Repairs were underway, but the outage temporarily affected overall generation capacity.

Mr. Johnson provided an overview of the Extended Day-Ahead Market (EDAM), a regional power program managed by the California Independent System Operator (CAISO) that PacifiCorp—and by extension, Kaysville—would join in May 2026. Under the new system, Kaysville would forecast its next-day power usage each morning and purchase energy through a regional wholesale market. This transition would shift operational control of local generation to CAISO while ensuring that local demand was still met.

Council Member Adams asked how the new market would affect Kaysville's ability to sell surplus power. Mr. Johnson explained that under EDAM, Kaysville's resources would be pooled with regional supplies and that any excess energy would be redistributed through the market rather than sold directly by the city. While the program was designed to stabilize costs and improve efficiency, he said smaller municipal utilities might not see the same benefits as large entities such as Rocky Mountain Power.

Council Member Blackham asked whether the new structure would affect Kaysville's control over its generation assets, including resources such as the Intermountain Power Project (IPP) and Glen Canyon Dam. Mr. Johnson confirmed that while the city would retain ownership of its generation assets, CAISO would control when and how those resources were dispatched through PacifiCorp's transmission network. He said he had been gathering additional documentation to share with the council, as many operational details were still being finalized.

Mr. Johnson added that the new structure would also affect how Kaysville accessed power from the municipal Pool Project, as all resources would be managed collectively under CAISO. This would remove the city's ability to independently request additional generation during shortfalls. He expects to bring a revised Pool Project contract to the council in the coming months to reflect these changes.

Council Member Hunt stated that she attended the March UAMPS meeting where the EDAM transition was discussed and that the information presented was concerning. She said she had remained skeptical about the program since then and asked whether Kaysville had any option to withdraw or opt out of participation.

Mayor Tran asked who had approved participation in EDAM and whether entities such as the Intermountain Power Agency (IPA) or PacifiCorp had made the decision. Mr. Johnson explained that PacifiCorp, Kaysville's balancing authority, had made the decision to join EDAM, requiring all connected municipal utilities, including Kaysville through Utah Associated Municipal Power Systems (UAMPS), to participate. He said that while UAMPS was cautiously optimistic about the program's potential for efficiency, many smaller utilities shared Kaysville's concerns about reduced local control and uncertain cost impacts. Because the city relies on PacifiCorp's transmission system, full withdrawal from the program was not feasible.

Mr. Johnson outlined an alternative structure under consideration by UAMPS, known as the All-Requirements Project, which would allow municipal members to coordinate power management within EDAM. While the project could improve purchasing efficiency, it would also centralize decision-making within UAMPS, limiting Kaysville's autonomy. Mr. Johnson said he had submitted a letter expressing concerns about governance and resource control and that UAMPS representatives were expected to present additional details to the City Council later in the year. He noted that he and Bruce Rigby would represent Kaysville on the project's governing body, although decisions would ultimately be made by majority vote among participating members.

Council Member Oaks asked how Kaysville's power allocation would be prioritized in emergencies or regional shortages. Mr. Johnson assured the council that Kaysville's forecasted local needs would take priority, with surplus energy distributed regionally. He added that penalties could apply if actual demand exceeded forecasts, though those provisions were still being finalized.

Mr. Johnson said that not all municipal utilities had fully committed to EDAM or the All-Requirements Project. Twenty-three cities, including Kaysville, had agreed only to continue studying participation, and many remained cautious about relinquishing too much control without clear evidence of local benefits.

Returning to the Nebo Plant, Mr. Johnson said a UAMPS engineer was evaluating the turbine failure and would provide an updated report soon. He estimated that repairs would be completed by late November and explained that temporary short-term power purchases might be required to cover the shortfall until the plant returned to full operation.

He then reviewed key Power Department infrastructure projects. The department was rebuilding the electrical loop around the Davis Applied Technology College (DATC), the city's largest power consumer, and had begun a boring and cable replacement project to remove portions of the outdated 2400-volt system that had exceeded its lifespan. The new conduit system would allow future wire replacements without excavation, improving reliability and reducing outages.

In the King Clarion neighborhood, crews had installed more than 40 new poles and rebuilt about 5,500 feet of line since January. Because the area was inaccessible to bucket trucks, linemen had completed the work manually. Mr. Johnson commended the crews for their effort and precision.

He reported that the Schick Substation upgrade was now complete and operational, resolving prior overloading issues and significantly improving reliability. Construction on the Burton Substation was ongoing, with the control house under construction and the new transformer installed.

Mayor Tran asked about the cost and availability of transformers, noting that residents might not realize the extent of current challenges. Mr. Johnson said transformers now cost approximately $1.1 million each, with manufacturing lead times exceeding 72 weeks. New orders were projected to cost up to $1.5 million and take four to five years for delivery.

Mr. Johnson noted that vegetation management and wildlife-related outages continued to be priorities, reporting roughly 40 squirrel-related incidents this year. The department had begun installing deterrent equipment to reduce future occurrences. He also said the city was exploring a Time-of-Use rate program to encourage customers to shift consumption to off-peak hours, potentially lowering bills for residents on fixed incomes. Staff were reviewing billing system requirements before bringing a proposal to the council.

Addressing public inquiries, Mr. Johnson clarified that the city was not converting overhead lines to underground systems but replacing deteriorated underground cables. Only limited sections would be moved underground where necessary, as full system burial would be cost-prohibitive. He also described efforts to replace old porcelain insulators with modern polymer types to prevent pole fires, citing a recent near incident near Gailey Park. Crews were also upsizing main feeder wires along Burton Lane and nearby areas to accommodate increased demand and future development, particularly near the Central Davis Sewer District.

Mr. Johnson concluded by emphasizing that the electrical industry was rapidly evolving and that Kaysville's Power Department was adapting to ensure long-term reliability and affordability.

Mayor Tran thanked Mr. Johnson for his comprehensive report and commended the department's proactive management of infrastructure and costs. Council Member Jackson added that unused utility poles around the city, especially on the east side, had become unsightly and suggested coordinating with communication companies to ensure timely removal. Mayor Tran agreed and directed staff to follow up on the issue.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts of interest were declared by any members of the City Council.

CONSENT ITEMS

Council Member Adams made a motion to approve the following Consent Items:

a) Appointment of Jeramy Berkenshaw as Planning Commission Member.

Council Member Hunt seconded the motion.

The vote on the motion was as follows:

Council Member Hunt, Yea
Council Member Jackson, Yea
Council Member Oaks, Yea
Council Member Blackham, Yea
Council Member Adams, Yea

The motion passed unanimously.

ACTION ITEMS

REQUEST TO REZONE 1.6 ACRES OF PROPERTY AT 80 EAST CENTER STREET FROM A-1 (LIGHT AGRICULTURAL) TO CC (CENTRAL COMMERCIAL), WITH A MIXED-USE OVERLAY FOR JACOB WILLIAMS

City Planner Anne McNamara presented a rezone request for 80 East Center Street, submitted by Jake Williams, to change the zoning from A-1 (Residential Agriculture) to Central Commercial (CC) with a Mixed-Use Overlay. She explained that the Mixed-Use Overlay required a concurrent review of a site plan and a development agreement.

The proposal would convert the on-site historic Presbyterian Church into a single-family residence for the Williams family and construct 23 townhomes, for a total of 24 dwellings. Townhomes fronting Center Street and adjacent to the Zions Bank parcel were designed with ground-floor storefronts; interior units included flexible ground-floor space for commercial or live-work use.

Ms. McNamara stated that the proposal was first considered by the Planning Commission on August 14, during which a public hearing was held and received substantial public comment. The Planning Commission directed the applicant to revise the proposal to reduce the unit count and increase open space. On September 11, the applicant returned with a revised plan that reduced the total from 27 to 24 units, increased open space and amenities, and lowered the interior townhome ground-floor ceiling height from 12 feet to 9 feet. The property is designated for mixed use on the city's Future Land Use Map. In total, 16 individuals spoke at the hearing, and 15 written comments were submitted through the city's online portal. Following review of the revised proposal, the Planning Commission voted 4–0 to recommend approval of the rezone and development agreement.

Ms. McNamara identified considerations for the Council's review. Preserving and repurposing the church created limitations on the site's ideal layout and overall density options. The parcel's location near historic downtown supported mixed-use development intended to contribute to downtown activity and revitalization efforts. The applicant agreed to an owner-occupancy requirement similar to the conditions approved for the RM rezone at 950 North. The proposed density of 15 units per acre aligned closely with the RM zone's allowance of 15.6 units per acre. Based on the Planning Commission's recommendation and staff analysis, the proposal was forwarded to the Council for consideration of approval or denial.

Mayor Tran invited the applicant, Jake Williams, to address the Council.

Applicant Jake Williams explained that the proposal was motivated by preserving the historic church, which his family intended to occupy as a residence. He said he had met with Council members and neighbors and incorporated changes into his plan to respond to feedback while retaining the church and mature trees. The project layout buffered 100 East by placing only a duplex along the frontage, consistent with nearby duplex housing. Townhomes with storefront façades would face Center Street and the Zions Bank parcel. He said that the proposed density was tied to feasibility and the seller's price and that the concept followed the General Plan's mixed-use development and downtown revitalization goals. He noted that, by requirement, the plan before the Council matched the Planning Commission–reviewed version, but he remained open to further revisions. He stated that his vision was to contribute to the revitalization of downtown and to create a walkable environment that maintained the city's small-town charm.

Mayor Tran opened the item for public comment.

Emma West, a nearby resident at the corner of 200 South and 200 East, clarified that she did not object to the developer personally and appreciated the intent to provide diverse housing options in Kaysville. However, she said the proposed project was too dense for the area, unlike similar mixed-use developments along Main Street that were more appropriately located. Ms. West expressed concerns about the project's building height, lighting, congestion, parking limitations, and emergency access. She noted that this neighborhood already contained roughly sixty rental units, showing that residents were not opposed to multifamily housing in principle, but she believed this proposal would create an abrupt and incompatible transition from surrounding single-family homes. She concluded by saying that development of the site was inevitable but should be scaled and designed to better complement the existing neighborhood.

Tucker Hunsaker, who lived across from the proposed site, asked whether preservation of the church was guaranteed, noting that during earlier Planning Commission meetings the developer had expressed uncertainty about whether restoration could still occur after reducing the number of proposed units. He expressed concern that construction of the townhomes might endanger the church or that renovation might be abandoned if costs rose. He objected to the timing of the project's traffic study, which was done after schools had recessed for the summer, arguing that it did not account for congestion during the school year. He stated that the parking plan was inadequate because garage spaces would likely be used for storage, pushing overflow parking onto nearby residential streets. He questioned where customers would park if there were multiple small businesses in the space and asked if the yard attached to the church was included in the open space calculations, because, if so, it misrepresented usable community space as it would be inaccessible to residents. The development's single access point on 100 East raised safety and circulation concerns. He argued that project density should not be based on the seller's asking price and that the proposed townhomes—priced over $600,000—would not offer affordable housing. He asked about restrictions on business types, operating hours, lighting, and public restroom access for the commercial units. He stated that residents were not opposed to development but wanted any project on the property to be consistent in scale, design, and character with the surrounding neighborhood.

Skip Tippetts expressed concern that existing congestion in the area due to nearby schools would be intensified by this project, specifically at the intersection serving Davis High School, Kaysville Junior High, and Kaysville Elementary—an area where several students had been struck by vehicles in recent years. He urged the city to consider neighborhood character, suggesting a subdivision of several single-family lots as a better fit for the area.

Bob Dunford, a longtime resident of the area, recalled that the Harvey family had purchased and preserved the historic Presbyterian Church in 1933, expressing appreciation for their family's stewardship of the church but said the proposed density remained excessive. He compared the project's scale to the surrounding neighborhood, explaining that the block east of the site contained twenty-two homes on roughly ten acres, while the proposed development sought nearly the same number of dwellings on a single acre. This project's density would significantly alter the character of the neighborhood. He asked whether the project aligned with the city's downtown redevelopment plans, the practicality of requiring commercial space on the ground floor within each of these homes, and operational issues such as safety, delivery access, waste collection, hours of operation, and parking. He provided an example of a home-based accountant requiring several parking spaces per day and said similar small businesses could easily exceed available parking, spilling onto surrounding streets.

Rob Dansie, a Historic Preservation Commission member and nearby resident, said he appreciated the architectural style and design intent of the proposal, noting that he liked the effort to incorporate historic Main Street–inspired elements. However, he said that constructing 23 units on about one developable acre, not including the church area, was too dense. He warned that garages often become areas for storage, particularly when they lack yard space or outbuildings, which could increase on-street parking. He reiterated his support for preserving the church but urged caution against framing the situation as a binary choice between saving the church and allowing higher density. Mr. Dansie noted the Council's role is to determine suitability for the neighborhood and the city's long-term planning vision, not to guarantee profitability of the project. He encouraged continued collaboration among the developer, residents, and city leaders to find a balanced solution.

Maggie McBride, a parent of students at nearby schools, said this project could set a precedent for future mixed-use proposals. She raised fire-code access concerns, questioning if the number of occupancies located in the project required two access points under fire code. She questioned restroom adequacy for commercial patrons and asked whether church restoration was formally guaranteed in the development agreement and if there were specified timelines for the restoration. She asked if the church could be demolished if costs became too prohibitive or if the developer could sell the property after receiving approval for a rezone. Ms. McBride addressed the affordability of the townhomes and noted that higher-density projects do not equal affordability. She reiterated concerns about the traffic study conducted during the summer months when schools were not in session. She also stated that nearby homeowners' insurance rates could increase, as insurers indicate mixed-use areas can increase premiums due to additional traffic and perceived risks.

Val Starkey sought clarity regarding this development in relation to the adjacent Zions Bank parcel. He said that the spacing and connection between the two parcels had not been clearly defined, making it difficult to understand how commercial units could function effectively on that side of the property without knowing how pedestrian access, parking arrangements, and traffic flow would operate between the two sites. Mr. Starkey also questioned the viability of the proposed storefronts if they were vacant. He questioned whether the development could realistically sustain successful businesses within the units and what the long-term outcome might be if the commercial component failed.

Mike Bryant said the traffic study timing did not reflect school-year conditions and therefore should be redone before the city considered approval of the development. He also commented on development trends in Kaysville and acknowledged the appeal of creating walkable communities with mixed-use elements. Single-family neighborhoods have long defined Kaysville's character.

He stated that he favored preserving Kaysville's single-family neighborhood opportunities while acknowledging growth and diversification were inevitable.

Mayor Tran thanked all who had provided input and formally closed public comment.

Council Member Adams stated that the clear and recurring concern among residents was the proposed density of the project. While the developer's intent to preserve the historic Presbyterian Church was commendable and widely supported, Council Member Adams said the overall scale of the proposal remained incompatible. He expressed appreciation to the applicant for the constructive discussions that had occurred. He also referenced an idea shared by Public Works Director Josh Belnap regarding the possible extension of 50 West through the Zions Bank parking lot, which could improve traffic circulation and access for the area. He said this concept, though preliminary, could eventually help support viable commercial uses on that side of the property. He questioned the viability of the small ground-floor commercial spaces, which would likely function as offices rather than revenue-generating storefronts, contrary to the Mixed-Use Overlay's intent to create developments that generated commercial revenue in addition to housing. Council Member Adams suggested a proposal with fewer townhome units and larger viable commercial space and noted that any redesign might require the property owner to reconsider their asking price to make a lower-density plan feasible. While the effort to preserve the church was valued by the entire community, the project would need substantial modification to achieve a balance between preservation, scale, and neighborhood compatibility.

Council Member Blackham said that when developing the city's General Plan, residents consistently expressed two priorities: to revitalize downtown by expanding commercial activity while maintaining the city's established single-family residential character. To help accomplish this goal, the city had established the Mixed-Use Overlay and intentionally required that at least 30 percent of the total square footage be dedicated to commercial use. This typically would mean that the main floor of a multi-story building would serve a commercial function, with residential above. These mixed-use projects were intended to contribute meaningfully to the city's economic base rather than functioning primarily as residential developments with limited storefronts. Council Member Blackham expressed doubt that the proposed small commercial spaces would function as true retail or service establishments that could generate meaningful sales tax revenue. He noted that the city's reputation as one of Utah's most desirable communities was due largely to its single-family neighborhoods and the city's careful approach to growth. He also noted the city's long-standing practice of requiring gradual transitions between established neighborhoods and higher-density developments. In this case, placing 24 units on roughly an acre of property that is surrounded by single-family homes was too much of a contrast.

Council Member Blackham expressed concern about the proposed access and parking design, especially if residents use garages for storage or if vehicles block the shared road, preventing others from exiting. He reiterated that the project as currently proposed does not meet the commercial purpose of the Mixed-Use Overlay, and the high density was not suitable for the location.

Council Member Oaks acknowledged that he liked the architectural design and appearance of the proposed townhomes. He shared concerns about the absence of an enforceable requirement for active commercial use in the townhomes. As currently written, buyers could use the ground level as a personal office or extension of the home rather than an active, revenue-generating business. Without that commercial requirement, this project is effectively a residential development under the guise of mixed use, which is not the intent of the Mixed-Use Overlay. He also expressed concern with the tight driveway spacing, making maneuvering in and out of garages difficult. This would be especially difficult for the units facing Center Street and in the winter months when snow removal would further restrict available space. The overall density on roughly 1.1 developable acres exceeds the city's highest density limit in the RM zone of about 15 units per acre. Although the project shows some green space, it is not enough to balance the project's intensity or provide meaningful open areas for residents. He listed operational issues, including the logistics of garbage collection, snow removal, and signage visibility, especially for those interior townhomes. He stated that he did not feel the proposed building height was an issue, as the existing trees would likely mitigate much of the visual impact on neighboring homes.

Council Member Oaks stated that he felt the developer's intentions to preserve the historic Presbyterian Church were sincere and not merely a marketing tool. However, major revisions to the project were needed to address the larger concerns about density, parking, and the absence of enforceable commercial requirements. He also noted that the property's high asking price appeared to drive the project's intensity and made it difficult to design a feasible plan that met both financial and community expectations.

Council Member Jackson commended the applicant's engagement with the residents and city and willingness to collaborate throughout the process. He added that while the Council strongly supported efforts to create a more walkable, vibrant downtown, it also had an obligation to prioritize safety, traffic management, and the protection of cultural and historic resources.

Council Member Jackson expressed support for mixed use in concept but said that the overall plan needed to demonstrate long-term functionality and sustainability. The plan needed more substantial commercial components, particularly along Center Street where there could be more traditional storefronts that could contribute to the city's downtown vitality. The proposed ground floor of the townhomes for commercial uses would likely result in limited or nonexistent commercial activity. Council Member Jackson said that he would like to see the number of residential units reduced and suggested that interior areas remain residential units, while those street-facing units served as true commercial storefronts with residential units above the ground floor. He said this approach would provide a more balanced blend of uses. He expressed a preference for tabling the item or it being withdrawn to allow time for revision and additional collaboration. Council Member Jackson also noted that the Fire Department had reviewed the proposal and confirmed that a single access met current code, though a second access would improve functionality and safety.

Council Member Hunt said she valued meeting with residents, speaking directly with the developer, and personally walking the property and touring the historic Presbyterian Church, which she described as a memorable and meaningful experience. She explained that she had previously served on the Planning Commission when the Mixed-Use Overlay was created and recalled that the intent behind the designation was to encourage developments that genuinely combined residential and commercial uses in a contiguous and inclusive manner. Council Member Hunt said she appreciated the design quality of the proposed project and agreed that it could potentially serve as an attractive visual transition into the surrounding neighborhood. However, she agreed that the proposed density was too high for the location. She favored exploring the idea of a potential road connection through the Zions Bank parcel, which could improve circulation and address some of the safety issues raised. She also expressed concern with the timing of the traffic study and requested that a new or supplemental study be performed to accurately reflect typical school-year conditions. She urged that enforceable sequencing be included in the development agreement to ensure that church restoration occurs before or concurrently with residential construction. If the residential units are built first and the church restoration is delayed and becomes financially or logistically infeasible, the city might have little recourse. Council Member Hunt supported continued collaboration with the developer to refine the proposal to reduce density, address traffic and parking concerns, and create additional green space.

Council Member Adams asked City Attorney Nic Mills to outline resubmittal procedures. Mr. Mills said a substantially similar application may not be resubmitted within one year after denial. Determining whether a new application qualified as substantially different would be determined on a case-by-case basis and generally requires major modifications to the original application. Mayor Tran summarized that the Council could approve, deny, table, or the applicant could withdraw the application voluntarily. Mayor Tran noted that a major reduction in density, a revised design concept, or the addition of meaningful commercial or retail space would likely qualify as a sufficient change to allow the applicant to reapply before the one-year waiting period expired.

Mr. Williams reiterated that his reason for requesting the Central Commercial (CC) zoning was based on its alignment with the adjacent bank zoning and that the CC zone with a Mixed-Use Overlay does not establish a fixed density cap but rather relies on parking requirements to determine the maximum allowable occupancy. He said the plan provided approximately 2.57 stalls per unit (above the two-stall minimum required in the city's RM zone) and incorporated a small commercial component consistent with the city's intent for mixed-use development. He noted that any major revisions would require negotiation with the seller, the Parrish family, because the sale price was contingent on the development's approved scope. Mr. Williams indicated that the Parrish family was eager to finalize the sale and asked for clear parameters on what changes would make the project more acceptable, such as unit count and commercial expectations. He indicated that he was comfortable with either tabling the item to allow more time for modification or withdrawing voluntarily, depending on Council preference.

Mayor Tran said that the Council's feedback had been consistent, indicating that the density was too high as proposed and would likely need to be reduced by roughly half to gain serious consideration. She reiterated the Mixed-Use Overlay's intent to create functional, street-activating storefronts and said the proposed 300- to 400-square-foot spaces were unlikely to support viable retail. She encouraged a redesign with larger Center Street storefronts and fewer residential units. She also noted that parking would remain a significant consideration, particularly since on-street parking was restricted during snow events, and future designs would need to ensure adequate off-street capacity.

Mayor Tran said that recent city experiences had shown the importance of including clear, enforceable provisions rather than general statements of intent within development agreements. She said that while the draft agreement referenced preservation of the historic church, it lacked specific requirements or timelines to ensure that restoration would occur before or concurrently with residential construction. She recommended that future versions of the agreement establish explicit milestones to guarantee that the church restoration would be completed as part of the project's first phase. She also preferred that future material modifications return to the Council rather than be delegated solely to city staff. She said the Council's intent was not to discourage the project but to provide clear guidance for refining it.

Council Member Blackham said only a substantially changed plan should return. Mayor Tran confirmed that withdrawal was an option for the applicant. Mr. Williams asked if withdrawal would require restarting the process with the Planning Commission. Mr. Mills clarified that it would. Mr. Williams asked whether tabling the item, with Council direction on what revisions he should make, would allow a revised plan to return directly to the Council. Council Member Adams opposed tabling the item, citing that the neighbors who had participated in multiple meetings deserved a resolution rather than delay. Any future plan should reduce the density by at least half. Council Member Jackson indicated that he preferred tabling the item, citing that tabling would allow the Council to evaluate a revised plan without triggering the one-year resubmittal bar. Mr. Mills noted that the Council could choose to remand an item back to the Planning Commission if they chose. Council Member Hunt confirmed that a tabled item could also be modified and returned before the Council for further consideration.

Council Member Adams reiterated his opposition to tabling, citing that delaying a decision would be a disservice to residents who have attended multiple meetings regarding this item. He added that minor adjustments to this proposed project would not change his position on it. Council Member Blackham agreed, noting that this item had already had extensive review at two Planning Commission meetings and through significant neighborhood involvement. Mr. Williams expressed willingness to make substantial changes but preferred tabling to avoid additional delays. Mayor Tran suggested that, if tabled, the Council could specify a minimum 50 percent density reduction. Council Member Blackham added that functional commercial space would also be necessary. Council Member Adams said that he would like to see a completely new proposal, citing issues related to density and traffic in the current proposal, and the potential roadway connection with the bank parcel. Mr. Williams noted that neither he nor the property owners control the bank property and felt it would be unreasonable to delay a decision based on a road connection on something they did not own. He said that he could design the site to accommodate a future road connection. He emphasized the Parrish family's century-long stewardship of the church, his own investments to date, and his willingness to host neighborhood meetings, meet with the Council on site, and present multiple revised layouts.

Council Member Adams responded that broader planning issues, including potential roadway connections, were relevant in a legislative rezoning decision and that he would not support rezoning until the Council was confident that future needs, including access, were addressed. Council Member Hunt said that, from an operational standpoint, tabling or withdrawal would have a similar effect for the neighborhood because engaged residents would likely return when a revised proposal was presented. She viewed tabling as a transparent way to continue the conversation while signaling that the city wished to refine the proposal with public input. Council Member Jackson agreed, adding that a denial would force the applicant to pay additional fees, and favored tabling to allow ongoing engagement as plans evolved.

Council Member Blackham disagreed, stating that a denial would send any revised plan back through the Planning Commission, ensuring another public hearing and formal opportunity for comment. Council Member Adams agreed, adding that tabling the item could seem like undermining the Planning Commission's role, given that it had recommended approval of a version of this proposal that the Council could not support. Council Member Hunt noted the Council should not direct the Planning Commission. Council Member Adams clarified that he only intended to communicate expectations so future recommendations better reflected the city's priorities.

Mayor Tran asked how the body wished to proceed.

Council Member Blackham made a motion to deny the request to rezone 1.6 acres of property at 80 East Center Street from A-1 (Light Agricultural) to CC (Central Commercial), with a Mixed-Use Overlay for Jake Williams. Council Member Adams seconded the motion.

The vote on the motion was as follows:

Council Member Jackson, Nay
Council Member Oaks, Yea
Council Member Blackham, Yea
Council Member Adams, Yea
Council Member Hunt, Yea

The motion passed with a vote of four to one.

Council Member Hunt stated that although she preferred a different procedural path, she could not vote no on the motion without implying support for the project at its current density.

The City Council recessed at 9:24 p.m. for a break and reconvened at 9:30 p.m.

WORK ITEMS

DISCUSSION OF ELECTRIC VEHICLE CHARGING STATIONS AND RATES

Power Department Director Brian Johnson explained that the City's electric vehicle (EV) charging stations, originally installed and maintained through a grant, had recently begun generating costs for the city. Until now, all electricity and service expenses had been covered under the grant program, but Kaysville had recently received its first bill from ChargePoint, the company managing the stations. Mr. Johnson noted that because the grant period had ended, the city was now subsidizing free charging for all users, and he recommended instituting a user fee to recover those costs.

Mr. Johnson proposed instituting a rate of $0.20 per kilowatt-hour, with a $1.30 minimum session charge. He explained that the minimum would serve as a connection fee to ensure that users who only charged briefly still contributed to the City's fixed operating costs. The proposed rate, he noted, was slightly below the statewide average for Level 2 charging stations, which typically ranged between $0.22 and $0.27 per kilowatt-hour.

In calculating the rate, Mr. Johnson said he considered several factors: the City's wholesale power purchasing costs, ChargePoint's annual software and transaction fees, and the company's percentage deduction from each payment. He also included estimated electricity use by Police Department vehicles, reasoning that their usage should be proportionally accounted for as part of public service operations.

Mr. Johnson said that because charging had been free, the City did not yet have usage data to project revenue accurately. Based on other municipalities' experiences, he estimated that paid usage would likely remain at approximately 70 percent of current levels, particularly at park locations where charging demand was already strong.

He further recommended that the City disable park-based charging stations between 11:00 p.m. and 6:00 a.m., matching City park closure hours to deter after-hours activity. He noted that many cities throughout Utah employed similar policies. Mr. Johnson identified one potential exception, the chargers near the splash pad and library, because of their proximity to apartments and businesses that might benefit from overnight access. However, he said he would follow whichever approach the Council preferred to maintain consistency across all locations.

Mr. Johnson concluded by clarifying that any fee implementation would require Council approval through a formal resolution amending the City's consolidated fee schedule.

Council Member Adams asked whether the City's ChargePoint stations were already equipped to process credit card payments. Mr. Johnson confirmed that they were. Council Member Adams expressed support for implementing user fees and agreed that park-based charging stations should be turned off during overnight hours. However, he recommended maintaining 24-hour access for stations located at City Hall and near the library to accommodate residents and travelers who might need to charge their vehicles late at night.

Council Member Blackham stated that while he supported the proposed rate structure, his long-term goal was for the City's charging program to become self-sustaining and capable of funding future expansion. He noted that as electric vehicle use continued to grow, the City would likely face increasing demand for additional public charging infrastructure. He pointed out that few private businesses had yet invested in chargers, placing the responsibility largely on the City. Council Member Blackham said that existing utility customers should not bear those costs and that the rates should be structured to generate modest profits that could be reinvested into new installations.

He also observed that the proposed rate of $0.20 per kilowatt-hour was about seven cents lower than what many other Utah cities charged. He encouraged the Council to consider a slightly higher rate to ensure financial sustainability. He noted the growing importance of accessible charging infrastructure and added that the City should encourage daytime charging to help reduce future overnight peak demand on the power grid.

Mr. Johnson agreed and said the first year would serve as a learning period to assess usage, costs, and revenue trends. He stated that to generate sufficient funds for expansion, the rate would need to exceed $0.20 per kilowatt-hour. Mr. Johnson also proposed instituting an additional $2 per hour "idle fee" for vehicles that remained plugged in after their batteries were fully charged for more than an hour. This charge, he explained, would encourage users to move their vehicles promptly, ensuring fair access for others. He said he had initially proposed a $5 fee but adjusted it after comparing policies in other Utah cities, which charge $2 per hour for idle time.

Council Member Adams expressed support for the idle fee and suggested setting the charging rate closer to $0.27 per kilowatt-hour. He said that a $5 hourly idle charge might better motivate users to vacate charging spaces once their vehicles were charged.

Mayor Tran agreed, noting from her own experience as an electric vehicle owner that many drivers left their vehicles plugged in to occupy convenient parking spots rather than actively charging. She supported applying the idle charge consistently across all city-owned charging stations, including those in parks, to encourage turnover and improve access.

Council Member Jackson asked whether any of the charging stations at Barnes Park could be relocated to City Hall to allow 24-hour use. Mr. Johnson replied that the existing stations could not be physically moved due to their fixed wiring and infrastructure, but additional chargers could potentially be installed at City Hall in the future if demand justified it.

Mr. Johnson added that once users were required to pay, overall usage would likely decline because residents could charge at home for roughly $0.10 per kilowatt-hour. He said public chargers would continue to serve commuters, visitors, and residents without home charging access, ensuring that the system remained accessible but financially responsible.

Council Member Jackson noted that restricting park charging stations overnight might limit convenience and potential revenue. He suggested the City consider adding more 24-hour-accessible stations at other locations, such as the Operations Center. Mr. Johnson explained that the Operations Center already had two chargers, but they were designed for fleet and employee use rather than public access. While the infrastructure differed from the public ChargePoint network, he said future expansion at that site could be explored.

Council Member Adams asked if the City could implement a time-of-use rate structure, with lower daytime rates and higher rates during evening peak hours. He suggested a model of $0.20 per kilowatt-hour during business hours and $0.27 after 5:00 p.m. Mr. Johnson confirmed that the ChargePoint system could accommodate variable pricing schedules and said such an approach would align well with Kaysville Power's existing time-of-use program, particularly during the summer peak season from June through September.

Council Member Oaks made a motion to move this item to an Action Item. The motion was seconded by Council Member Blackham.

The vote on the motion was as follows:

Council Member Oaks, Yea
Council Member Blackham, Yea
Council Member Adams, Yea
Council Member Hunt, Yea
Council Member Jackson, Yea

The motion passed unanimously.

DISCUSSION OF MASSAGE ESTABLISHMENT ORDINANCE

City Attorney Nic Mills introduced Assistant City Attorney Katie Ellis, expressing appreciation to the Council for approving her position earlier in the year and highlighting the significant contributions she had already made to the city. He praised her legal writing skills, professionalism, and prior municipal experience, noting that she had quickly become a valuable resource to multiple city departments. Ms. Ellis earned her law degree from Brigham Young University's J. Reuben Clark Law School and her undergraduate degree from Weber State University. Before law school, she worked as a newspaper reporter, which Mr. Mills said contributed to her clarity and precision in drafting ordinances and legal documents. She had since served as a BYU Public Interest Law Fellow and later worked for Salt Lake City and Ogden City, gaining substantial experience in land use, licensing, and code enforcement matters. Mr. Mills emphasized that Ms. Ellis's recent work drafting a similar massage establishment ordinance for Ogden directly benefited Kaysville, allowing her to tailor an effective, evidence-based version for the city.

Ms. Ellis thanked the Mayor and Council and said she was excited to serve the community where she and her family live. She explained that the proposed massage establishment ordinance was designed to strengthen local business licensing requirements and provide effective tools for law enforcement to deter illicit massage operations, while continuing to support legitimate businesses and licensed practitioners.

She stated that Assistant Police Chief Ellington had approached her about addressing enforcement challenges, and that her prior experience with similar ordinances and training with other municipalities had proven valuable in developing Kaysville's approach. Research and interagency collaboration had shown that requiring stricter licensing standards discourages illegal operations—often linked to human trafficking—because unlicensed entities tend to move to cities with weaker regulations. In contrast, legitimate businesses are generally willing to meet reasonable compliance measures.

Ms. Ellis explained that the proposed ordinance complements recent changes to Utah's Massage Practice Act, which requires every massage establishment to register with the Utah Division of Professional Licensing (DOPL) and mandates that all massage therapists be licensed and undergo background checks. The Kaysville ordinance would expand upon those state requirements by mandating that all businesses provide proof of current DOPL registration and active therapist licenses; that licenses and certifications be visibly displayed on-site at all times; that business owners notify the city immediately of any staffing or ownership changes; that establishments comply with new operational standards, including defined hours of operation and dress code requirements; and that property owners sign an affidavit acknowledging awareness of the massage business on their property and accepting potential liability for illegal activity occurring there.

She added that one of the ordinance's key enforcement tools is the authority to revoke a business license for violations. To ensure due process, the appeals process had been updated to refer cases to an administrative law judge, aligning with other sections of the municipal code that handle similar hearings.

Ms. Ellis noted that the ordinance was not expected to affect many businesses. The city's Business Licensing Administrator estimated that only about five establishments within Kaysville would fall under the new rules. Sole practitioners and massage therapists operating within licensed medical or chiropractic offices would remain exempt, consistent with state law

To cover the city's additional administrative and enforcement responsibilities, Ms. Ellis proposed adjusting fees associated with massage establishment licensing. The new fee schedule would include a $150 license fee for each massage establishment and a $10 identification card fee per therapist employed. These fees were based on cost-recovery principles and were not intended to generate excess revenue.

Ms. Ellis concluded by inviting questions from the Council and noted that Lieutenant Paul Thompson was present to provide additional context on enforcement practices and public safety concerns associated with unlicensed massage establishments.

Mayor Tran asked whether enforcement of the proposed massage establishment ordinance would extend to property owners as well as business operators.

Ms. Ellis confirmed that it would. She explained that property owners would be required to sign an affidavit acknowledging that a massage business operates on their property and accepting accountability for any illegal activity that might occur there. This provision, she said, ensures both business and property owners are aware of their responsibilities and remain engaged in maintaining lawful operations. While property owners would face potential criminal liability, civil enforcement actions such as license suspension or revocation would apply to the business operator.

Mayor Tran asked whether the ordinance prohibited individuals from living within massage establishments. Ms. Ellis explained that the draft explicitly bans any indication of on-site residency, such as bedding or sleeping quarters, within licensed massage businesses. This provision was included to prevent commercial spaces from being used as housing, a condition often linked to illicit operations.

Council Member Adams asked why illicit massage businesses sometimes continue operating despite being under investigation. He said he had previously spoken with Assistant Police Chief Ellington, who mentioned that some establishments in Kaysville were being monitored for suspicious activity. Council Member Adams questioned why they were not yet shut down and how the city could strengthen enforcement efforts.

Ms. Ellis explained that enforcement is complex because many individuals working in illicit establishments are victims of human trafficking rather than perpetrators. Traditional prostitution statutes are often ineffective because prosecuting the victims does not address the larger criminal network behind their exploitation. She said that cities therefore rely heavily on business licensing enforcement to close such establishments. By tightening licensing requirements, mandating background checks, and providing clear grounds for license revocation, the city can effectively shut down operations without directly prosecuting the trafficked individuals. She also noted that many cases fall under federal jurisdiction, which often delays enforcement due to the broader scope of investigations.

Council Member Blackham asked whether massage therapy would be permitted as a home occupation under city code.

Council Member Adams clarified that the ordinance under discussion applied only to commercial establishments.

Mayor Tran added that several in-home practitioners already operate within Kaysville.

Ms. Ellis explained that single practitioners working from their homes would still be required to hold active licenses with DOPL and obtain a home occupation license from the city but would not be subject to the new ordinance's more rigorous standards. Those enhanced requirements would apply only to multi-employee or commercial operations.

Nic Mills elaborated that home-based, single-therapist operations are not where the city has encountered problems. The illicit activity concerns typically involve organized criminal groups that establish seemingly legitimate commercial massage parlors in municipalities with weak or ambiguous regulations. These groups then traffic workers between locations, often confiscating their passports and relocating them overnight when law enforcement intervenes. This practice makes prosecution extremely difficult.

Mr. Mills said that state prostitution laws require proof that property owners knowingly participated in or profited from illegal acts, a standard rarely met because the true operators remain hidden. As a result, citations or arrests frequently target only the trafficked workers, who often disappear before cases can proceed. He emphasized that strengthening business licensing laws—requiring property owner affidavits, verification of therapist licenses, and defined operational standards—is one of the most effective tools available to prevent such businesses from establishing in the city.

Lieutenant Paul Thompson provided a law enforcement perspective, stating that the proposed ordinance would significantly enhance the Police Department's ability to take action against illegal establishments. It would give officers stronger enforcement authority by enabling license revocation and establishing a mandatory three-year waiting period before a revoked property could host another massage business. This restriction would discourage landlords from leasing to questionable tenants and prevent recurring violations at the same location.

Lt. Thompson emphasized that the city's intent was not to penalize legitimate massage therapy businesses but to protect them by clearly distinguishing professional, licensed practitioners from illegal operations. He said the ordinance would provide officers with clearer authority to address suspicious businesses quickly, reducing the opportunity for illicit operators to exploit gaps in existing law.

Council Member Adams made a motion to move this item to an Action Item. The motion was seconded by Council Member Hunt.

The vote on the motion was as follows:

Council Member Blackham, Yea
Council Member Adams, Yea
Council Member Hunt, Yea
Council Member Jackson, Yea
Council Member Oaks, Yea

The motion passed unanimously.

Mayor Tran thanked city staff for their efforts, noting that the ordinance had been a long-standing request—nearly two years in the making—and commended staff for their extensive work and research in developing it.

COUNCIL MEMBER REPORTS

Council Member Hunt reported on recent activities of the Communities That Care (CTC) Drug Prevention Coalition, drawing attention to the growing public concern regarding the substance kratom. She explained that kratom is often marketed as a harmless herbal supplement and sold in convenience stores and gas stations, but it can be dangerous and addictive. She urged residents to remain vigilant and informed about the substances their family members may encounter. Council Member Hunt also reminded the public that the Kaysville Police Department would host its annual Trunk-or-Treat event on October 29 at the Police Station.

Council Member Jackson shared details of a recent visit to the Utah State Capitol, where city representatives participated in a ceremony honoring the late Officer Jared Jensen. He said the Utah House of Representatives and State Senate jointly recognized Officer Jensen's wife, children, and extended family in a heartfelt tribute. Council Member Jackson described the experience as deeply meaningful and noted that members of the Kaysville City Council, City Manager Jaysen Christensen, and the Kaysville Police Department were also in attendance.

Mayor Tran expressed appreciation to Representatives Ariel Defay and Karen Peterson for organizing the ceremony. She said the event was a touching and memorable occasion for the Jensen family and a reminder of Officer Jensen's lasting impact on the Kaysville community.

CITY MANAGER REPORT

City Manager Jaysen Christensen revisited the status of the City's FY 2025 budget. He noted that although the Council's earlier Truth in Taxation proposal was denied, the current fund balance is sufficient to complete the fiscal year. However, he projected that reserves would decline to approximately $4.1–$4.2 million by year-end, placing Kaysville at the Government Finance Officers Association's recommended minimum threshold.

Mr. Christensen reviewed the City's recent reliance on one-time reserves to fund ongoing operations, including a $1.1 million draw last year, a budgeted $950,000 draw this year, and an additional $1.4 million draw following the tax proposal's denial. He emphasized that most affected costs are ongoing in nature, primarily personnel and inflationary operating expenses. He asked the Council to clarify whether it intends to pursue a Truth in Taxation process next year at a level sufficient to sustain current commitments; otherwise, reductions will be necessary, potentially affecting the proposed gymnasium partnership and certain recreation programs. He recommended holding a special budget work session for a deeper review.

Council Member Hunt made a motion to extend the meeting past 10:00 p.m. The motion was seconded by Council Member Oaks and passed unanimously.

Mayor Tran agreed that a dedicated work session was warranted. Council Member Blackham supported scheduling the session, stating that he preferred a phased strategy. Council Member Oaks concurred and observed that the City's revised plan effectively establishes a new baseline for the next fiscal year, with potential for further adjustments depending on cost trends. Council Member Blackham added that departmental adherence to approved budgets would be critical given limited reserves.

The Council reached consensus to convene a special budget work session to review projections, evaluate departmental spending, and discuss options to sustain operations without depleting reserves.

Council Member Oaks suggested adding a brief budget segment to the November 5 Council meeting. Mr. Christensen advised that earlier action was preferable due to ongoing capital expenditures requiring near-term direction. He cited the gymnasium partnership with Davis School District, various park improvements, and the cemetery cremation garden as projects needing budget clarity. He reiterated that even with no inflation or cost-of-living adjustments next year, the City must still address an estimated $2.4 million gap—the current reliance on fund balance to support operations.

Following schedule coordination, the Council set a special budget work session for Monday, October 20, at 6:45 p.m. Mr. Christensen confirmed this meeting and noted it will precede the previously scheduled Strategic Planning Work Session on November 5 from 7:00 to 9:30 p.m.

ADJOURNMENT

Council Member Adams made a motion to adjourn the meeting at 10:07 p.m. The motion passed unanimously.