

KAYSVILLE CITY COUNCIL

Meeting Minutes

May 18, 2017



Meeting minutes of a regular City Council meeting on May 18, 2017, at 7:00 p.m. in the Council Room of the Kaysville City Municipal Center, 23 East Center Street, Kaysville, UT.

Present: Mayor Hiatt, Council Member Snell, Council Member Page, Council Member Lee and Council Member Garn, Council Member Adams.

Others present: City Manager Shayne Scott, City Engineer Andy Thompson, City Recorder Sub Bekki Argyle, Katie Witt, Sue Tice, Chris Tice, Matt Briggs, Bruce Williams, Grant Biesinger, Daniel Hash, Deveri Thonton, Colby Thornton, Karen Russell, Dean Wall, Katie Witt, Rustin Jessen, Nephi Harvey, Sol Oberg, Randi VonBose, Jaynalee Peterson, Sarah Thatcher, Rachel Alberts, Virginia Allred, Lorene Kamalu, Aaron Mehr, Megan Mehr, Hayley Allen, Michael Allen, kelie Robb, Mike Woolstoar, Dave Woolstoar, Kaden Wright, Kim Wright, Spencer Prince

PUBLIC HEARING - VACATION OF A PORTION OF 100 NORTH STREET

Andy Thompson, City Engineer, explained that Mr. Prince is working to develop land at the east end of 100 North Street. Currently the pavement terminates but the right of way continues for another 200 feet or so. Mr. Prince has the property on the north and south sides of the right of way under contract. As seen in exhibit B the property being considered for development extends past the paved street about 147 feet. He explained that there is still another 50 feet or more of right of way east of that.

Andy Thompson noted that if vacated the right-of-way would go to the properties fronting the street to the north and south, half of to the property to the north and half to the property to the south. In this case the proposed development on the Stewart Family Trusts property fronts the property both on the north and south side. The Briggs family also owns the property on both sides of the right of way on the east end and would acquire the remainder.

Mayor Hiatt opened the item for public comment.

Matt Briggs explained that he has concerns. He noted that he owns three sides of property behind that area and wants to ensure he has access to that area if they vacate that area.

Sue Tice noted that she agrees that Mr. Briggs should not be landlocked. She stated that putting 5 homes on one acre of property is not the right thing to do.

Aaron Mehr explained that they live west of the Tice family. He suggests they provide a right of way through their property.

Chris Tice noted that water issues in that area started years ago. He noted that flooding has gotten worse throughout the years.

Michael Allen explained that he is concerned with the amount of water. He noted that he does not want this construction since it creates dirty streets, and construction mess. He prefers the quaint, well maintained community.

Spencer Prince noted that he is the Developer of the property. He explained that much of the land could be raised up and believes that installing a road, a private drive, will not create water issues.

Meghan Mehr explained that it is unfair to Mr. Briggs to land lock his property. She noted that water issue is worse than it appears.

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

The meeting adjourned at 7:26 p.m.

CITY COUNCIL

COMMUNITY COUNCIL

Sarah Thatcher explained the current safety route for students who attend Centennial Junior High School and Snow Horse Elementary School live along the east boundary lines. She noted that the, many kids walk down Sunset Drive rather than use the trail. She explained that there is curb and gutter that should be installed as well as faded white lines that need to be repainted. She explained that the road is narrow for those children walking north and noted that there is no designated walk way.

Sarah Thatcher explained that at minimum the striping along this main route be redone and a crosswalk and flags be provided at the intersection of Smiths and Sunset Drive. She stated that they would like this done before the school year beginning August 24, 2017.

Mayor Hiatt noted that he appreciates the options and that they recognize the challenges. He noted that the request that the Council made in regard to striping seems reasonable.

Council Member Garn noted that he appreciates the video and that safer routes to school is important.

CALL TO THE PUBLIC

Mayor Hiatt opened Call to the Public and explained that this is the time for the public to address agenda items. He asked the audience to limit comments to three minutes.

Rustin Jessen explained that he is involved with the Kaysville Memorial Day committee. He noted that the Memorial Day service will be memorable. He noted that the Davis High School Drum Line, rifle solute and a speech by Brigadier General D. Max Ewing are on the agenda for the day. He invited the Council to be a part of the program.

VACATION OF A PORTION OF 100 NORTH STREET

Spencer Prince, Developer, stated that he appreciates the opportunity to address the Council. He explained that he agrees that Mr. Briggs should not be land locked and noted that he is in favor of granting an easement on north side of the property. He noted that if access is not sufficient, they are willing to acquiesce and allow for more property.

Spencer Prince, explained that there will have a positive impact in neighborhood since excess water will be directed to detention basin, he explained this will mitigate water issues. He explained that Mr. Briggs will be given a significant amount of property and the road. He will not have to cross over anyone's property to get to his home.

Andy Thompson, City Engineer, noted that source of flooding is due to an open ditch and the buildup of debris. He explained that surface water would be directed to storm drains and stated that the pipes would be big enough.

Mayor Hiatt noted that he would prefer there be contractual commitments made in regard to the water. He noted that written assurances would be beneficial for all.

Mr. Prince noted that they would be willing to enter into an agreement.

Council Member Page made a motion to approve the Vacation of 100 N Street on the condition that the final subdivision or plat is approved by the City Council and is subject to the review at the next meeting, Second by Council Member Lee.

The vote on the motion was as follows:

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

The motion passes four to one.

AWARD OF BID FOR THE 200 N AND ANGEL STREET PROJECT

Andy Thompson, City Engineer, explained that some time ago Kaysville City received Federal funding to construct improvements at the intersection of 200 North and Angel Street. These funds were to be made available in 2019. The City was able to negotiate with UDOT and exchange the federal funding for state money which is available now. Over the last several months this project has been in design and has now been bid.

He explained that Staff recommends that the 200 North and Angel Street Project be awarded to Staker Parsons Companies in the amount of \$2,442,259.14.

Council Member Snell made a motion to award the bid to Staker Parsons Companies for the amount listed in the bid tabulation, second by Council Member Page.

The vote on the motion was as follows:

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

The motion passed four to one.

**DISCUSSION ON SALE OF CITY PROPERTY LOCATED AT
APPROXIMATELY 400 EAST OAK LANE**

Andy Thompson, City Engineer, noted that in 2011, Kaysville City acquired this property from the Kaysville Irrigation Company. Staff has recently received an offer to buy a portion of this property. State statute only regulates disposal of “a significant parcel of real property” and allows the City to define what constitutes a “significant parcel”. Kaysville City has defined a “significant parcel” as “larger than five (5) contiguous acres”, this approximate .35 acres of ground being requested for purchase therefore does not require any formal process to sell. He noted that staff would like direction from the Council as to how to proceed.

Council Member Adams noted that everyone in the community should have the opportunity to purchase this property.

Council Member Snell stated that the City could contact adjoining property owners and let them know the parcel is for sale.

Council Member Garn made motion to alert anyone that has adjoining area and put the information on the City website, 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.

**CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF KAYSVILLE
CITY, UT, AUTHORIZING THE ISSUEANCE AND SALE OF NOT MORE THAN
\$1,375,000 AGGREGATE PRINIPAL AMOUNT OF SALES TAX REVENUE BONDS,
SERIES 2017; AND RELATED MATTERS FOR THE PURPOSE OF FINANCING THE
CONSTRUCTION OF PIONEER PARK**

Council Member Garn noted in today’s environment it makes sense to use the time, value, money standpoint to use the bond now.

Council Member Garn made a motion to adopt the Parameters Resolution, 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.

ACCEPTANCE OF IMPROVEMENTS FOR HILL FARMS PHASE 2C SUBDIVISION

Andy Thompson, City Engineer, explained that the developer of this project has completed the required improvements and has requested that they be accepted. City staff has inspected the improvements and found that they meet City standards. He noted that it is recommended that the improvements be accepted with the normal one year warranty period and 10% surety bond.

Council Member Adams noted that he walked through this area today and noted that most of the work should be done by the time the walk-through is done. He noted that there is debris, and broken concrete and feels the City should hold the contractors to a higher standard. He suggested the Council take a field trip to see the area. He explained that success framework should apply here.

Council Member garn made a motion to accept the improvements and direct staff to review policy and process and report to council by next meeting, 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 four to one.

APPEAL BOARD CHANGES

Shayne Scott, City Manager, explained that currently, Title 2, Chapter 7 of the Kaysville City Code establishes the City Council as the official Appeal Body for all employee “discharges, suspensions for more than two days without pay or involuntary transfers to positions with less remuneration”. At times it has been questioned whether the city council can serve effectively and impartially in the role of Appeal Board. An informal poll of other cities showed that the city council does not often serve in this capacity.

Shayne Scott explained that in reviewing the attached possible ordinance change, a recommendation of following the Layton City model is recommended. This includes the appointment of 3 fellow employees and 2 members of the council to serve on the appeal board. It is further recommended that the appeal board is not established with specific members but is chosen each time an appeal is made in order to include individuals that are fair, impartial, and that may not have a close relationship with the appealing party. Kaysville City Council should review this ordinance and make suggestions for potential changes to ordinance language.

Council Member Snell noted that this is beneficial to provide fairness.

Council Member Garn noted that this is an improvement and thinks they should move forward.

Mayor Hiatt noted that he agrees that would like to see something else but likes Council Member Garn's point to move from Mayor and Council to a different board and possibly change at a later date.

Council Member Page made a motion to adopt the ordinance with the proposed changes: two Council Members, Mayor and employees, second by Council Member Snell.

Council Member Adams made an amended motion to table the item and direct staff to rewrite the ordinance to include a few options, 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.

PURCHASING DOCUMENT ALTERATION TO CHANGE ORDERS

Shayne Scott, city manager, explained The Kaysville City Council adopted a Purchasing and Procurement document at the November 3, 2016 regular city council meeting. Since that meeting, some concern has been raised about the Change Order exclusion which allows staff to authorize up to 15% of the total project costs without City Council approval. The concern focused on the fear that this amount could be substantial, depending on the total cost of the project.

It is recommended that the City Council review the highlighted section of the attached procurement document which changes the 15% threshold to a \$25,000 threshold, consistent with the formal bidding threshold in the same document, and determines if this is more appropriate for Change Orders. Council may leave the document as is, change the threshold to \$25,000, or choose another dollar amount by which the staff can authorize a Change Order without city council approval.

Council Member Snell made a motion to adopt the \$25,000 and for the City Council approve any amount over that (striking be notified, adding be approved) and send an email on any change order under \$25000 and be notified on all , 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.

WIND STORM RECOVERY RESOLUTION DISCUSSION

Shayne Scott, City Manager, explained that each year there is a wind event in Kaysville City limits that requires a specific level of response from both Kaysville residents and Kaysville City Employees for a given event size. In the past, as recently as last year, there have been various discussions about what role the city should play, if any, in the response and clean up to a wind or other emergency event. He noted that the attached resolution makes an effort to address responses to various future events.

Shayne Scott noted that with this Resolution, staff has a clear goal and path to follow for each event, regardless of size. While this document does not say exactly how the city will respond in each case, it does lay out a general plan for responses and includes the importance of communication so the residents of Kaysville have a clear understanding of what the city will and will not do in any such event that will happen in the future.

Council Member Snell noted that he likes how the Resolution provides flexibility.

Council Member Adams made a motion to adopt the Resolution with the exception of ‘invited to the Mayor’, 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.

CONSIDERATION OF SCHEDULE CHANGE

Council Member Lee made a motion to cancel the June 1st meeting and meet on June 6th, 2017, 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.

COUNCIL MEMBER REPORTS

Council Member Adams noted that has gotten complaints about top soil and asked if the City can make a deal with the contractor to get rid of the piles on Angel Street.

Shayne Scott, City Manager noted that he will discussed this matter with the Public Works Director.

MINUTES

Minutes not available.

CALENDAR ITEMS

The current calendar items are listed on the website.

ADJOURNMENT

Council Member Snell made a motion for adjournment at 10:30 p.m., second by Council Member Page and passed unanimously.

Maria Devereux
Maria T Devereux/City Recorder