



KAYSVILLE CITY COUNCIL

Meeting Minutes

August 3, 2017

Meeting minutes of a Kaysville Regular City Council Meeting on August 3, 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 (telecon), 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 Maria Devereux, Chief Sol Oberg, Katie Witt, Dean Wall, Rustin Jessen, Randi Von Bose, Hal Anderson, Jim Puffer, Jill Puffer, Kate Hart, Sidney Page, Breann Christophereson, Sue Tice, Scott Morris, Lorene Kamalu, Melissa Mcentire, Nancy Villamizar, Paul Wright, Chase Freebairn, Paul Hansen, and Steve Einfeldt.

OPEN MEETING LAW AND RULES OF PROCEDURE TRAINING

David Church, Attorney for the Utah Leagues of Cities and Towns (ULCT), provided information in regard to open and closed meetings, transparency in government, recordings, protected documents, written minutes, and procedures for meetings. He explained that the Open Meeting Law requires that most meetings of public bodies be held in public, and it establishes rules that public bodies must follow in the creation and maintenance of records relating to those meetings.

CALL TO THE PUBLIC

Mayor Hiatt opened Call to the Public and explained that the public may address agenda items and limit comments to three minutes.

Sue Tice inquired about the appeal process for a previous agenda item. She noted that she is still interested in knowing how it is progressing.

Nancy Villamizar stated that she remains opposed of the rezone of the property adjacent to hers (Puffer item).

Nancy Mcentire noted that she is concerned about the safety of those in the neighborhood and is opposed to the rezone (Puffer item).

Scott Marsden explained that he is in support of rezone. He stated that the City should also have dust mitigation, and fences in place for City property.

Mayor Hiatt addressed Sue Tice and explained that the City manager is researching the appeal process.

**CONSIDERATION OF A DEVELOPMENT AGREEMENT AND REZONE OF 1.53
ACRES OF PROPERTY AT 1450 SOUTH BURTON LANE FROM R-1-20 TO THE LI
ZONING DISTRICT – JIM PUFFER**

Andy Thompson explained that the past several months there has been a great deal of discussion about this agenda item. At the last council meeting, a motion was made to table the item. There was some discussion about bring this item back after two weeks. This was mostly due to the limited amount of time offered before the July 20 council meeting for Mr. Puffer, area residents, and the City Council to review the most current development agreement.

Andy Thompson noted that since the last council meeting, Mr. Puffer has expressed some positivity in some discussions with area residents. Due to his schedule and the schedule of those residents with whom he is meeting, he is not able to begin such meetings until after the posting of the city council agenda. For this reason he has written a letter to Mayor Hiatt asking for a postponement of this item until the August 17, 2017 Council meeting.

Council Member Garn made motion to extend time for Council Member Adams to discuss the agenda item, second by Council Member Page and passed unanimously.

Council Member Adams noted that the residents are not in favor of the rezone. He noted that he received a letter from the Acquisition and Land Management office and it stated that trees are not allowed in this particular area since they do not know where the pipeline will be installed. He explained that he firmly supports regulating the light industrial uses in the area, and has said this previously as well. In closing, Council Member Adams stated that the Council should take a more in depth look into this matter since it isn't clear where trees could viably be planted. He explained that a representative from Jordan Valley Water could come out and discuss this matter to provide clarity.

Council Member Garn noted that resident involvement promotes a better outcome.

Council Member Garn made a motion to table this item for the consideration of a development agreement and rezone of 1.53 acres of property at 1450 S Burton Lane from R-1-20 to the LI zoning district, 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.

REQUEST TO REZONE 2.97 OF PROPERTY FROM THE R-A TO THE R-1-14 ZONING DISTRICT

Andy Thompson, City Engineer, explained that Ivory homes has submitted a rezone request at the subject property in order to subdivide the land into a 7 lot subdivision on a cul-de-sac. Currently the property is zoned R-A which requires ½ acre lots.

In regards to housing, the General Plan states that West of I-15 to allow zero to two units per acre with some higher density housing along the major streets. He explained that the surrounding zoning is R-A with R-1-20 zoning across the street to the east. There are also some remaining agricultural properties along Angel Street. Angel Street is classified as a Collector Street in Kaysville City's Major Street Plan.

The R-1-14 zoning district regulations are found in Chapter 17-12 of the Kaysville City Ordinances. Lots must be at least 14,000 square feet in area with a minimum 90 ft. lot width. Another distinction from the R-A zoning district and the R-1 districts is the ability to construct two-family dwellings by conditional use in the R-1 districts. Two-family dwellings are not permitted in the R-A zone.

Chase Freebane, Ivory homes, noted that the back two lots will be restricted to a single story. He noted they still offer big lots and many are beyond a third acre. He explained that zoning wouldn't change the size of homes.

Council Member Garn made a motion to approve the rezone of 2.97 acres of property from the R-A to the R-1-14 zoning district, with the condition that the west two lots be ramblers, second by Council Member Page.

Council Member Snell noted that the overall density complies with general plan and would be in support of this action.

Council Member Lee noted that this meets the two houses per acre rule and explained that if the neighbors are in agreement with the stipulations, she is in favor of it.

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 four to one.

BURTON SUBSTATION FENCING BIDS

Shayne Scott, City Manager, explained that the power company put this out to bid and had only two companies bid on it. He noted that they recommend going with the low bidder, Custom Fence at \$54,348.00.

Council Member Snell made a motion award the contract for the fence at the power substation by Custom Fence, second by Council Member Garn.

Council Member Lee noted that she is concerned about white vinyl fencing and that it may be vandalized.

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.

Council Member Adams made a motion to table the Burton Substation Fencing item until the first meeting in September and provide staff opportunity to find better materials as appropriate, second by Council Member Lee.

The vote on the motion was as follows:

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

The motion fails three to two, the original motion remains.

MINUTES

Mayor Hiatt asked for a motion to approve the Minutes of July 20, 2017.

Council Member Snell made a motion to approve the Minutes for July 20, 2017, second by Council Member Lee.

The vote on the motion was as follows:

The motion passed unanimously.

CALENDAR ITEMS

The current calendar items are listed on the website. Primary Election August 15, 2017.

COUNCIL MEMBER REPORTS

Mayor Hiatt explained that he was notified of the new school district boundaries.

Council Member Snell noted that the Pickleball courts have been heavily used. He explained that the lighting project is nearly complete.

Council Member Page noted that he appreciates the newly paved roads by his home and that the work has been done well.

Council Member Adams noted that he would appreciate a work session prior to each Council meeting and agreed that the paved roads were done well.

Council Member Lee noted that the Power Commission is progressing and are getting closer to being giving recommendations to the Council.

CLOSED SESSION

Council Member Lee made a motion to enter into closed session, 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, Yea

The motion passed four to one.

Council Member Lee made a motion to move out of closed session, second by Council Member Page and passed unanimously.

ADJOURNMENT

Council Member Garn made a motion for adjournment 10:14p.m., second by Council Member Lee and passed unanimously.

Maria Devereux/City Recorder