KAYSVILLE CITY COUNCIL

Meeting Minutes

September 7, 2017

Meeting minutes of a special City Council meeting on September 7, 2017 at 6:45 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 Maria Devereux, City Attorney Felshaw King, Judge Waldrup, Terrell Rohm, Reed Nielson, Mr. Aldridge, Jason Jones, Nate Brower, Hal Anderson, Lorene Kamalu and Katie Witt.

6:45 p.m. KAYSVILLE BUSINESS PARK ARCHITECTURAL REVIEW COMMITTEE MEETING.

LOT 3 OF KAYSVILLE BUSINESS PARK 27 - MATERIAL CHANGE REVIEW

Lyle Gibson, Zone Administrator, explained that in August of 2016 the subject property was approved for development with an office warehouse building with a footprint of 11,890 sq. ft. The applicant has since received a building permit and has begun construction on site. He noted that no changes have been proposed to the site, use, or building other than the exterior material. The building appears to meet the requirement for a horizontal appearance with the use of building materials that convey permanence, substance, and restraint, and blend with buildings existing in the adjacent area of the Park.

Chris Martineau, provided samples of the building materials, the bottom portion is s split faced block, and the top portion granite.

Committee Member Lee made a motion to approve the Material Change Review for Lot 3 of Kaysville Business Park 27 located at 528 N. 900 W., Kaysville, UT, second by Committee Member Page.

The vote on the motion was as follows:

Committee Member Snell, Yea
Committee Member Page, Yea
Committee Member Adams, Yea
Committee Member Garn, Yea
Committee Member Lee, Yea

The motion passed unanimously

Committee Member Adams made a motion to adjourn the Kaysville Business Park Architectural Review Meeting at 655 p.m., second by Committee Member Snell and passed unanimously.

Council Member Snell recognized Anna Auger as volunteer of the season.

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.

Mr. Aldridge explained that he is in opposition of the rezone on the agenda and is concerned about how that will effect property values.

Mr. Nielson explained that the rezone isn't appropriate for the area.

Terrell Rohm noted that fully supports the Davis Tech College. He explained that he appreciates working with Mr. Puffer in regard to the rezone matter though he has concerns about the development agreement.

Jason Jones asked that the decision of the rezone should be based on the merits of the land use.

Nate Brower noted that the residents are actively evaluating concerns and feels that noise, dust, etc. are viable issues.

Dean Wall explained that he is concerned about minimal response from the Council in regard to parking issues.

DTC ALLIED HEALTH BUILDING REQUEST/PRESENTATION

DTC Allied Health Building Request/Presentation Russ Gault, VP of Administrative Services and Marci Valdez Foundation Director and explained the future plans for Davis Tech, the new building, programs, and more. He explained that they are hoping the City can contribute either impact fees or donation to the school. They reviewed the presentation and showed costs for construction and future programs.

Mayor Hiatt noted that a contribution toward Davis Tech would be a benefit to the City overall.

Marci Valdez noted that Layton City contributed $30,000 and that his desire would be to get some level of commitment from the City.

Council Member Adams noted that this may need some time and would like to gauge the views of the residents.

Council Member Lee noted that she is in favor of supporting Davis Tech. She noted that to comfortably commit to something tonight, she would say approximately $10,000.

Council member Snell noted that Davis Tech has been a tremendous asset. He noted that he would like to pledge commitment to support this matter.

Council Member Garn stated that it would make a difference to the city if Davis Tech came to fruition.

Council Member Page made a motion in support of the Davis Tech health building by pledging a reduction of impact fees or contribution of $10,000, 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 passed four to one.

DEVELOPMENT AGREEMENT AND REQUEST TO REZONE 1.53 ACRES OF PROPERTY FROM R-1-20 (SINGLE FAMILY RESIDENTIAL) TO THE LI (LIGHT INDUSTRIAL) ZONING DISTRICT.

Andy Thompson, City Engineer, explained that this item has been before the Planning Commission and City Council on multiple occasions. Most recently the item has been tabled in order to allow time for the applicant and neighboring residents to continue working through the details of a development agreement. He noted that the agreement is a product of multiple meetings between Mr. Puffer and a number of the involved neighbors and has been added to the City Council packet for the review.

Council Member Garn made a motion to approve the Development Agreement and rezone of 1.53 acres of property from r-1-20 (Single Family Residential) to the LI (Light Industrial) zoning district, second by Council Member Page.

Council Member Adams made a substitute motion to deny the rezone request, 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 failed two to three.

The vote on the original 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 passes three to two.

POWER DEPARTMENT REPORT

Gary Hatch, Power Department Director, explained that there will be a power outage in October for a full 8 hours due to work being completed in a specific area in Kaysville. He explained that the City is still testing 200 poles for viability and upgrading wire throughout the City.

Council member Page noted his appreciation for the good work and good service that the Kaysville City Power Department provides.

Council Member Adams commended the Power Department for their good work.

PLOW TRUCK PURCHASE FOR THE PUBLIC WORKS DEPARTMENT

Josh Belnap, Public Works Director, explained the Public Works Department is in need of a smaller truck which can be utilized more frequently. He explained the cost was less than a large truck. He noted that bids were sent out on July 14th and the low was received from Legacy Equipment. He explained that the City would like to purchase this new vehicle that would encompass many uses.

Council Member Snell made a motion to approve the purchase of a Plow Truck for the Public Works Department, 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.

BID APPROVAL OF MATERIAL CRUSHING

Josh Belnap, Public Works Director, explained that he had placed bids to have a company come in to crush a rubble pile, he explained he had work done before approval was given. He noted that the work has now been completed. He acknowledged that he made a mistake in not coming to Council first prior to the project being completed.

Shayne Scott, City Manager, explained that he believes that this matter was an honest mistake and is asking the Council to approve the payment of the invoice. He stated that the Public Works Director self-disclosed this matter and profusely apologized for the issue.

Council Member Lee noted that she recognizes that though mistakes were made she agrees the City needs to pay for the work that was done.

Garn noted that he is confident that Josh Belnap is a good Public Works Director and praised his honesty.

Council Member Page commended Josh Belnap for speaking up.

Council Member Adams asked what procedures can be put in place going forward to prevent a matter like this from happening again.

Council Member Snell made a motion to approve the payment to Marriott Co. for the completed work, 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.

CONSIDERATION OF A RESOLUTION AMENDING THE CONSOLIDATED FEE SCHEDULE ESTABLISHING A CIVIL FEE FOR PARKING VIOLATIONS.

Shayne Scott referred to the fee schedule in the packet. He noted that the City has neglected to establish a fee for parking violations. He explained that the fee is currently $40.00 but can be revisited anytime in the future.

Council Member Snell made a motion to adopt the resolution amending the consolidated fee schedule establishing a civil fee for parking violations, 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 unanimously.

MINUTES

Mayor Hiatt asked for a motion to approve the three sets of minutes in the City Council packet.

Council Member Snell made a motion to approve the Minutes with the noted exception by Council Member Garn, 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.

CALENDAR ITEMS

The current calendar items are listed on the website. Mayor Hiatt noted that the October 19th meeting is the UEA weekend and suggested the Council discuss to cancel or reschedule that meeting.

CLOSED SESSION

Council Member Garn, made a motion to enter into closed session at 9:45 pm, 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.

Closed Meeting Pursuant to Utah Code Annotated §52-4-205 Strategy session to discuss pending or reasonably imminent litigation.

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

ADJOURNMENT

Council Member Adams made a motion for adjournment at 11:45 p.m., second by Council Member Lee and passed unanimously.

Maria T. Devereux

Maria T. Devereux