KAYSVILLE CITY COUNCIL

Meeting Minutes

Meeting minutes of a regular City Council meeting on December 7, 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 Maria Devereux, Service Manager Bruce Rigby, Parks Director Justin Brimhall, Katie Witt, Brigg lewis, Toby Barrus, Emery Barrus, Shane Pew, Ruth Sabin, Ray Sabin, Patrick Hein, Alan Farnes, Brok Thayn, Scott Holmes, Mary Ann Thurgood, Bronson Smith, Nicholas Meus, Ashley Meus, Aaron Shupe, Jay Bell, Matt Robinson, Floyd Landon, Paul Erickson, Dillon McDonald, Marissa McDonald, Ardis Ellsworth, Karen Erickson, Susan Bradford, Mark Bradford, Daina Romney, Gavin Tuttle, Kerstin Thomas, Dena Eckardt, Ryan Eckardt, Mettie Francis, Linda Francis, Marilee Jepsen, Lindsay Jepsen, Robert Donigan, Jacob Sherriff, Teresa Pinka, Jason Taylor, Kori Taylor, Jim Boren, Marilyn Boren, Katie Witt, Seth Thatcher, and Will Thatcher.

CITY COUNCIL MEETING

Opening provided by Mayor Steve Hiatt.

YOUTH CITY COUNCIL PRESENTATION

Mayor Hiatt recognized Jim Boren for his many years of service with the Kaysville City Fire Department.

KAYSVILLE UNIVERSITY

Mayor Hiatt introduced the Youth City Council Mayor Emma Francis and Youth City Council Members and gave the oath of office.

CALL TO THE PUBLIC

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

Hal Anderson stated that he supports Mr. Puffer moving to new location.

Terrell Rohm explained that he echoes the sentiments of Hal Anderson.

Elias Bishop stated that he is a proponent for solar power, long term, in Kaysville City.

Kate Bowman, Utah Clean Energy, explained that she appreciates the level of transparency and public involvement within the Kaysville community. She suggested grandfather existing customers for 20 years and noted that it is a standard among other cities.

David Taylor noted that a signed agreement be established between the Kaysville City residents and the solar installer to determine if grandfathered in or not.

DECLARATION OF CONFLICTS OF INTEREST

Mayor Hiatt provided Council members the opportunity to disclose potential conflicts of interest in regard to items listed on the agenda.

Council Member Adams declared a conflict of interest for item # 8, the Whisper Creek PUD Subdivision Preliminary and Final Plat.

BAER CREEK HOLLOW CLUSTER SUBDIVISION AMENDED PRELIMINARY AND FINAL PLAT APPROVAL

Andy Thompson explained that several years ago the Baer Creek Hollow subdivision was approved and constructed with two large flag lots platted at the end of a private cul-de-sac road. The current owners of those lots have agreed to a lot line adjustment taking about 0.4 acres from lot 6 and adding it to lot 5. Lot 6 has an existing home that will remain in compliance with all setback requirements and lot 5 is planning to build a home in the near future. The utilities and street improvements for these lots were installed with the original subdivision and the amended lots are in compliance will the zoning requirements.

Council Member Page made a motion to approve the amended Preliminary and Final Plat of Baer Creek Hollow Subdivision at 1643 S 150 W, Kaysville, UT, 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.

WHISPER CREEK PUD SUBDIVISION PRELIMINARY AND FINAL PLAT

Andy Thompson explained that several weeks ago the City approved a request for an assisted living center at about 680 South Main Street. At that time it was indicated that the remainder of the property would be subdivided into residential building lots. This project is that subdivision. He noted that the request is to create seven lots, including the existing home, on a private lane.

The City Fire Department has expressed concern with this proposal and would much prefer an unobstructed public street in this location. The City engineering department agrees that the road should be a public street with no gate. They do not believe that traffic will exceed acceptable rates in this area. The roads were clearly planned to be connected when the adjacent subdivisions were constructed and the City's policy is to provide as much connectivity as reasonable in the street patterns.

Andy Thompson explained that residents may exit the way they feel the most comfortable, and noted that a road is stubbed when there is potential for growth for a road/subdivision in the future.

Fire Chief Paul Erickson noted that limited access with gates or any other barriers delays response time.

Council Member Page made a motion to approve the preliminary and final plat for the Whisper Creek PUD Subdivision as proposed with the provision that a non-gated public street be implemented, second by Council Member Garn.

Dave Whitaker owner and applicant, noted that he is disappointed in the motion on the floor at this time. He explained that he doesn't agree with the Fire Chief's explanation and asked the council to reconsider the motion.

Robin Tolman explained that residents prefer a gate instead of a non-gated public road.

Greg Hill, stated his disappointed. He noted that if the gate was an issue after installation, thte City could make it a through road.

Scott Kiester stated his concern for the safety of children in the area with increased traffic.

Lisa Purdy explained that she is also concerned about the safety of children in the area.

Mr. Whitaker stated that he is willing to remove the gate at any time should it become a nuisance.

Andy Thompson noted that there are a few gates within the City that meet the requirements of a 600 ft. cul de sac.

Council Member Adams withdrew his declaration of conflict. He explained that the City should be in favor of the preference of the residents.

Council Member Garn noted that he agrees with many comments of other council members. He felt that another access is needed and is in support of ample access and still in favor of public road.

Council Member Adams made a motion to table the item and allow the matter to go back to the Planning Commission to address all ideas presented tonight. The substitute motion fails lack of a second.

The vote on the original motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, (refrained from voting)
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed 4 to one.

GRANTING AN EASEMENT TO DOMINION ENERGY FOR LOCATING A GAS LINE ON CITY PROPERTY AT APPROXIMATELY 650 WEST OLD MILL LANE

Andy Thompson explained that Dominion Energy is completing the route and design for the pipeline replacement project as it comes through Kaysville City. Much of the pipeline replacement work will take place within existing easements or as an entity with an existing franchise agreement within the public right of way. Where the railway meets Old Mill Lane it will be necessary for the lines to route outside of the right of way to circumvent the rail crossing. Dominion Energy has extended an offer to Kaysville City in the amount of $11,500 to obtain an easement on the City's property at the Operations Center along the street right of way. This easement would be 30 ft. deep for a stretch of 161 ft. along Old Mill Lane totaling 4,847 sq. ft.

Council Member Garn made a motion to grant approval for the requested easement for the amount of $11,500 dollars or the adjusted appraised value, whichever is greater, second by Council Member Lee.

The vote on the original motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Absent.
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed unanimously.

PROFESSIONAL SERVICES AGREEMENT WITH CRS ENGINEERS FOR DESIGN OF THE 200 NORTH BRIDGE REPAIR PROJECT

Andy Thompson explained that the City settled with the insurance companies and received funds to repair the wall panels on the 200 North Bridge. Staff has solicited several engineering companies requesting proposals to design the repair project. While six companies were directly contacted and the project was also advertised on the City web site, only CRS submitted a proposal. Several of the engineering companies expressed that they were either too busy or that this project was outside their areas of expertise.

Council Member Snell made a motion to approve the Professional Services Agreement with CRS Engineers for phase one and two of the 200 N Bridge Repair Project and come back to the Council for approval, if there is a need for approval, for phases three and four, second by Council Member Page.

The vote on the motion was as follows:

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

The motion passed four to one.

CONSIDERATION OF A RESOLUTION AMENDING THE KAYSILLE CITY CONSOLIDATION FEE SCHEDULE RELATED TO THE RESTRUCTURING AND REVISION OF ELECTRIC UTILITY RATES

Jordan Stephenson, Power Commission, explained the need to amend the consolidation fee schedule related to the restructuring and revision of Electric Utility Rates. He explained that the Power Commission is very comfortable with recommendations of proposals and resolutions. He explained that the commission is in favor of including economic incentives and suggested discussion at a later time.

Council Member Snell made a motion to adopt the Resolution to Amend the Kaysville City Consolidation Fee Schedule Related to the Restructuring and Revision of Electric Utility Rates, 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 DEFINING THE METERING AND BILLING OF SOLAR CUSTOMERS OF THE KAYSVILLE CITY ELECTRIC UTILITY

Council Member Adams asked the differences in cost between being a grandfathered customer versus paying current rates.

John Loveless, Power Commission, explained that he was in favor of a grandfathered clause to extend to 20 years. He explained that for the sake of resolution, the commission agreed to 15 years.

Council Member Adams suggested that this matter could be discussed at a later date in order to have ample discussion on this item.

Mayor Hiatt expressed appreciation to the Power Commission members and advised that they have surpassed his expectations.

Council Member Page thanked the Power Commission for their expertise and involvement.

Council Member Adams made a motion to table this item for 30 days and the grandfather clause to 19 years. The motion fails for lack of a second.

Council Member Lee made a motion to accept the Resolution defining the metering and billing of solar customers of the Kaysville City Electric Utility, 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.

CONSIDERATION OF RENEWAL OF BETTER CITY CONTRACT

Shayne Scott, City Manager, explained that the City has updated the contract for Better City and recommends approval.

Council Member Snell made a motion to approve the renewal of the contract with Better City, amended per previous discussion, 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.

ROAD FEE PUBIC ENGAGEMENT PLAN

Shayne Scott, City Manager, explained that with direction from the last meeting in which they reviewed a Road Fee Proposal from Fred Philpot of Lewis, Young, Robertson, and Burningham, staff has drafted a plan for Public Engagement.

Staff recommends that the City Council review the following plan and edit as needed. The items in place are; a) the road fee has been discussed in at least 3 different open meetings, b) a write-up about this road fee in a previous newsletter and c) an update on this potential fee has been placed in the December newsletter. He explained that the proposed plan includes the following steps:

1. We send notices with January bills about two public meetings: An Open House and a Public Hearing.
2. **Public meeting number one**: January 10, 6:00pm – 8:00pm Open House where city staff, council members, and Fred from LYRB present options, answer questions, etc.
3. **Public meeting number two:** January 18, 6:00pm Public Hearing regarding Road Fee.
4. Social Media/Qualtrics blitzes 1-2 days before each public meeting.
5. Marquee advertisements about both public meetings.
6. Include an area on the new website by December 31 that has information on Fred's work, arguments for and against, and a place to ask questions. Then questions are asked and answered on that website for others to reference.
7. Address the Road Fee for a decision at either the January 18 city council meeting or February 1 city council meeting.

Mayor Hiatt explained that an open house and ample noticing of the item would be beneficial.

Council Member Adams made a motion to adopt the Road Fee Engagement Plan as recommended by staff, 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 CANCELLATION OF CITY COUNCIL MEETING ON DECEMBER 21, 2017

Council Member Snell made a motion to maintain the Thursday, Dec 21st, City Council meeting but move it up to 5 pm, 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.

CALENDAR

Items are listed on the online calendar.

MINUTES

Council Member Snell made a motion to approve the Minutes for the June 15, 2017 City Council Meeting, 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.

COUNCIL MEMBER REPORTS

Council Member Garn thanked Shayne Scott, City Manager for his support with Kaysville Success Framework.

CLOSED MEETING

Council Member Snell made a motion to enter into closed session, second by Council Member Garn.

Council Member Snell made a motion to adjourn the closed session, second by Council Member Garn.

ADJOURNMENT

Council Member Garn made a motion to adjourn the meeting at 11:33 p.m., second by Council Member Page.

The motion passed unanimously.

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Maria Devereux/City Recorder