



KAYSVILLE CITY COUNCIL

Meeting Minutes

APPROVED

April 19, 2018

Meeting Minutes of the April 19, 2018 Architectural Review Meeting.

Present: Mayor Witt, Council Member Barber, Council Member Page, Council Member Hansen, Council Member Garn, and Council Member Adams.

Others present: City Manager Shayne Scott, City Engineer Andy Thompson, Chief Sol Oberg, Finance Director Dean Storey, City Attorney Nicholas Mills, Rosemary Lindsay, Robert Lindsay, Eric Martz, Ken Sheffield, Jared Tubbs, Power Dept. Resource Manager Bruce Rigby, Power Dept. Manager Gary Hatch, and Dana Griffin.

ARCHITECTURAL REVIEW MEETING

GP MOTORS USED CAR LOT – USE AND TIMING

Lyle Gibson, Zoning Administrator, noted that a proposal for a new business in the Kaysville Business Park. The primary use of the business is that of a used car lot. The business model as further explained in the applicant's submittal is unique. As the applicant is considering the purchase of the property, he is looking for assurance from the Architectural review committee on a few specific items such as; is this a business that is acceptable to Kaysville City, the location of sales lot and fencing requirements and phases of implementation. Lyle Gibson noted that Camping world has similar set up with a product area.

Committee Member Garn made a motion to approve the temporary use of this land for storing cars and that usage is contingent upon future use, if there are substantive changes, the owners must come before the committee again, second by Community Member Page.

The vote on the motion was as follows:

Committee Member Barber, Yea
Committee Member Page, Yea
Committee Member Adams, Excused
Committee Member Garn, Yea
Committee Member Hansen, Yea

The motion passed four to one.

Committee Member Barber made a motion to adjourn at 6:50 p.m., second by Committee Member Page.

Committee Member Page made a motion to close the Architectural Review Meeting, second by Committee Member Garn. The motion passed unanimously.

Maria Devereux/City Recorder

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Present: Mayor Witt, Council Member Barber, Council Member Page, Council Member Hansen, Council Member Garn, and Council Member Adams.

Others present: City Manager Shayne Scott, City Engineer Andy Thompson, Chief Sol Oberg, Finance Director Dean Storey, City Attorney Nicholas Mills, Ken Sheffield, Jared Tubbs, Brigg Lewis, Traci Pulsipher, Carole Walker, Randi Von Bose, Schyler Montgomery, Jennifer Montgomery, Porter Montgomery, Justin Wright, Matt Yeates, David Saunders, and Eric Isom.

PUBLIC HEARING

AN ORDINANCE ADJUSTING A COMMON BOUNDARY BETWEEN KAYSVILLE CITY AND FARMINGTON CITY AND ANNEXING 0.69 ACRES OF REAL PROPERTY (AT APPROXIMATELY 2283 SOUTH 350 EAST FROM FARMINGTON CITY) INTO KAYSVILLE CITY. (ORD. # 18-4-1)

Lyle Gibson, Zoning Administrator, explained that the Kaysville City Council approved a resolution of intent to consider this boundary adjustment in March. Since that time the required noticing has been completed and it is now appropriate to consider an ordinance to approve the adjustment of the municipal boundary between Farmington and Kaysville City.

The proposal would remove just over half an acre from Farmington's city limits and that real property would be annexed into Kaysville City. The property owner requested this adjustment in order to build a new home on the property, which had been approved by Farmington City but makes more sense to be in Kaysville City as the access is onto a Kaysville City road and the property could be better served by Kaysville City.

Farmington City is also going through the same process. Even with the approval of an ordinance by Kaysville City, this action cannot go into effect until Farmington City also approves an ordinance. Only once both cities have agreed to the adjustment with the passage of ordinances can the adjustment be recorded and officially changed.

Council Member Garn made a motion to close the Public Hearing, second by Council Member Page.

CITY COUNCIL

ANNUAL OPEN MEETINGS ACT

Nic Mills, City Attorney, explained that the Open Meetings Act requires that a training needs to be given annually. He noted the public bodies should take their actions openly and conduct their deliberations openly.

Nic Mills noted that calling another council person individually is a good way to discuss an item and explained that nothing in the code prevents one on one discussion.

DECLARATIONS OF ANY CONFLICTS OF INTEREST

There were no conflicts disclosed by the Council.

CONSENT ITEMS

Mayor Witt called for a vote on the Consent Items.

Minutes from February 1, 2018, Minutes from February 15, 2018, Minutes from March 1, 2018, Minutes from March 15, 2018, Davis County Dispatch Agreement, Acceptance of Improvements for Hill Farms Subdivision Phase 4, and Acceptance of Improvements for Sunset Equestrian Estates Subdivision Phase 17B.

Council Member Adams made a motion to accept the Consent Items listed, second by Council Member Barber and passed unanimously.

PLANNING COMMISSION APPOINTMENT PROCESS

Michelle asked if the Planning Commission will submit an application to the Mayor and asked if the Council would be voting.

Mayor Witt explained that that the council will be given names of two individuals. The Mayor will present who is selected. The choice is at the Mayors discretion.

Council Member Adams suggested a two minute interview session with candidates and would like a say in who is to be on the commission.

Council Member Garn noted that we have a weak Mayor form of government and he is in favor of the way this is handled.

Council Member Barber made a motion for the Council to approve the applications for planning commission, including the ability to review all resumes and applications, second by Council Member Page.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member Hansen, Yea

The motion passes four to one.

APPROVAL OF PUBLIC WORKS VEHICLE PURCHASE AND APPROVAL OF PARKS AND REC. VEHICLE PURCHASE

Council Member Adams made a motion to deny purchase of these vehicles until there is further understanding of the purchase. The motion fails for lack of a second.

Council Member Garn made a motion to approve the purchase of vehicles for both Public Works and Parks and Rec, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member Hansen, Yea

The motion passes four to one.

REQUEST FOR PURCHASE OF TRANSFORMER/POWER DEPARTMENT.

Council Member Hansen explained that he is interested in further clarification.

Council Member Hansen made a motion to table the item until item is clarified, second by Council Member Adams.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Hansen, Yea

The motion passes unanimously.

ACTION ITEMS

AN ORDINANCE CREATING A NEW PROCESS FOR LOT CONSOLIDATIONS AND LOT LINE ADJUSTMENTS. (ORD. #18-3-1)

Lyle Gibson, Zoning Administrator, advised that it has been expressed by members of both the Planning Commission and City Council that reviewing adjustments and lot consolidations seemed like a process that could be done by staff. These are applications where no new lot is created, typically two neighbors are adjusting a fence-line or occasionally an owner of two lots will combine them into one large lot to build a larger home. Currently these items are processed the same as any other subdivision and require a recommendation from the Planning Commission and ultimately approval from the City Council. There are a number of ways that this type of process could be handled according to State Statute. Staff has determined that it would still like to have a plat recorded documenting the change.

Council Member Adams made a motion to approve and ordinance, second by Council Member Barber.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Hansen, Yea

The motion passes unanimously.

AN ORDINANCE MODIFYING THE PROCESS FOR SUBDIVISION REVIEW AND REQUIRED SUBDIVISION IMPROVEMENTS. (ORD. # 18-3-2)

Lyle Gibson explained that when considering the role of different bodies and the type of land use applications being considered, the idea of keeping legislative decisions with the legislative body and administrative decisions with the staff and the Planning Commission was brought up during discussion of ordinances with the Planning Commission. Inasmuch as a subdivision is an administrative decisions where if an applicant meets the requirements of the ordinance, there is a certain level of obligation for the City to approve such an application. Most of the discretion with development comes with the consideration of a zone. Once a zone is approved over a property, the City has determined that the property may be utilized as regulated by that zone. A preliminary plat approval allows for some interpretation in determining if a proposed subdivision meets the requirements

of the zone and applicable ordinances. A final plat is confirmation of compliance with the conditions of preliminary plat approval and that all engineering and technical specifications are in order before development begins.

Council Member Page made a motion to approve an ordinance modifying the process for subdivision review and required subdivision improvements, second by Council Member Barber.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Hansen, Yea

The motion passes unanimously.

ROAD FEE ORDINANCE – AN ORDINANCE ENACTING TITLE 9, CHAPTER 2A OF THE KAYSVILLE CITY CODE AND PROVIDING FOR AN EFFECTIVE DATE. (ORD. # 18-4-2)

Shayne Scott explained that the Council has had on going meetings, Public Hearing and discussion about the Road Fee. He explained that the Kaysville City Council has evaluated the current condition of the transportation network with in the City and found it in need of repair.

CALL TO THE PUBLIC

David Saunders feels that a report of the current condition of roads should be added and updated annually.

Council Member Barber made a motion to adopt an ordinance enacting Title 9, Chapter 2A of the Kaysville City Code and providing for an effective date (Ord. # 18-4-2), second by Council Member Garn.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member Hansen, Nay

The motion passes three to two.

PRELIMINARY AND FINAL PLAT APPROVAL FOR THE DESERET COMPLEX
CONDOMINIUM SUBDIVISION LOCATED AT APPROXIMATELY 450 SOUTH
DESERET DRIVE.

Lyle Gibson explained that this commercial property is located between Tri-City Nursery and Boondocks on Deseret Drive and consists of about 7.5 acres. Recently a building permit was issued for a commercial building on what is shown on the plat as lot 4. Ultimately the owner would like to build three more buildings and have the ability to have separate ownership for each building. This plat provides for this by platting the general footprint of each building as a separate lot and providing for the parking and landscape areas to be owned as common area.

Council Member Page made a motion to accept the Preliminary and Final Plat for the Deseret Complex Condominium Subdivision located at approximately 450 South Deseret Drive, second by Council Member Garn

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Hansen, Yea

The motion passes unanimously.

DONATION AGREEMENT FOR WATER TANK DESIGN

Shayne Scott, City Manager, explained that staff has been working with Compass Development Holdings to potentially annex property at the north-east corner of the current Kaysville City boundaries. Compass Development is still finalizing some outstanding concerns before they can close on the property. Meanwhile, UDOT is planning to remove an existing Kaysville City Water tank as they widen Highway 89. These two events are at an intersection. UDOT needs the City to begin design of the new water tank; Compass Development wants that tank to service the property they hope to develop. This agreement would facilitate both UDOT's and Compass's concerns and allow the City to limit the risk of designing a water tank on property not currently accessible by the City.

Council Member Hansen noted the benefits of a larger tank.

Council Member Garn made a motion to approve the Donation Agreement for Water Tank Design, second by Council Member Page.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Hansen, Yea

The motion passes unanimously.

APPROVAL OF A CONTRACT WITH SUNRISE ENGINEERING TO DESIGN A NEW CITY WATER TANK

Andy Thompson noted that Sunrise Engineering is the best proposal the City received. He explained that UDOT is actively working on a design to widen HWY-89. This widening will cause one of the City's water tanks to be removed. UDOT would like the new water tank to be completed prior to the existing tank being taken out of service. UDOT is also willing to pay for the replacement of the tank. In order to meet the timeline requested by UDOT, the City needs to begin the design of the tank now.

Andy Thompson stated that there were many qualified bidders but the bid documents are not in the packet.

Council Member Barber made a motion to approve the contract with Sunrise Engineering to design a new City water tank, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member Hansen, Yea

The motion passes four to one.

AN ORDINANCE ADJUSTING THE COMMON BOUNDARY BETWEEN KAYSVILLE CITY AND FARMINGTON CITY AND ANNEXING 0.69 ACRES OF REAL PROPERTY INTO KAYSVILLE CITY. (ORD. # 18-4-1)

Lyle Gibson explained that this is a two part process, Farmington City needs to approve as well. The Kaysville City Council approved a resolution of intent to consider this boundary adjustment in March. Since that time the required noticing has been completed and it is now appropriate to

consider an ordinance to approve the adjustment of the municipal boundary between Farmington and Kaysville City. The proposal would remove just over half an acre from Farmington's city limits and that real property would be annexed into Kaysville City. The property owner requested this adjustment in order to build a new home on the property, which had been approved by Farmington City but makes more sense to be in Kaysville City as the access is onto a Kaysville City road and the property could be better served by Kaysville City.

Council Member Garn made a motion to approve the ordinance adjusting the common boundary between Kaysville City and Farmington City and annexing 0.69 acres of real property into Kaysville City. (Ord. # 18-4-1), second by Council Member Hansen.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Hansen, Yea

The motion passes unanimously.

WORK ITEMS

IPA RESOLUTIONS (10 Minutes)

Shayne Scott explained that the Intermountain Power Agency (IPA) that runs the Intermountain Power Plant (IPP) located in Delta, Utah, have been working for more than 5 years on a conversion from coal to gas. California cities, which make up over 90% of the actual users of this energy, gave notice to IPA that after 2027 they were no longer interested in this carbon produced energy resource. Since then, members of the project, including Kaysville who owns .739% of the project, have been working on the legal and practical issues surrounding the change from coal to gas. IPA is asking each of the 23 member cities to adopt the enclosed Resolutions that were actually passed two years ago but need further action to acknowledge that the IPA project will be about 840 MW (down from 1,800 as a coal fired plant) and cleans up other contractual language. 100% of the members must adopt these Resolutions for them to take effect. Bruce presented this Resolution to the Power Commission on April 3 and received a recommendation to forward the Resolutions on to the City Council.

Council Member page made a motion to move the Alternative Repowering Resolution 18-4-01 to an action item, second by Council Member Barber.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member Hansen, Yea

The motion passes four to one.

Council Member page made a motion to move the Fifth Amendment to IPA organization agreement, Resolution 18-4-02 to an action item, second by Council Member Barber.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member Hansen, Yea

The motion passes four to one.

HUMAN RESOURCE MANUAL REVIEW (20 MINUTES)

Shayne Scott explained that City staff have been working for more than a year on a much needed update to the city's Human Resource or Policy and Procedure Manual. Although certain aspects of the manual have been altered from time to time over the past, the last major update of the manual took place in 1999. City staff met several times throughout 2017 in work groups and as Department Heads.

Shayne Scott noted that can work with comments from the Council during next few weeks and noted he appreciates their input.

Council Member Garn asked for the previous versions to review, both the beginning and end product.

Council Member Hansen made a motion to move the Human Resource Manual to work item, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Hansen, Yea

The motion passes unanimously.

WATER METER PURCHASE (20 MINUTES)

Josh Belnap, Public Works Director noted that he would like to purchase new water meters for the purpose of time and cost savings. He explained that Public Works is seeking approval to sign a PO of roughly \$1,500,000 for the meters, the option to purchase and install of data collectors and software.

Council Member Garn made a motion to move the purchase of water meters to an action item, second by Council Member Page.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Hansen, Yea

The motion passes unanimously.

PUBLIC COMMENT.

David Saunders asked about the cost and value of water meters, long term.

COUNCIL MEMBER REPORTS

Mayor Witt noted that April 28th is Arbor Day and signed a proclamation.

Mayor Witt also expressed appreciation and that of the Council for the responding agencies that came to the support the Kaysville City first responders during the incident on April 6th.

Council Member Barber explained the July 4th festivities and noted that she is looking forward to change of venue. Additionally, the city is in need of additional volunteers.

ADJOURNMENT

Council Member Garn made a motion to adjourn the meeting at 9:45 pm, second by Council Member Page. The motion passed unanimously.

Maria T. Devereux
Maria Devereux/City Recorder