



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, August 16, 2018, starting at 6:00 p.m. in the Council Room of the Kaysville City Municipal Center, 23 East Center Street, Kaysville, UT.

The agenda shall be as follows:

PUBLIC HEARING – TRUTH IN TAXATION 6:00 PM

1. Public hearing – Certified Tax Rate.

PUBLIC HEARING 6:50 PM

1. Public hearing - Ordinance amending section 16-1-4, licenses required, of Chapter 16-1, administration, of title 16, licensing control and regulation of business, of the revised ordinances of Kaysville City providing for repealer; providing for severability; and providing for an effective date.

CITY COUNCIL MEETING – 7:00 PM

1. OPENING
 - a. Pastor Kopp, Kaysville Bible Church
2. DECLARATIONS OF CONFLICTS OF INTEREST.
3. CONSENT ITEMS.
 - a. Consulting services with Madge Witt.
 - b. Fire Department Radio Purchase.
 - c. Fire Department LIFEPAK 15 Monitor/Defibrillator (AED).
 - d. Update to date of passage for Ordinance 18-4-1. An ordinance adjusting a common boundary between Kaysville City and Farmington City and annexing 0.69 acres of real property into Kaysville City.
4. ACTION ITEMS.
 - a. Mini Excavator Purchase – Josh Belnap
 - b. Adopt Certified Tax Rate and Final Budget.
 - c. Request to rezone 4.0 acres of property at 993 South Sunset Drive from A-1 (Light Agriculture) to the R-1-LD (Single Family Low Density) zoning district – Robyn Barkdull
 - d. Preliminary plat approval for Brady Estates Subdivision at 993 South Sunset Drive – Robyn Barkdull
 - e. Preliminary plat approval for Tyler Meadows Phase 2 at 1020 and 1034 West Smith Lane – Wright Development Group.

- f. An Ordinance amending Chapter 19-4, Final Plat, of Title 19 Subdivisions.
- g. An Ordinance amending Section 17-34-9, Flag Lot Subdivision, of Chapter 17-34 PRUD Planned Residential Unit Development, of Title 17, Planning and Zoning. – Lyle Gibson

6. WORK ITEMS.

- a. Leasing Policy Document Discussion
- b. City Council IPAD Discussion
- c. City Staff Spatial Needs Assessment Discussion
- d. Review of an ordinance amending section 16-1-4, licenses required, of chapter 16-1, administration, of title 16, licensing control and regulation of business.

7. CALL TO THE PUBLIC.

8. COUNCIL MEMBER REPORTS.

9. CALENDAR.

10. CLOSED SESSION.

- a. Closed Session to discuss the character, professional competence, or physical or mental health of an individual, in conformance with Utah State Code §52-4-205.

11. ADJOURNMENT.

Kaysville City is dedicated to a policy of non-discrimination in admission to, access to, or operations of its programs, services or activities. If you need special assistance due to a disability, please contact the Kaysville City Offices at (801) 497-7008.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at City Hall and emailed copies to media representatives on August 15, 2018.

Maria T. Devereux

Maria T. Devereux
City Recorder

NOTICE OF PROPOSED TAX INCREASE

KAYSVILLE CITY

Kaysville City is proposing to increase its property tax revenue.

Kaysville City tax on a \$364,000 residence would increase from \$297.30 to \$318.12, which is \$20.82 per year.

Kaysville City tax on a \$364,000 business would increase from \$540.54 to \$578.40, which is \$37.86 per year.

If the proposed budget is approved, Kaysville City would increase its property tax budgeted revenue by 6.97% above last year's property tax budgeted revenue excluding new growth.

All concerned citizens are invited to a public hearing on the tax increase.

PUBLIC HEARING

Date/Time August 16, 2018 6:00 PM

Location Kaysville City Hall
 23 East Center Street
 Kaysville, UT 84037

You may obtain more information regarding the tax increase by contacting Kaysville City at 801 546 1235.

STAFF REPORT



COUNCIL MEETING DATE: Aug 16, 2018
ITEM NO.:

TYPE OF ITEM: Public Hearing and Work Item
PRESENTED BY: Community Development Staff

SUBJECT/AGENDA TITLE: Public hearing for an ordinance amending Section 16-1-4, Licenses Required, of Chapter 16-1, Administration, of Title 16, Licensing Control and Regulation of Business, of the revised ordinances of Kaysville City providing for repealer; providing for severability; and providing for an effective date.

EXECUTIVE SUMMARY:

In 2017 the Utah State Legislature passed a bill that prohibited municipalities from charging a fee to home businesses whose impact was no more than a typical resident's. This was a hot button issue with many cities who continued to issue licenses to these business types requiring staff time and resources. Kaysville City likewise chose to continue offering licenses to businesses fitting into the State's exempt category, which we define as Minor Home Occupations. The decision to continue issuing licenses at no cost was largely due to the fact that many businesses desire the license for their purposes, or it is required by other agencies.

Based on feedback over the course of a year from many cities, the State Legislature passed a new bill in 2018 that addressed some concerns with the previous law. Cities still cannot require that 'no impact' home businesses obtain a business license; however, now if a business desires the license, a city can charge a reasonable fee to cover the cost of issuing and administering that license. The attached ordinance, in short, states that Minor Home Occupations are no longer required to be licensed in Kaysville City; however, should they desire a license they must pay the applicable administration fee. Kaysville City will still require that commercial businesses, as well as Major and Agricultural Home Occupations (businesses with customers and equipment i.e. hair salon, contractor) be licensed as they are currently. The proposed change would affect someone that essentially does paperwork and makes phone calls (i.e. book keeping, artists, etc.) from home. As written they will be paying for a business license only if they choose to have one.

Kaysville City currently licenses 488 minor home occupation businesses. Prior to the 2017 legislation, that would have accounted for nearly \$15,000 in revenues to the city at \$30 per license. The city also charges a one-time set up fee for new licenses of \$15.

Council Options: Move this item to a future ACTION agenda.
Move this item to a future WORK agenda with direction on ordinance changes.

Recommendation: At this time Staff recommends moving this item to a future ACTION agenda.

Fiscal Impact & Fund Source for Recommended Action: The exact dollar amount is unknown as the number of licenses that will be issued will be on a voluntary basis, but the ability to charge a fee will have a positive fiscal impact on Kaysville City.

Attachments: Business License Ordinance

AN ORDINANCE AMENDING SECTION 16-1-4, LICENSES REQUIRED, OF CHAPTER 16-1, ADMINISTRATION, OF TITLE 16, LICENSING CONTROL AND REGULATION OF BUSINESS, OF THE REVISED ORDINANCES OF KAYSVILLE CITY PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Utah State Legislature passed Senate Bill 158 during the 2018 legislative session clarifying the process for licensing certain home based businesses; and

WHEREAS, Kaysville City has been processing and administering minor home occupations without collecting fees; and

WHEREAS, Kaysville City has determined that it is in the best interest of the City to collect a nominal fee for the processing of business licenses from businesses who desire the service.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KAYSVILLE CITY, UTAH:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment. Section 16-1-4, LICENSES REQUIRED, of Chapter 16-1, ADMINISTRATION, of Title 16, LICENSING CONTROL AND REGULATION OF BUSINESS, of the Revised Ordinances of Kaysville City, 1993, is amended as follows:

16-1-4 Licenses Required

1. Unless qualified as exempt per Utah Code 10-1-203, Every person, partnership and corporation engaged in business in Kaysville City shall secure from the City License Officer a license for such business. Home occupations that do not have an offsite impact that materially exceeds the offsite impact of the primary residential use alone may receive a business license from the City at their request so long as the administrative fee associated with this license is paid in full.
2. A license shall be obtained in the manner prescribed herein for each branch establishment or location where a separate business is conducted, provided that warehouses and distributing plants used in connection with and incidental to a business licensed under the provisions of this Title shall not be deemed to be separate places of business or branch establishments. Each rental property shall be deemed a branch establishment or separate place of business for the purposes of this Title when there is a representative of the owner or the owner's agent or there is a regular employee of the owner or of the owner's agent working on the premises.
3. No license shall be required by Kaysville City of any person whose only business activity in Kaysville City is the mere delivery in the City of property purchased or acquired in good faith from such person at his regular place of business outside the City, providing that:
 - a. Such person's business is, at the time of such delivery, licensed by the municipality or county in which such place of business is situated.

- b. No intent by such person is shown to exist to evade the provisions of this Title.
- 4. The License Officer shall issue special permits without the payment of any license fees or other charges therefor, to any person or organization for the conduct or operation of a non-profit enterprise, either regularly or temporarily, when he finds that the applicant operates without private profit, for a public, charitable, educational, literary, fraternal or religious purpose.
 - a. An applicant for a special permit shall submit an application therefor to the License Officer, upon forms prescribed by the License Officer, and shall furnish such additional information and make such affidavits as the License Officer shall require.
 - b. A person or organization operating under a special permit shall operate his non-profit enterprise in compliance with this Title and all other applicable rules and regulations except as provided herein.

SECTION III: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: Effective Date. This Ordinance shall take effect 20 days after being passed and adopted by the City Council.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this __th day of _____, 2018

Katie Witt
Mayor

ATTEST:

Maria T. Devereux
City Recorder

STAFF REPORT



COUNCIL MEETING DATE: Aug 16, 2018

ITEM NO.: 3 a.

TYPE OF ITEM: Consent

PRESENTED BY: Shayne Scott, City Manager

SUBJECT/AGENDA TITLE: Consulting Services with Madge Witt

EXECUTIVE SUMMARY:

From time to time Kaysville has the need for graphics and other design products for social media posts, mailers, etc. In the past, we have used Madge Witt for these services and she has not charged the city because of her relationship with Mayor Katie Witt.

While we appreciate her not charging the City to date, the volume of requests has increased to the point where she is not able to do this work pro bono and the City should compensate her for her expertise. Because she is the daughter of Mayor Witt, it is important that this relationship is made public and contracting with her for these services is done "above board." To that end, we would ask the City Council to acknowledge this professional relationship by consent; allowing the City to continue to work with Madge in this regard but also to compensate her. She has quoted the city at \$25/hour which is much less than any other consultant of this type. Other similar consultants charge at least \$50/hour and as much as \$150.

Kaysville City Staff is recommending that we continue to contract with Madge Witt on a case by case basis as projects come forward. Any work completed by Madge will be reviewed by City Staff for accuracy and not by Mayor Witt herself. We believe that contracting with Madge Witt in this regard will yield the best possible outcome for the city which, in this case, is getting a needed product at the lowest possible price.

Council Options: Accept this Consent item acknowledging the relationship between the consultant and in this case Mayor Witt.
Remove this item from the Consent agenda for further discussion
Accept the Consent Agenda with this item omitted.

Recommendation: At this time Staff recommends accepting this item as presented.

Fiscal Impact & Fund Source for Recommended Action: This project should yield to the City a service for the least amount of financial impact.

Attachments: None

STAFF REPORT



COUNCIL MEETING DATE: August 16, 2018

ITEM NO.: 3 b.

TYPE OF ITEM: Action Item

PRESENTED BY: Paul J. Erickson, Fire Chief

SUBJECT/AGENDA TITLE: Purchase of new Fire Department radios

EXECUTIVE SUMMARY:

KFD submitted approval for \$29,801 for (10) new radios and received Council approval, as included in the FY19 budget. Kaysville FD radios are beyond their use, screens do not work, buttons are loose or coming off, some radios are 4 or 5 generations behind current technology:

- **Motorola has Utah State contract so only one quote was obtained.**

Council Options: approve/disapprove

Recommended Options: **Approve**

Fiscal Impact & Fund Source for Recommended Action: Submitted in FY19 budget

Attachments: Quote for (10) radios



Quote Number: QU0000444892

Effective: 28 JUN 2018

Effective To: 27 AUG 2018

Bill-To:

KAYSVILLE, CITY OF
175 S MAIN ST
KAYSVILLE, UT 84037
United States

Ultimate Destination:

KAYSVILLE, CITY OF
175 S MAIN ST
KAYSVILLE, UT 84037
United States

Attention:

Name: Paul Erickson
Email: perickson@kaysvillecity.com

Sales Contact:

Name: Larry Belnap
Email: larry.belnap@utahcomm.com
Phone: 8014860161

Contract Number: 18015 - State of Utah 800

Freight terms: FOB Destination

Payment terms: Net 30 Due

Item	Quantity	Nomenclature	Description	Your price	Extended Price
1	5	NNTN8575A	AUDIO ACCESSORY-REMOTE SPEAKER MICROPHONE,IMPRES XE RSM XT CABLE GREEN	\$350.40	\$1,752.00
2	1	NNTN8844A	CHARGER, MULTI-UNIT, IMPRES 2, 6-DISP, NA/LA-PLUG, ACC USB CHGR	\$912.50	\$912.50
3	10	H98UCF9PW6BN	APX6000 700/800 MODEL 2.5 PORTABLE	\$846.55	\$8,465.50
3a	10	Q806BM	ADD: ASTRO DIGITAL CAI OPERATION	\$375.95	\$3,759.50
3b	10	Q58AL	ADD: 3Y ESSENTIAL SERVICE	\$110.00	\$1,100.00
3c	10	QA05570AA	ALT: LI-ION IMPRES 2 IP68 3400 MAH	\$73.00	\$730.00
3d	10	H38BT	ADD: SMARTZONE OPERATION	\$876.00	\$8,760.00
3e	10	Q361AR	ADD: P25 9600 BAUD TRUNKING	\$219.00	\$2,190.00
4	10	NNTN8860A	CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 115VAC, US/NA	\$109.50	\$1,095.00
5	10	PMNN4486A	BATT IMPRES 2 LIION R IP67 3400T	\$113.60	\$1,136.00

Total Quote in USD

\$29,900.50

PO Issued to Motorola Solutions Inc. must:

- >Be a valid Purchase Order (PO)/Contract/Notice to Proceed on Company Letterhead. Note: Purchase Requisitions cannot be accepted
- >Have a PO Number/Contract Number & Date
- >Identify "Motorola Solutions Inc." as the Vendor
- >Have Payment Terms or Contract Number
- >Be issued in the Legal Entity's Name
- >Include a Bill-To Address with a Contact Name and Phone Number
- >Include a Ship-To Address with a Contact Name and Phone Number
- >Include an Ultimate Address (only if different than the Ship-To)
- >Be Greater than or Equal to the Value of the Order
- >Be in a Non-Editable Format
- >Identify Tax Exemption Status (where applicable)
- >Include a Signature (as Required)

STAFF REPORT



COUNCIL MEETING DATE: August 16, 2018

ITEM NO.: 3 c.

TYPE OF ITEM: Action Item

PRESENTED BY: Paul J. Erickson, Fire Chief

SUBJECT/AGENDA TITLE: Purchase of new Fire Department LifePak15 (AED)

EXECUTIVE SUMMARY:

KFD submitted approval for \$35,000 for a new LifePak 15 and received Council approval, as included in the FY19 budget. Kaysville FD responds to approximately 1,700 responses every year and approximately 1,150 are medical issues, of the 1,150 medical responses, approx. 550 require a paramedic and an AED. Additionally our current overlap rate of 18% dictates the need for at least (2) LifePaks with current technology. KFD currently has (1) LifePak 15 and (1) LifePak 12. The LifePak 12 is obsolete and no service contract in the state will repair the equipment. Only (2) companies that we have found meet the needs of KFD, LifePak and Zoll which we have received both quotes. Recommend we purchase LifePak15.

- Zoll - \$40,276.20
- LifePak15 - \$37,121.46

Council Options: approve/disapprove

Recommended Options: **Approve**

Fiscal Impact & Fund Source for Recommended Action: Submitted in FY19 budget

Attachments: Quote for LifePak and Zoll



Physio-Control, Inc
11811 Willows Road NE
P.O. Box 97006
Redmond, WA 98073-9706 U.S.A.
www.physio-control.com
tel 800.442.1142
Sales Order fax 800.732.0956
Service Plan fax 800.772.3340

To KAYSVILLE CITY FIRE
Attn: Jason Taylor
23 E CTR ST
KAYSVILLE,UT 84037
(801) 391-0693
jtaylor@kaysvillecity.com

Quote Number 00135113
Revision # 1
Created Date 7/26/2018
Sales Consultant Pam Gord

pam.gord@stryker.com

FOB Redmond, WA
Terms All quotes subject to credit approval and the following terms and conditions
NET Terms NET 30

Expiration Date 7/31/2018

Product	Product Description	Quantity	List Price	Unit Discount	Unit Sales Price	Total Price
99577-001957	LIFEPAK 15 V4 Monitor/Defib, Adaptive Biphasic, Manual & AED, Color LCD, 100mm Printer, Noninvasive Pacing, Metronome, Trending, SpO2, NIBP, 12-Lead ECG, EtCO2, Carbon Monoxide, Bluetooth INCLUDED AT NO CHARGE: 2 PAIR QUIK-COMBO ELECTRODES PER UNIT - 11996-000091, TEST LOAD - 21330-001365, IN-SERVICE DVD - 21330-001486, SERVICE MANUAL CD- 26500-003612 (one per order) and SHIP KIT (RC Cable) 41577-000288 INCLUDED. HARD PADDLES, BATTERIES AND CARRYING CASE NOT INCLUDED.	1.00	35,660.00	-5,242.02	30,417.98	30,417.98
Trade-in product	Trade in of LIFEPAK 12 Biphasic - 3 Feature towards the purchase of Lifepak 15	1.00	0.00	0.00	-3,000.00	-3,000.00
21330-001176	LP 15 Lithium-ion Battery 5.7 amp hrs	3.00	479.00	-81.43	397.57	1,192.71
11160-000013	NIBP Cuff-Reusable, Child	1.00	25.00	-4.25	20.75	20.75
11160-000017	NIBP Cuff -Reusable, Large Adult, Bayonet	1.00	34.00	-5.78	28.22	28.22
21300-008147	LIFEPAK 15 NIBP Hose, 9'	1.00	64.00	-11.52	52.48	52.48
11171-000049	Rainbow DCI Adt Reusable Sensor, 1/box	1.00	640.00	-96.00	544.00	544.00
11577-000002	LIFEPAK 15 Basic carry case w/right & left pouches; shoulder strap (11577-000001) included at no additional charge when case ordered with a LIFEPAK 15 device	1.00	327.00	-58.86	268.14	268.14
11220-000028	Carry case top pouch for use w/LIFEPAK 12 or LIFEPAK 15	1.00	59.00	-10.62	48.38	48.38
11260-000039	LIFEPAK 15 Carry case back pouch	1.00	84.00	-12.60	71.40	71.40
21996-000112	Titan III – Duo WiFi & Cellular Gateway, No Sim, (AT&T, Verizon, Intl GSM. May be purchased with Verizon data plan to be provided by Physio Control.)	1.00	1,615.00	-320.20	1,294.80	1,294.80

LP15-OSCOMP-4-POS	LIFEPAK 15 Service - 4 YEAR.					
	On-site Comprehensive Coverage. Annual Payments.					
	Includes:					
	-Services performed at customer's location by a					
	Physio-Control Technical Specialist					
	-Parts and labor necessary to restore device to original					
	specifications					
	-Annual Preventive Maintenance and inspections including	1.00	7,056.00	-1,058.40	5,997.60	5,997.60
	quality assurance documentation					
	-Discounts on accessories, disposables, and upgrades					
	-Updates to the latest software version					
	-Preconfigured loaner device provided if needed					
	-Battery Replacement Service					

SubtotalUSD 36,936.46

Estimated TaxUSD 0.00

Estimated Shipping & HandlingUSD 185.00

Current Sales Tax Rates will be applied at the time of Invoice and tax rate is based on the Ship To location

Grand TotalUSD 37,121.46

Pricing Summary Totals

List Price TotalUSD 47,001.00

Total Contract Discounts AmountUSD -1,113.40

Total DiscountUSD -5,951.14

Trade In DiscountsUSD -3,000.00

Tax + S&HUSD 185.00

GRAND TOTAL FOR THIS QUOTE

USD 37,121.46

Please provide a company issued Purchase Order that includes Billing and Shipping Address.
PO must reference payment terms of Net 30 days.

- OR -

Required information if no Purchase Order is provided

Billing Address ☐ same as address on quote	Shipping Address ☐ same as Billing Address
Account Name	Account Name
Address	Address
City	City
State	State
Zip Code	Zip Code
Accounts Payable Contact Information	
Accounts Payable Contact	Accounts Payable Phone Number
Accounts Payable Email	Customer is Tax Exempt? ☐ Yes ☐ No
Authorized Customer Signature	
Name	Signature
Title	Date

Optional information:

Special Ship to Address

Comments

For Multiple End Users, please attach a supporting document with End User name, physical location, product type and quantity

To update any customer information, please complete form at www.physio-control.com/account/

Reference Number PG/11617201/155875

General Terms for all Products, Services and Subscriptions.

Physio-Control, Inc. ("Physio") accepts Buyer's order expressly conditioned on Buyer's assent to the terms set forth in this document. Buyer's order and acceptance of any portion of the goods, services or subscriptions shall confirm Buyer's acceptance of these terms. Unless specified otherwise herein, these terms constitute the complete agreement between the parties. Amendments to this document shall be in writing and no prior or subsequent acceptance by Seller of any purchase order, acknowledgment, or other document from Buyer specifying different and/or additional terms shall be effective unless signed by both parties.

Pricing. Prices do not include freight insurance, freight forwarding fees, taxes, duties, import or export permit fees, or any other similar charge of any kind applicable to the goods and services. Sales or use taxes on domestic (USA) deliveries will be invoiced in addition to the price of the goods and services unless Physio receives a copy of a valid exemption certificate prior to delivery. Discounts may not be combined with other special terms, discounts, and/or promotions.

Payment. Payment for goods and services shall be subject to approval of credit by Physio. Unless otherwise specified by Physio in writing, the entire payment of an invoice is due thirty (30) days after the invoice date for deliveries in the USA, and sight draft or acceptable (confirmed) irrevocable letter of credit is required for sales outside the USA.

Minimum Order Quantity. Physio reserves the right to charge a service fee for any order less than \$200.00.

Patent Indemnity. Physio shall indemnify Buyer and hold it harmless from and against all demands, claims, damages, losses, and expenses, arising out of or resulting, from any action by a third party against Buyer that is based on any claim that the services infringe a United States patent, copyright, or trademark, or violate a trade secret or any other proprietary right of any person or entity. Physio's indemnification obligations hereunder will be subject to (i) receiving prompt written notice of the existence of any claim; (ii) being able to, at its option, control the defense and settlement of such claim (provided that, without obtaining the prior written consent of Buyer, Physio will enter into no settlement involving the admission of wrongdoing); and (iii) receiving full cooperation of Buyer in the defense of any claim.

Limitation of Interest. Through the purchase of Physio products, services, or subscriptions, Buyer does not acquire any interest in any tooling, drawings, design information, computer programming, patents or copyrighted or confidential information related to said products or services, and Buyer expressly agrees not to reverse engineer or decompile such products or related software and information.

Delays. Physio will not be liable for any loss or damage of any kind due to its failure to perform or delays in its performance resulting from an event beyond its reasonable control, including but not limited to, acts of God, labor disputes, the requirements of any governmental authority, war, civil unrest, terrorist acts, delays in manufacture, obtaining any required license or permit, and Physio's inability to obtain goods from its usual sources.

Limited Warranty. Physio warrants its products and services in accordance with the terms of the limited warranties located at <http://www.physio-control.com/Documents/>. The remedies provided under such warranties shall be Buyer's sole and exclusive remedies. Physio makes no other warranties, express or implied, including, without limitation, **NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND IN NO EVENT SHALL PHYSIO BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL OR OTHER DAMAGES.**

Compliance with Confidentiality Laws. Both parties acknowledge their respective obligations to maintain the security and confidentiality of individually identifiable health information and agree to comply with applicable federal and state health information confidentiality laws.

Compliance with Law. The parties agree to comply with any and all laws, rules, regulations, licensing requirements or standards that are now or hereafter promulgated by any local, state, and federal governmental authority/agency or accrediting/administrative body that governs or applies to their respective duties and obligations hereunder.

Regulatory Requirement for Access to Information. In the event 42 USC § 1395x(v)(1)(I) is applicable, Physio shall make available to the Secretary of the United States Department of Health and Human Services, the Comptroller General of the United States General Accounting Office, or any of their duly authorized representatives, a copy of these terms, such books, documents and records as are necessary to certify the nature and extent of the costs of the products and services provided by Physio.

No Debarment. Physio represents and warrants that it and its directors, officers, and employees (i) are not excluded, debarred, or otherwise ineligible to participate in the Federal health care programs as defined in 42 USC § 1320a-7b(f); (ii) have not been convicted of a criminal offense related to the provision of health care items or services; and (iii) are not under investigation which may result in Physio being excluded from participation in such programs.

Choice of Law. The rights and obligations of Physio and Buyer related to the purchase and sale of products and services described in this document shall be governed by the laws of the state where Buyer is located. All costs and expenses incurred by the prevailing party related to enforcement of its rights under this document, including reasonable attorney's fees, shall be reimbursed by the other party.

Additional Terms for Purchase and Sale of Products.

In addition to the General Terms above, the following terms apply to all purchases of products from Physio:

Delivery. Unless otherwise specified by Physio in writing, delivery shall be FOB Physio point of shipment and title and risk of loss shall pass to Buyer at that point. Partial deliveries may be made and partial invoices shall be permitted and shall become due in accordance with the payment terms. In the absence of shipping instructions from Buyer, Physio will obtain transportation on Buyer's behalf and for Buyer's account. Delivery dates are approximate. Freight is pre-paid and added to Buyer's invoice. Products are subject to availability.

Inspections and Returns. Within 30 days of receipt of a shipment, Buyer shall notify Physio of any claim for product damage or nonconformity. Physio, at its sole option and discretion, may repair or replace a product to bring it into conformity. Return of any product shall be governed by the Returned Product Policy located at <http://www.physio-control.com/Documents/>. Payment of Physio's invoice is not contingent on immediate correction of nonconformities.

No Resale. Buyer agrees that products purchased hereunder will not be resold to third parties and will not be reshipped to any persons or places prohibited by the laws of the United States of America.

Additional Terms for Purchase and Sale of Service Plans.

In addition to the General Terms above, the following terms apply to all Physio Service Plans.

Service Plans. Physio shall provide services according to the applicable Service Plan purchased by Buyer and described at <http://www.physio-control.com/ServicePrograms.aspx> for the length of the subscription purchased and for the devices specified as covered by the Service Plan ("Covered Equipment").

Pricing. If the number or configuration of Covered Equipment changes during the Service Plan subscription, pricing shall be prorated accordingly. For Preventative Maintenance, Inspection Only, Comprehensive, and Repair & Inspect Service Plans, Buyer is responsible to pay for preventative maintenance and inspections that have been performed since the last anniversary of the subscription start date and such services shall not be pro-rated.

Device Inspection Before Acceptance. All devices that are not covered under Physio's Limited Warranty or a current Service Plan must be inspected and repaired (if necessary) to meet specifications at then-current list prices prior to being covered under a Service Plan.

Unavailability of Covered Equipment. If Covered Equipment is not made available at a scheduled service visit, Buyer is responsible to reschedule with the Physio Service Technician, or ship-in the Equipment to a Physio service depot. Physio reserves the right to charge Buyer a surcharge for a return visit. Surcharges will be based on then-current Physio list price of desired services, less 10% for labor and 15% for parts, plus applicable travel costs. The return visit surcharge will be in addition to the subscription price of the Service Plan. To avoid the surcharge, Buyer may ship devices to a Physio service depot. Buyer shall be responsible for round-trip freight for ship-in service.

Unscheduled or Uncovered Services. If Buyer requests services to be performed on Covered Equipment which are not covered by a Service Plan, or are outside of designated Services frequency or hours, Physio-Control will charge Buyer for such services at 10% off Physio-Control's standard rates (including overtime, if appropriate) and applicable travel charges. Repair parts required for such repairs will be made available at 15% off the then-current list price.

Loaners. If Covered Equipment must be removed from service to complete repairs, Physio will provide Buyer with a loaner device, if one is available. Buyer assumes complete responsibility for the loaner and shall return the loaner to Physio in the same condition as received, normal wear and tear exempted, upon the earlier of the return of the removed Covered Equipment or Physio's request.

Cancellation. Buyer may cancel a Service Plan upon sixty (60) days' written notice to Physio. In the event of such cancellation, Buyer shall be responsible for the portion of the designated price which corresponds to the portion of the Service Plan subscription prior to the effective date of termination and the list-price cost of any preventative maintenance, inspections, or repairs rendered after the last anniversary date of the subscription start date.

No Solicitation. During the Service Plan subscription and for one (1) year following its expiration Buyer agrees to not to actively and intentionally solicit anyone who is employed by Physio to provide services such as those described in the Service Plan.

STAFF REPORT



COUNCIL MEETING DATE: Aug 16, 2018

ITEM NO.: 3 d.

TYPE OF ITEM: Consent

PRESENTED BY: Community Development Staff

SUBJECT/AGENDA TITLE: Update to date of passage for ordinance 18-4-1.

EXECUTIVE SUMMARY:

They Kaysville City Council approved Ordinance 18-4-1 in April approving a boundary adjustment with Farmington City where 0.69 acres of property would be added to the southwest part of Kaysville. To finalize the adjustment both cities must pass an ordinance approving the adjustment and the Lieutenant Governor's Office must certify the process. Our office recently received a signed copy of the Farmington City Ordinance to submit for certification, but as Kaysville City's ordinance is more than 30 days since passage it cannot be certified. Reapproving the ordinance with a new date of passage will allow this process to move forward. The ordinance is still in consideration of the same property.

Council Options: Approve, Deny, or Table a decision on the update to Ordinance 18-4-1.

Recommendation: Staff recommends approving the update.

Fiscal Impact & Fund Source for Recommended Action: N/A

Attachments: Ordinance 18-4-1 (updated)
Map of property to be added to Kaysville City.

ORDINANCE NO. 18-4-1

AN ORDINANCE ADJUSTING A COMMON BOUNDARY BETWEEN KAYSVILLE CITY AND FARMINGTON CITY AND ANNEXING 0.69 ACRES OF REAL PROPERTY INTO KAYSVILLE CITY.

WHEREAS, Farmington City has property within its municipal boundary which can be better served by Kaysville City; and

WHEREAS, it has been determined to adjust the common boundary with Farmington City along said property;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KAYSVILLE CITY, UTAH:

SECTION I: Enactment.

The following described real property is hereby annexed into the corporate limits of Kaysville City, a municipal corporation of the State of Utah:

BEGINNING AT A POINT BEING NORTH 0°3'56" WEST 765.04 FEET ALONG THE SECTION LINE FROM THE WEST QUARTER CONRER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN;
THENCE SOUTH 89°03'58" WEST 111.05 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 350 EAST STREET;
THENCE NORTH 0°13'13" EAST 124.96 FEET ALONG SAID EASTERLY RIGHT-OF-WAY TO THE SOUTHWEST CORNER OF MEADOW CREEK SUBDIVISION LOT 6;
THENCE NORTH 88°56'33" EAST 213.22 FEET ALONG THE MEADOW CREEK SUBDIVISION;
THENCE NORTH 88°02'28" EAST 49.84 FEET ALONG THE EXTENSION OF THE MEADOW CREEK SUBDIVISION;
THENCE SOUTH 16°44'24" WEST 48.09 FEET;
THENCE SOUTH 21°32'37" WEST 40.33 FEET;
THENCE SOUTH 33°20'20" WEST 52.38 FEET;
THENCE SOUTH 89°03'58" WEST 94.88 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.69 ACRES OR 30,013 SQUARE FEET, MORE OR LESS

The same shall thereafter be subject to the Ordinances and Regulations and taxing powers of Kaysville City. This property is assigned the R-1-20 zoning district as shown on the attached map.

SECTION II: Enactment

The City Recorder is hereby directed to file a copy of this Ordinance of boundary adjustment with the County Recorder, Davis County, State of Utah, and thereupon the annexation of this property shall be deemed complete and the said territory herein described shall be deemed and held to be a part of this City.

SECTION III: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: Effective Date. This ordinance shall become effective 20 days after being passed by the City Council.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this 16th day of August 2018

Katie Witt
Mayor

ATTEST:

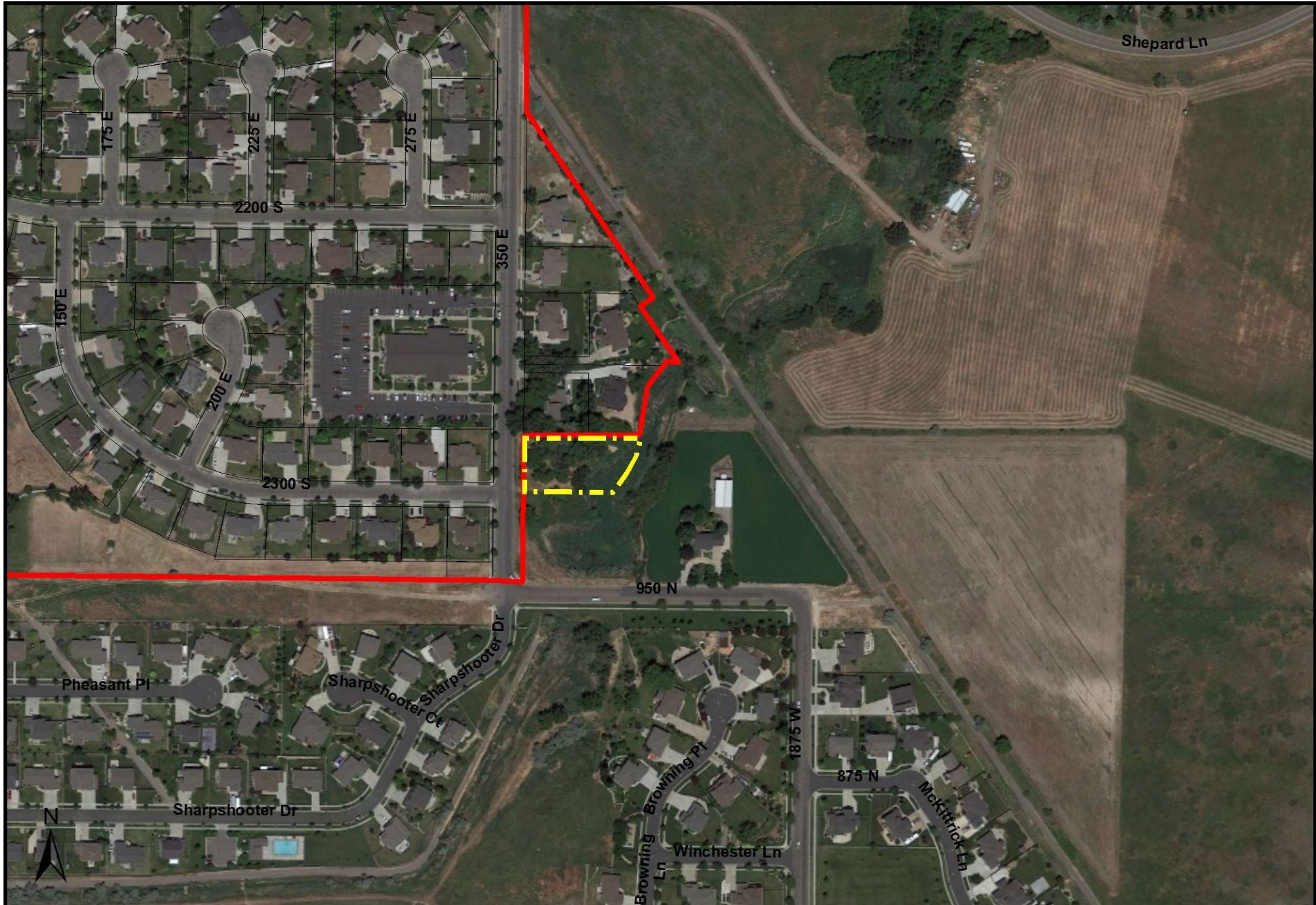
Maria T. Devereux
City Recorder

I, Maria Devereux, do hereby certify that I am duly appointed, qualified, and acting City Recorder of Kaysville City, Davis County, State of Utah. I further certify that the above, foregoing, and attached Ordinance, entitled "AN ORDINANCE ADJUSTING A COMMON BOUNDARY BETWEEN KAYSVILLE CITY AND FARMINGTON CITY AND ANNEXING 0.69 ACRES OF REAL PROPERTY INTO KAYSVILLE CITY," constitutes a true and correct copy of such Ordinance passed and adopted by the City Council of Kaysville City on the 19th day of April, 2018, as said Ordinance officially appears in my official Ordinance File of Kaysville City, and on deposit in my office as City Recorder.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed thereon the official seal of Kaysville City, this ____ day of _____, 2018.

Maria T. Devereux
City Recorder

2283 South 350 East



STAFF REPORT

**COUNCIL MEETING****August 16, 2018****DATE: ITEM NO.:** 4 a.**TYPE OF ITEM:** Action**PRESENTED BY:** Josh Belnap**SUBJECT/AGENDA TITLE:** Excavator Trade in and Purchase**EXECUTIVE SUMMARY:**

The water department, streets department and storm water department combined in the FY19 budget for the trade in of our 2013 excavator and purchase of a new unit of a higher capacity and versatility. The excavator is used almost continually to assist with water repairs, streets repairs, storm drain repairs and occasionally for Parks projects. The current excavator is approaching a point where components are starting to show signs of immediate or near future need to address (which is difficult for an already busy mechanics staff and ends up taking the machine out of service). This, combined with current limits on the 2013 excavator's ability to operate in tight spaces and sites and lifting capacity led the Public Works department to start exploring both purchase and lease options. Ultimately, purchase was cheaper in the long run and more viable over all.

Pricing was received from Honnen via State Contract pricing.

Council Options: Approve or Reject**Recommendation:** Approve

Fiscal Impact & Fund Source for Recommended Action: The purchase price for the unit is \$65,000 (after a trade-in value of \$52,500 of the 2013 machine) and the funds come from General Fund (\$10,000), revenues generated by water sales (\$32,500) and the storm water fund (\$22,500). This item was recently budgeted for and approved as part of the FY19 budget.

Attachments: Honnen Invoice



PURCHASER NAME AND ADDRESS (First Signer)				DEALER NAME AND ADDRESS			
NAME(First, Middle, Last) KAYSVILLE CITY				DEALER NAME Honnen Equipment Co.		Dealer Account No. : 170501	
STREET or RR 23 E CENTER ST				STREET or RR 1380 S. DISTRIBUTION DRIVE			
CITY KAYSVILLE	STATE UT	ZIP CODE 84037	COUNTY Davis	CITY SALT LAKE CIT	STATE UT	ZIP CODE 84104	Phone Number 801-262-7441
PHONE NUMBER 801-546-1235		EMAIL ADDRESS		Date Of Order: Jun 21, 2018			
PURCHASER NAME AND ADDRESS (Second Signer)				Dealer Order No.: 17925087		TYPE OF SALE: ☐ CASH ☒ LEASE ☐ TIME SALE	
NAME(First, Middle, Last)				PURCHASER TYPE: 5 City/Town/Village		MARKET USE CODE: 98 Undefined Government Use	
STREET or RR							
CITY	STATE	ZIP CODE	COUNTY	Add Purchaser to Mailing List (Check One or More)			
				☐ Construction ☐ Utility ☐ Forestry ☐ Government			
PHONE NUMBER		EMAIL ADDRESS		PURCHASER IS: ☒ Business ☐ Individual		Purchaser Acct.: 100658	
				☐ SOCIAL SECURITY ☐ IRS TAX ID NO ☐ EIN			
				NO.:			

EXTENDED WARRANTY IS: ☒ Accept ☐ Decline		LOCATION OF FIRST WORKING USE :		Use State/Province	COUNTY CODE
(Initials)		Use County DAVIS		UT	11
Ultimate Uptime Package Purchase: ☐ Yes ☒ No		(Initials)			
QTY	NEW DEMO RENT USED	EQUIPMENT (Model, Size, Description)	Hours of Use	PIN or Serial Number	Delivered Cash Price
1	X	2018 JOHN DEERE 85G EXCAVATOR Stock # 60043	0		\$ 117,500 00
+ John Deere Extended Warranty : 60/3000 Powertrain and Hydraulics					\$ 0 00
(1) TOTAL CASH PRICE					\$ 117,500 00

QTY	TRADE-IN (Model, Size, Description)	Hours of Use	PIN or Serial Number	AMOUNT
1	2013 JOHN DEERE 75D	1760	1FF075DXKDG014846	\$ 52,500 00
COMMENTS:				(2) TOTAL TRADE-IN ALLOWANCE
				\$ 52,500 00
				(3) TOTAL TRADE-IN PAY-OFF
				\$ 0 00
				(4) BALANCE
				\$ 65,000 00
				(5) DOC FEE
				\$ 0 00
				(6) SUBTOTAL
				\$ 65,000 00
				(7) RENTAL APPLIED
				\$ 0 00
				(8) CASH WITH ORDER
				\$ 0 00
				(9) BALANCE DUE (6-(7 & 8))
				\$ 65,000 00

ACKNOWLEDGMENTS: Purchaser offers to sell, transfer, and convey the item(s) listed as "Trade In" to the Dealer at or prior to the time of delivery of the above product(s), as a "trade-in" to be applied against the cash price. Purchaser represents that each "trade-in" item shall be free and clear of all security interests, liens, and encumbrances at the time of transfer to the Dealer except to the extent shown below. The price to be allowed for each "trade-in" item is listed on this

document. The Purchaser promises to pay the balance due (line 9) shown hereon in cash, or to execute a Time Sale Agreement (Retail Installment Contract), or a Loan Agreement for the purchase price of the Product(s), plus additional charges shown thereon, or to execute a Lease Agreement, on or before delivery of the equipment ordered herein. Despite delivery of the Product(s) to the Purchaser, title shall remain with the Seller until one of the foregoing is accomplished. The Purchaser and the Dealer agree that this Purchase Order is not a security agreement and that delivery of the Product(s) to the Purchaser pursuant to this Purchase Order will not constitute possession of the Product(s) by the Purchaser, as a debtor, for the purposes of the purchase money security provisions in any statutes relating to personal property security or its equivalent. Purchaser understands that its rights in connection with this purchase are limited as set forth in this Purchase Order.

DISCLOSURE OF REGULATION APPLICABILITY: When operated in California, any off-road diesel vehicle may be subject to the California Air Resources Board In-Use Off-Road Diesel Vehicle Regulation. It therefore could be subject to retrofit or accelerated turnover requirements to reduce emissions of air pollutants. More information is available on the California Air Resources Board website at <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>.

RESOLUTION NO. _____

ADOPTION OF THE 2018 CERTIFIED TAX RATE FOR KAYSVILLE CITY AND THE FINAL FISCAL YEAR 2019 BUDGET.

WHEREAS, Section 10-6-118, Utah Code Annotated, the Uniform Fiscal Procedures Act, requires Kaysville City Corporation by ordinance or resolution to adopt an annual budget for each fund; and

WHEREAS, Section 59-2-924, Utah Code Annotated, the Revenue and Taxation Act, requires Kaysville City to set a certified tax rate as part of the annual budget; and

WHEREAS, the Kaysville City Council, after giving due notice required by statute, has held public hearings and given notice as required now desires to adopt the 2018 Certified Tax rate and the final Fiscal Year 2019 Budget.

NOW THEREFORE, BE IT RESOLVED BY THE KAYSVILLE CITY COUNCIL:

1. The City Council hereby sets a certified tax rate at .001589 as calculated and attached hereto as Exhibit A - Certified Tax Rate Calculation and incorporated herein by this reference.
2. The City Council hereby adopts the Final Fiscal Year 2019 Budgets.
3. The Resolution shall be effective upon adoption.

APPROVED and ADOPTED this 16th day of August 2018.

Katie Witt
Mayor

ATTEST:

Maria Devereux
City Recorder

View Tax Year 2018 County 06_DAVIS Entity 3070_KAYSVILLE Administration Maintenance Forms Reports Data Entry

Accounting Cycle: Fiscal Year

Rate Detail

(233b) Auditor Data Entry Completed	(750) Treasurer Data Entry Completed	(233b) BOE Calculated	(750) Collection Rate Calculated	(687) Assessor Data Entry Completed	(683) Proposed Rates Entered	Rates US1C Approved	Rates Finalized
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REAL PROPERTY VALUES					
	2018 Original	2017 Year End	Orig - Year End	% Change	% Change
Real	1,952,971,228	1,764,939,761	178,031,467	9.97 %	7.05 %
(+) Incremental Value	8,887,281	8,865,592	321,689	3.71 %	% Change
(=) Total Adjusted Value Real	1,953,938,947	1,776,274,170	177,709,778	10.00 %	2.93 %
CENTRALLY ASSESSED VALUES					
	2018 Original	2017 Year End	Orig - Year End	% Change	Value
Centrally Assessed	38,687,302	32,064,001	6,623,301	20.66 %	32,064,001
(+) Incremental Value	5,049	4,049	1,000	24.69 %	4,049
(=) Total Adjusted Value CA	38,682,254	32,069,952	6,622,302	20.66 %	32,069,952
PERSONAL PROPERTY VALUES					
	2017 Year End	2016 Year End	2017YE - 2016YE	% Change	
Personal	37,963,545	33,611,414	4,352,131	12.95 %	
(+) Incremental Value	2,709,468	377,405	2,332,063	617.92 %	
(-) Semiconductor					
(=) Total Adjusted Value PP	35,254,078	33,224,009	2,020,069	6.08 %	

REAL PROPERTY NEW GROWTH		Total Adjusted Value Real
2018 Original		1,953,938,947
(+) 2017 Year End		1,776,274,170
(=) Orig - Year End		177,709,778
(+) Value Change		125,820,576
(=) Real New Growth		51,889,202
CENTRALLY ASSESSED NEW GROWTH		Total Adjusted Value CA
2018 Original		38,687,254
(+) Benchmark		32,059,952
(=) CA New Growth		6,622,302
PROJECT AREA NEW GROWTH		
Real		
(+) Centrally Assessed		
(+) Personal		
(=) Project Area New Growth		0

NEW GROWTH TOTALS		
Real New Growth		51,889,202
(+) CA New Growth		6,622,302
(=) Project Area New Growth		
(+) Eligible New Growth		58,511,503
(=) 5 Year Avg Collection Rate		97.34 %
(=) Collection Rate Adjusted Eligible New Growth		56,965,097

CERTIFIED TAX RATE CALCULATION		
Total Adjusted Value (R+CA+PP)		2,027,920,278
(-) Board of Equalization (BOE) Adjustment		5,589,664
(=) 5 Year Average Collection (2016/2017)		97.34 % / 97.13 %
(=) Proposed Tax Rate Value		1,963,585,919
(-) Collection Rate Adjusted Eligible New Growth		56,965,097
(=) Certified Tax Rate Value		1,914,610,822

Budget Code	Budget Name	2017 Year End Adjusted Budgeted Revenue	Calc. Certified Tax Rate	2017 Year End Final Tax Rate	% Change	Certified Tax Rate Revenue W/O New Growth	New Growth Revenue	Certified Tax Rate Revenue W/ New Growth	Auditor's Certified Tax Rate	Auditor's Certified Rate Revenue	Budgeted Revenue	Final Tax Rate	Final Budgeted Revenue
10	General Operations	\$ 2,839,681	0.001485	0.001589	-6.54 %	\$ 2,839,507	\$ 84,601	\$ 2,924,108	0.001485	\$ 2,923,320	\$ 3,128,051		
190	Discharge of Judgement												
		\$ 2,839,681	0.001485	0.001589	-6.54 %	\$ 2,839,507	\$ 84,601	\$ 2,924,108	0.001485	\$ 2,923,320	\$ 3,128,051		

NOTES:

NOTICE OF PROPOSED TAX INCREASE
KAYSVILLE CITY

Kaysville City is proposing to increase its property tax revenue.

Kaysville City tax on a \$364,000 residence would increase from \$297.30 to \$318.12, which is \$20.82 per year.

Kaysville City tax on a \$364,000 business would increase from \$540.54 to \$578.40, which is \$37.86 per year.

If the proposed budget is approved, Kaysville City would increase its property tax budgeted revenue by 6.97% above last year's property tax budgeted revenue excluding new growth.

All concerned citizens are invited to a public hearing on the tax increase.

PUBLIC HEARING

Date/Time August 16, 2018 6:00 PM

Location Kaysville City Hall
 23 East Center Street
 Kaysville, UT 84037

You may obtain more information regarding the tax increase by contacting Kaysville City at 801 546 1235.

STAFF REPORT



COUNCIL MEETING DATE: Aug 16, 2018

ITEM NO.: 4 c. & 4 d.

TYPE OF ITEMS: Action Items

PRESENTED BY: Community Development Staff

SUBJECT/AGENDA TITLE: Rezone of 4 acres at 993 Sunset Drive from A-1 to R-1-LD and Preliminary Plat for the Brady Estates Subdivision.

EXECUTIVE SUMMARY:

The subject property between Sunset Drive and the D&RGW rail trail includes just over 4 acres of property. The applicant is requesting approval of a rezone to the R-1-LD zoning district to develop the property.

The requested zoning district allows for development at 2 units per acre with some varying lot sizes no smaller than 12,000 sq. ft. in size.

There are two items being looked at with this request. First is the rezone. A rezone is a legislative action and as such gives the City Council broad discretion in its decision as to whether or not to approve the request. To consider with this type of request is the city's general plan and how appropriate the zone is at the specific location.

The City's General Plan states, among other things:

Identity and Character:

Kaysville should be primarily a residential community with a vision to promote business, industry and public use.

Housing

A. Housing should be located throughout the City and restricted only where it is incompatible with other necessary uses.

1. West of I-15, allow zero to two units per acre with some higher density housing along the major streets.

B. The majority of the housing should be one unit per structure (single unit).

About ten percent (10%) of the housing should be more than one unit per structure (multiple unit). Multiple unit housing should consist mostly of duplexes (two unit structures) and some three to six unit structures dispersed throughout the City.

C. Housing development should have a minimum of through vehicular traffic and a maximum of open space.

D. Housing developments should essentially pay for themselves.

Sunset Drive is classified as Major Streets per Kaysville City's Major Street Plan in Section 8-3-2.

The applicant has also submitted an application for preliminary plat showing the desired development of this property. The plat shows 6 lots on the 4 acres of property, one lot includes the existing home. The subdivision would also bring Preakness Drive though to Sunset drive while creating new potential access to development to the north. The lots, which are at least 18,000 sq. ft. or larger, comply with the density, frontage, and size requirements of the requested zoning district.

Council Options: Rezone: Approve or deny the requested zoning district.

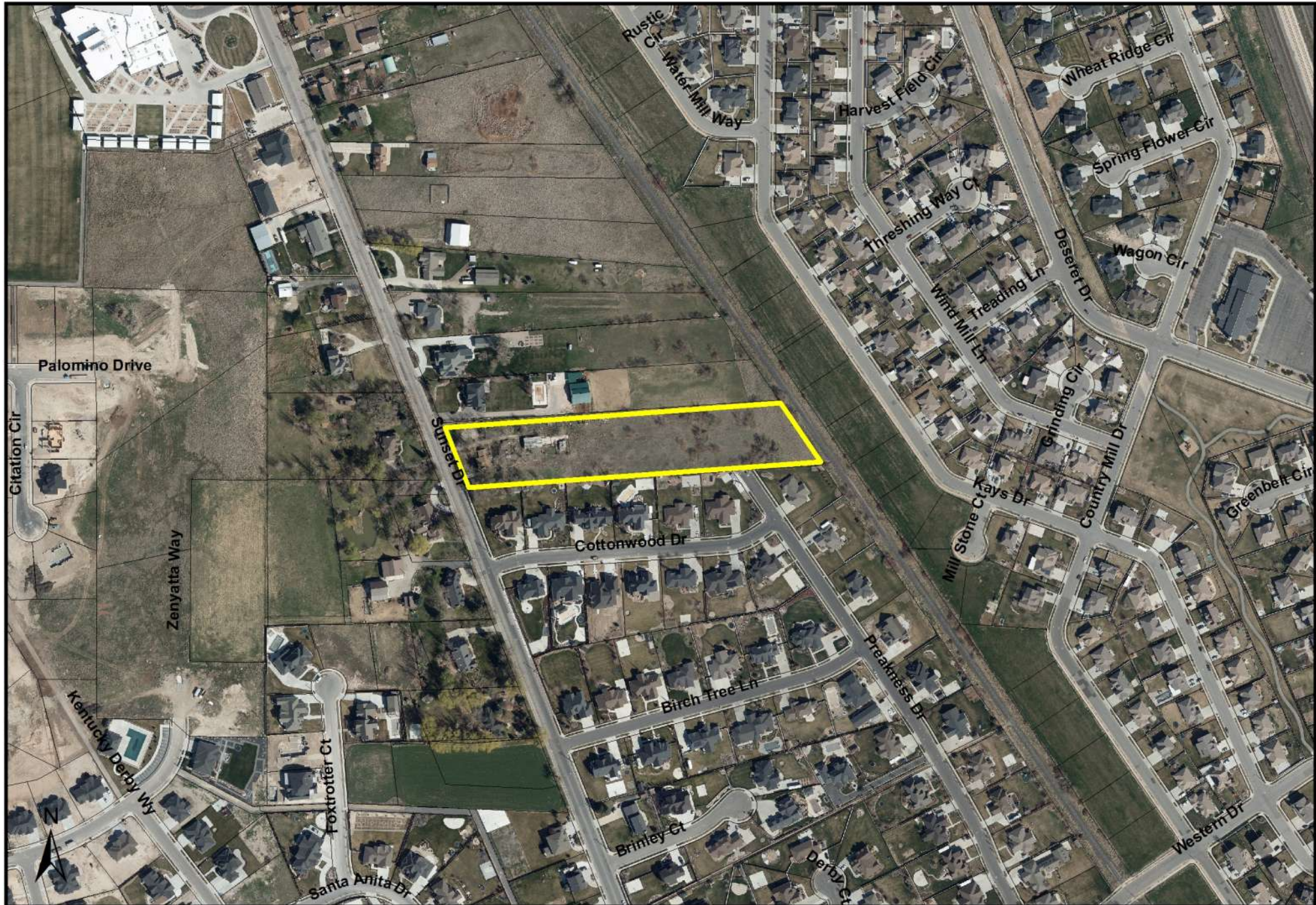
Preliminary Plat: If the council approves the R-1-LD zoning district, then the preliminary plat should be approved as it meets applicable ordinances and standards.

Recommendation: The Planning Commission held a public hearing for both the rezone and the subdivision plat and voted unanimously to recommend approval of the R-1-LD zone and the Brady Estates Subdivision preliminary plat as proposed.

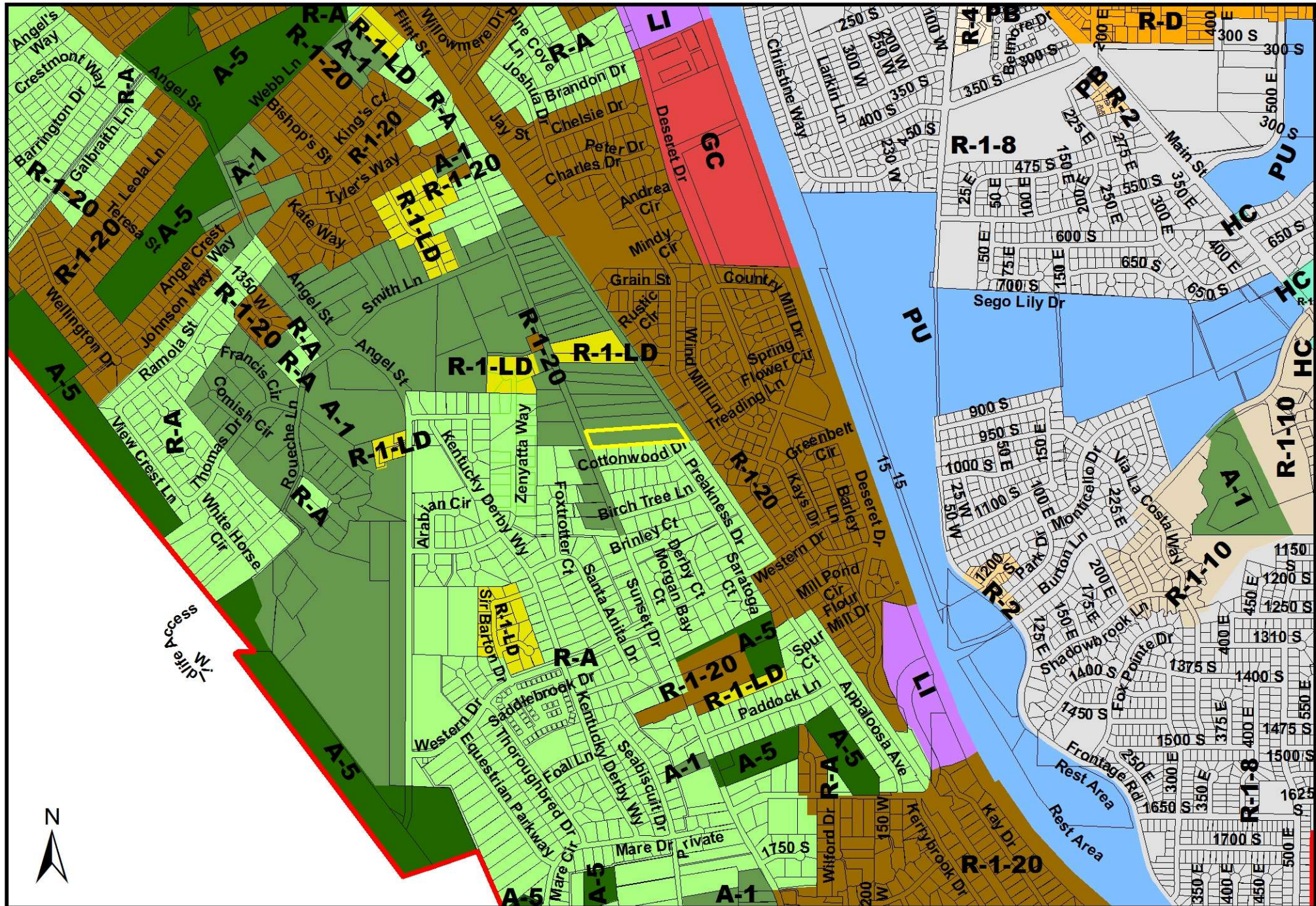
Fiscal Impact & Fund Source for Recommended Action: N/A

Attachments: 993 Sunset Drive location map
Area zoning map
Brady Estates preliminary plat

Rezone of 993 South Sunset Drive from A-1 to R-1-LD



Rezone of 993 South Sunset Drive from A-1 to R-1-LD



Brady Estates
993 S. Sunset Drive
Kaysville, UT
84037

LAVOUIRE SUBDIVISION

SURVEYOR'S CERTIFICATE

I, RICHARD W. MILLER, A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE IN ACCORDANCE WITH THE LAWS OF THE STATE OF UTAH HEREBY CERTIFY MADE A SURVEY OF THE HEREON DESCRIBED PARCEL AND THAT THIS PLAT AND CORRECT REPRESENTATION OF SAID SURVEY.

DATE: JANUARY 19, 2018

SIGNED: *Richard W. Miller*
RICHARD W. MILLER, P.L.S. 155641

RECORD DESCRIPTION

QCD #2746195, B-5786, P-945 946
BEGINNING ON THE EAST LINE OF HIGHWAY #4 AT A POINT 19.19 CHAINS SOUTH AND NORTH 86°15' WEST 15.7 CHAINS (1036.2') AND SOUTH 177.02 FEET ALONG THE EAST LINE OF SAID HIGHWAY; THENCE NORTH 14.88 CHAINS (982.1') TO THE WEST LINE OF RIGHT-OF-WAY OF RAILROAD; THENCE WEST 14.88 CHAINS (982.1') TO THE POINT OF BEGINNING; THENCE SOUTH 85°30' WEST 15 CHAINS OR LESS, TO THE POINT OF BEGINNING.
(CONTAINS: xxx ACRES AS DESCRIBED.)

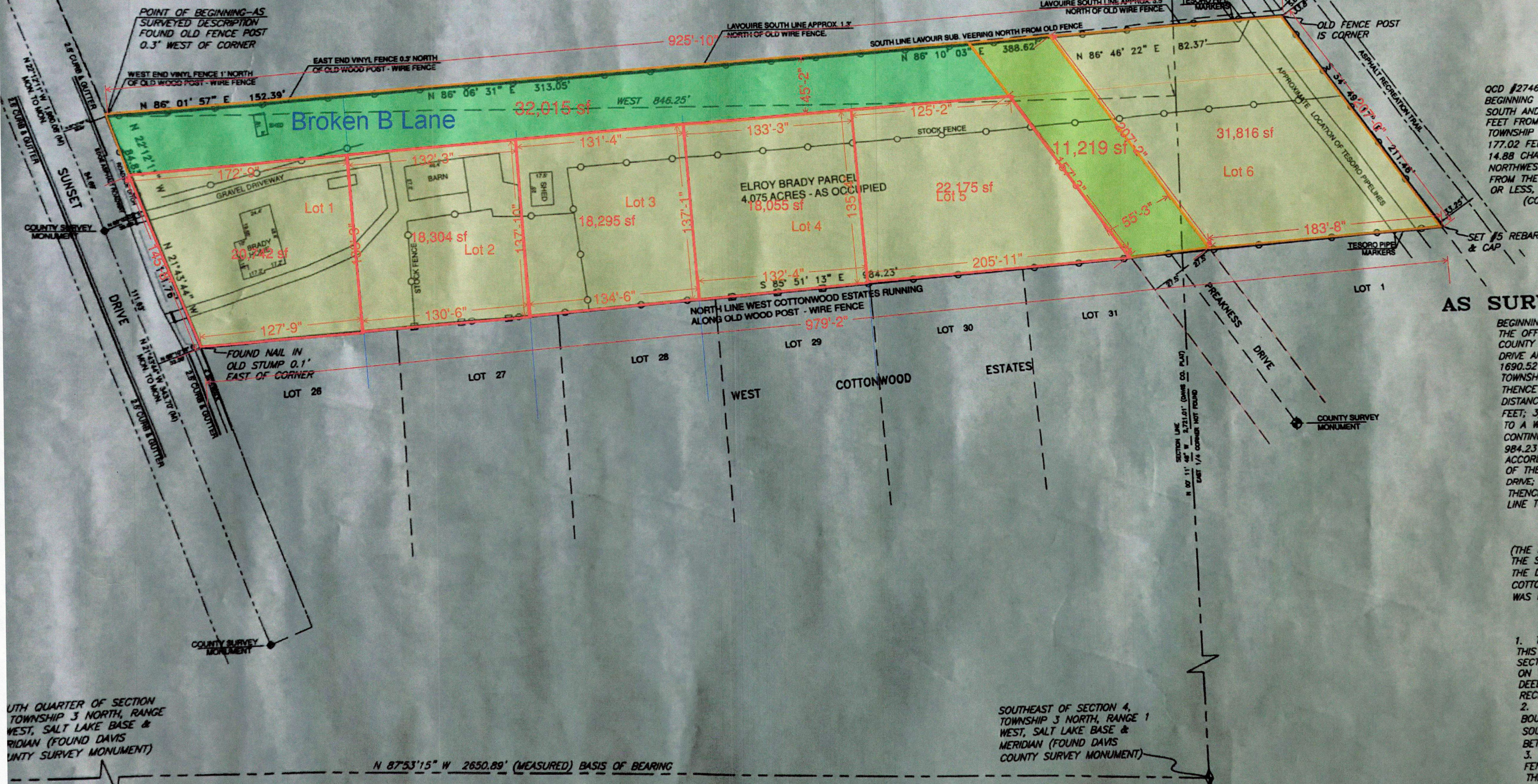
AS SURVEYED-AS OCCUPIED

BEGINNING AT THE SOUTHWEST CORNER OF "LAVOUIRE SUBDIVISION" THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, SAID POINT BEING ON THE EAST RIGHT-OF-WAY DRIVE AND AN OLD WOOD POST-WIRE FENCE, AND BEING SOUTH 1690.52 FEET, AND WEST 846.25 FEET FROM THE EAST QUARTER CORNER OF TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG SAID WOOD POST-WIRE FENCE THE NEXT FOUR (4) DISTANCES, 1) NORTH 86°01'57" EAST 152.39 FEET; 2) NORTH 86°01'57" EAST 388.62 FEET; 3) NORTH 86°10'03" EAST 388.62 FEET; 4) NORTH 86°46'22" EAST 82.37 FEET; THENCE SOUTH 34°49'17" EAST 984.23 FEET ALONG AN OLD WOOD POST-WIRE FENCE; THENCE S 84.23 FEET ALONG THE NORTH LINE OF "WEST COTTONWOOD ESTATES" ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, TO SAID EAST RIGHT-OF-WAY DRIVE; THENCE NORTH 21°43'44" WEST 111.76 FEET ALONG SAID DRIVE; THENCE NORTH 22°12'11" WEST 84.83 FEET CONTINUING ALONG SAID DRIVE TO THE POINT OF BEGINNING.
(CONTAINS: 4.075 ACRES AS OCCUPIED)

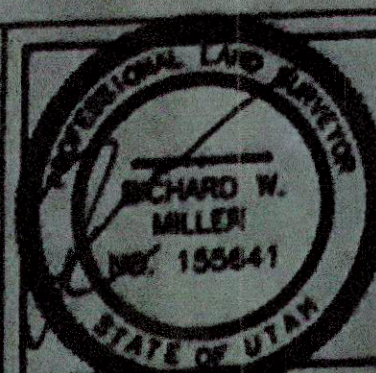
(THE BASIS OF BEARING FOR THIS DESCRIPTION IS NORTH 87°15' WEST, THE SOUTHEAST CORNER AND THE SOUTH QUARTER CORNER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN (FOUND DAVIS COUNTY SURVEY MONUMENT). THE EAST QUARTER CORNER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN (NOT FOUND).)

NARRATIVE

1. THE PURPOSE OF THIS SURVEY IS TO DETERMINE THE BOUNDARY OF THE "BRADY ESTATES" PARCEL. THIS SURVEY HAS BEEN PERFORMED FROM DAVIS COUNTY SURVEY MONUMENTS AND THE DAVIS COUNTY SURVEY MONUMENT ON THIS PLAT. THE EAST QUARTER CORNER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN (FOUND DAVIS COUNTY SURVEY MONUMENT) DEED FOR BRADY IS TIED, WAS NOT FOUND. IT APPARENTLY RECENT SUBDIVISION AND RECREATION DEVELOPMENT.
2. THE DEED DESCRIPTION FOR BRADY IS NOT CONTIGUOUS BOUNDARY OF THE "LAVOUIRE SUBDIVISION" TO THE BOUNDARY OF THE "WEST COTTONWOOD ESTATES" SUBDIVISION. BETWEEN THESE PROPERTY'S WRITTEN RECORD DESCRIPTION.
3. MR. BRADY HAS STATED TO THIS SURVEYOR THAT THE FENCE THAT EXISTS ALONG THE NORTH, EAST, AND SOUTH LINES THERE SINCE HE PURCHASED THE PROPERTY IN 1953, AND THAT FENCE ALL THESE YEARS.
4. MR. BRADY BELIEVED THE GAP BETWEEN THESE PARCELS FOR DRAINAGE AND/OR IRRIGATION. THIS SURVEYOR HAS DISCOVERED A RECORDED EASEMENT, BUT HAS FOUND NONE. LIKEWISE RETAINED TO SEARCH FOR SUCH AN EASEMENT, DAVIS COUNTY SURVEYOR WAS ASKED TO SEARCH AS WELL.



SURVEY PREPARED BY:
RICHARD W. MILLER, PLS



ELROY BRADY
993 SOUTH SUNSET DRIVE
KAYSVILLE, UTAH 84037

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN

REVISIONS:

DRAWN BY: RWM/ALS
CHECKED BY: RWM
SURVEY DATE: 9/1/17
JOB NO: 17-050

SURVEYED BY: ALS
CALCULATED BY: RWM
SP-80
DWG: MILLER-BRADY

SHEET DESCRIPTION

BOUNDARY
SURVEY

STAFF REPORT



COUNCIL MEETING DATE: Aug 16, 2018

ITEM NO.: 4 e.

TYPE OF ITEM: Action

PRESENTED BY: Community Development Staff

SUBJECT/AGENDA TITLE: Preliminary Plat for Tyler Meadows Phase 2

EXECUTIVE SUMMARY:

The City Council recently rezoned the subject property to the R-1-LD zone allowing for development at a density of 2 units per acre. The applicant at the time submitted a concept plan showing a likely layout of the subdivision including 6 lots on a cul-de-sac street.

The submitted preliminary plat is very similar to the concept/yield plan showing 6 lots on a cul-de-sac street. The total property includes 3.3 acres of land with lots ranging from 0.34 acres (14,877 sq. ft.) to 0.77 acres (33,599 sq. ft.) in size.

The R-1-LD accommodates these lot sizes allowing up to two units per acre with a minimum lots size of 12,000 square feet. The density, lot size, frontage, and public street improvements shown on the preliminary plat are all in compliance with applicable ordinances.

Council Options: Approve, or table a decision pending additional information.

Recommendation: After holding a public hearing for this subdivision plat, the Planning Commission voted unanimously to recommend approval of the proposed preliminary plat for Tyler Meadows Phase 2.

Fiscal Impact & Fund Source for Recommended Action: N/A

Attachments: Location Map
Preliminary Plat

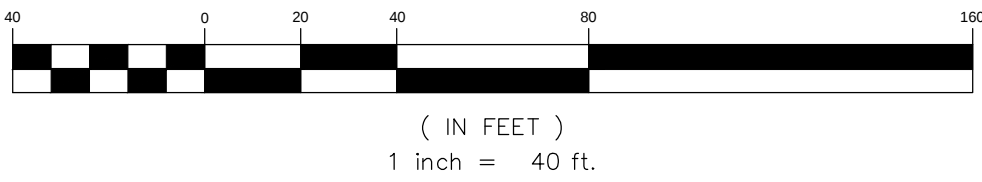
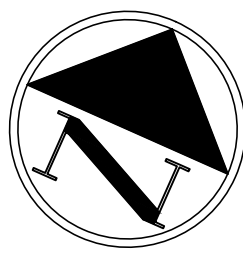
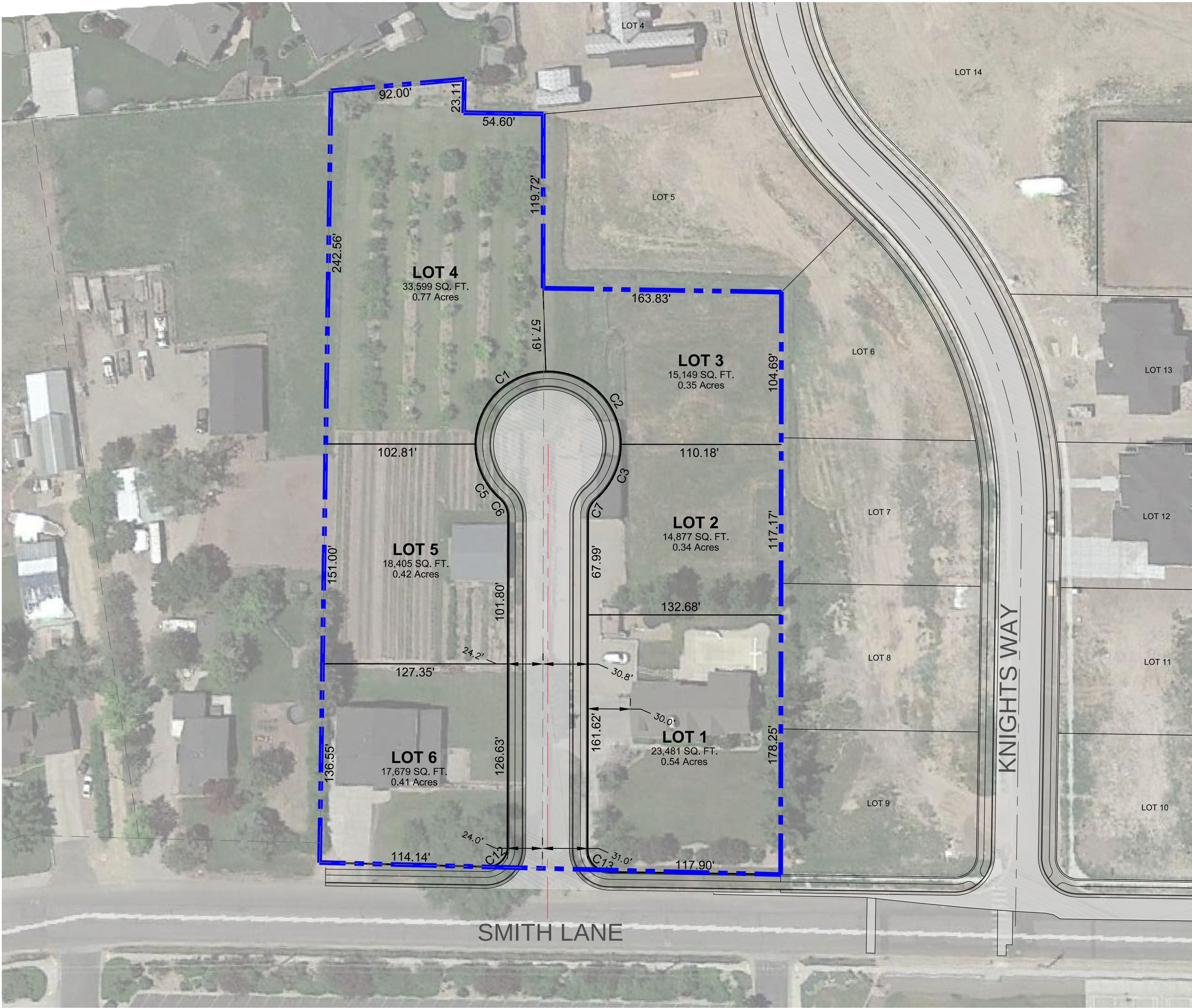
Tyler Meadows Phase 2



L:\MEA_Marketing\Wright_Dev\Tyler Meadows Ph. 2\Preliminary Plat.dwg Jun 26, 2018 - 12:13pm

TYLER MEADOWS - PHASE 2

PRELIMINARY PLAT
A WRIGHT DEVELOPMENT



LAND USE SUMMARY
OVERALL PROJECT SIZE: ~3.3 ACRES
6 LOTS, INCLUDING 2 EXISTING HOMES

ZONING R-L-D

- GENERAL NOTES**
1. NOT BASED ON A SURVEY
 2. OTHER EXISTING FEATURES SHOULD BE TAKEN INTO CONSIDERATION, SUCH AS AN EXISTING CONTOURS, LARGE TREES, AND STORM DRAINAGE CONNECTIONS.

NEWTON PARCEL
APPROXIMATELY 1.82 ACRES
RETAINS 0.41 ACRES
SELLING 1.41 ACRES

SMITH PARCEL
APPROXIMATELY 1.50 ACRES
RETAINS 0.54 ACRES
SELLING 0.96 ACRES

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TAN	CHORD	CHORD BRG
C1	76.85'	50.00'	88°03'32"	48.33'	69.50'	N20°06'11"E
C2	80.23'	50.00'	91°56'28"	51.72'	71.90'	S69°53'49"E
C3	42.91'	50.00'	49°10'04"	22.87'	41.60'	S0°39'27"W
C5	42.91'	50.00'	49°10'04"	22.87'	41.60'	N48°30'37"W
C6	12.87'	15.00'	49°10'04"	6.86'	12.48'	N48°30'37"W
C7	12.87'	15.00'	49°10'04"	6.86'	12.48'	S0°39'27"W
C12	23.77'	15.00'	90°47'33"	15.21'	21.36'	N21°28'12"E
C13	23.35'	15.00'	89°12'27"	14.79'	21.07'	S68°31'48"E

REVISION

DATE

NO.

DRAWING IS NOT TO
SCALE IF BAR DOES
NOT MEASURE 1 INCH

0 1/2 1

PRELIMINARY PLAT

TYLER MEADOWS - PHASE 2

KAYSVILLE CITY, DAVIS COUNTY, UTAH

Scott R. McFarland, PE
Project Manager
347 East 1275 South
Kaysville, Utah 84037
801.726.6797 (M)
srmcd@yaho.com

MEA
McFarland Engineering Associates, Inc.

PREPARED FOR
WRIGHT
DEVELOPMENT
GROUP

DESIGN: SPM
DRAWN: SPM
CHECKED: SRM
DATE: 05-8-18

SHEET:

C1

STAFF REPORT



COUNCIL MEETING DATE: Aug 16, 2018
ITEM NO.: 4 f.

TYPE OF ITEM: Action
PRESENTED BY: Community Development Staff

SUBJECT/AGENDA TITLE: An ordinance amending Chapter 19-4, Final Plat, of Title 19 Subdivisions.

EXECUTIVE SUMMARY:

Recently the Kaysville City Council approved Ordinance 18-3-2 which made the Planning Commission the approval body for Final Plat applications. While that ordinance included a repealer which deals with conflicting language that may exist within the city's ordinances, it is preferable to clean up the conflicting language with the passage of this ordinance. The proposal modifies conflicting language which clarifies that the Planning Commission is the approval body for Final Plat applications. There is also a change to required documents to reflect how the city currently reviews this type of application.

Council Options: Approve with or without changes, Deny, Table.

Recommendation: After holding a public hearing on this item, the Planning Commission voted unanimously to recommend approval of the ordinance as written to the City Council.

Fiscal Impact & Fund Source for Recommended Action: N/A

Attachments: Final Plat Process Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 19-4, FINAL PLAT, OF TITLE 19, SUBDIVISIONS, OF THE REVISED ORDINANCES OF KAYSVILLE CITY PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a final plat approval is an administrative decision wherein the approval body does not have legislative discretion; and

WHEREAS, it has been determined that the Planning Commission is desired to function as the approval body for Final Plat Applications providing sufficient oversight and added efficiency to the process; and

WHEREAS, the City Council of Kaysville City determines it is in the best interests of its citizenry to amend this ordinance as outlined below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KAYSVILLE CITY, UTAH:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment. Section 19-2-1, SUBDIVISION DEVELOPMENT PROCESS, of Chapter 19-2, DEVELOPMENT PROCEDURES, of Title 19, SUBDIVISIONS, of the Revised Ordinances of Kaysville City, 1993, is amended as follows:

19-4-1 Tentative Final Plat Required

1. Prior to the submission of the final plat, the Subdivider shall submit ~~six (6) copies~~ a digital and hard copy of the tentative final plat to the City Engineer who shall check the tentative final plat against the requirements and conditions of approval of the preliminary plat.
2. The City Engineer shall return one (1) copy of the checked tentative final plat to the Subdivider indicating thereon any changes required.

19-4-5 Final Plat Approvals

1. The final plat and associated documents shall be reviewed by the staff. The City Engineer shall check the engineering requirements of the drawing, check the construction drawings, and determine the amount of the improvement assurance to assure construction of the improvements where necessary. After approval and signature by the City Engineer, the plat and improvement assurance shall be submitted to the City Attorney for approval.
2. The final plat shall be reviewed by the Planning Commission. The Commission shall either approve or reject the subdivision final plat. If approved, the Commission shall express its approval with whatever conditions are attached. If disapproved, the Commission shall indicate the reasons therefor.

3. ~~The final plat shall be reviewed by the City Council. The Council shall then either approve or reject the subdivision final plat.~~ If approved, the final plat shall be held by the City Recorder until the Subdivider pays the required fees, provides proof of compliance with all the requirements of the pressure irrigation provider, and provides the improvement assurance. Upon compliance with these requirements, the Mayor shall sign and the Recorder attest the plat. The final plat shall then be submitted to the office of the County Recorder by the City Engineer.
4. No final plats shall be recorded in the office of the County Recorder, and no lots included in such final plat shall be sold or exchanged, unless and until the plat is so approved, signed, and accepted.
5. Approval of the final plat shall be effective until the later of:
 - a. One (1) year after the date of approval by the ~~City Council~~ Planning Commission; or
 - b. Thirty (30) days after the last date on which construction of improvements was done; or
 - c. The last day of the extension period approved by the ~~City Council~~ Planning Commission.

If the final plat has not been offered for recording, with all approval steps completed, within the applicable period, the plat shall not be recorded or received for recording and shall have no validity whatsoever.

6. It shall be unlawful for any person to change the lines, drawings, lot sizes or shapes, or any other provision of a plat after it has received approval by any person whose approval is required. Any plat that is changed in violation of this paragraph is void. The City may compel the person recording the plat to withdraw the plat from the County Recorder's office or to file a notice, or the City may itself file a notice that the recordation of the plat is void. The City Engineer is responsible for recording all subdivision plats. The Subdivider shall be responsible for all recording and associated fees.

SECTION III: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: Effective Date. This Ordinance shall take effect 20 days after being passed and adopted by the City Council.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this __th day of _____, 2018

Katie Witt
Mayor

ATTEST:

Maria T. Devereux
City Recorder

STAFF REPORT



COUNCIL MEETING DATE: Aug 16, 2018

ITEM NO.: 4 g.

TYPE OF ITEM: Action

PRESENTED BY: Community Development Staff

SUBJECT/AGENDA TITLE: An Ordinance to allow Flag Lots on Cul-de-Sac Streets

EXECUTIVE SUMMARY:

Staff has seen a significant increase in interest from the public to consider flag lot development on cul-de-sac streets. Historically this type of development was permitted in Kaysville City by conditional use, but has been prohibited for nearly a decade. Staff has discussed this topic on multiple occasions with the Planning Commission to arrive at the suggested ordinance revision.

The ordinance proposed eliminates one sentence from the criteria for a flag lot in 17-34-9 which currently states 'Flag lot subdivisions are not allowed on cul-de-sac streets.' It is the opinion of staff that removing this text is an appropriate action because of how flag lots are permitted. A Flag Lot subdivision can only be approved with the PRUD overlay zone. Because approval of a zone or overlay zone is a legislative decision it allows for case by case discretion.

Experience with existing development and discussion with city department heads has yielded little to no concern regarding distance from through streets and providing utilities, even at the end of the City's longest cul-de-sac streets. Any hesitations have been softened by the ability to provide input case by case on a subdivision proposal for the consideration of the Planning Commission and City Council before approving the necessary zoning.

The Planning Commission held a Public Hearing on this item where the lone public comment shared concern with double flag lots along cul-de-sac streets as well as concern for flag lots at the end of a cul-de-sac adding even more curb cuts in areas that often have little to no room for on-street parking.

Council Options: Approve, Deny, or move the item to a work session for further discussion.

Recommendation: The Planning Commission voted unanimously recommending that the council approve the proposed ordinance as written.

Fiscal Impact & Fund Source for Recommended Action: N/A

Attachments: Flag Lots on Cul-de-sac Streets Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 17-34-9, FLAG LOT SUBDIVISION, OF CHAPTER 17-34, PLANNED RESIDENTIAL UNIT DEVELOPMENT, OF TITLE 17 PLANNING AND ZONING OF THE REVISED ORDINANCES OF KAYSVILLE CITY PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, residents of Kaysville City have expressed interest in subdividing property by means of a flag lot on cul-de-sac streets; and

WHEREAS, the Kaysville City Planning Commission has held a public hearing regarding this matter; and

WHEREAS, the Kaysville City Council has determined that the proposed changes are in the best interest of the City and its residents;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KAYSVILLE CITY, UTAH:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II:

Section 17-34-9, FLAG LOT SUBDIVISION, of Chapter 17-34, PLANNED RESIDENTIAL UNIT DEVELOPMENT, of Title 17, PLANNING AND ZONING, of the Revised Ordinances of Kaysville City, 1993, is amended to read as follows:

17-34-9 Flag Lot Subdivision

1. Development requirements:

- a. The area of each flag lot shall be at least 10,000 square feet or meet the lot area required by the underlying zone district, whichever is greater.
- b. Flag lots shall have access to a street by way of a projection of at least thirty feet (30') in width along its entire length. Two flag lots with projections side-by-side may each have projections eighteen feet (18') or greater in width (for a total of not less than 36 feet) and share a common paved driveway twenty feet (20') or more in width covered by an easement so that the driveway cannot be divided.
- c. Main buildings on a flag lot shall be located not closer than twenty feet (20') to any property line.
- d. Accessory buildings shall comply with KCC 17-31-2.

2. Acceptable Uses. Subject to the review and approval of the Planning Commission, uses acceptable in a flag lot subdivision shall be those uses which are permitted in the zoning district in which the flag lot subdivision is located. Two family dwellings on flag lots as conditional uses are prohibited.

3. Applicability:

- a. Flag lot subdivisions shall be considered only in R-A, R-1, R-D, R-2, R-4 and R-M zones.
- ~~b. Flag lot subdivisions are not allowed on cul-de-sac streets.~~

SECTION VI: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION VII:

This Ordinance shall take effect 30 days after final passage by the Kaysville City Council.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this __th day of _____, 2018

Katie Witt
Mayor

ATTEST:

Maria T. Devereux
City Recorder

STAFF REPORT



COUNCIL MEETING DATE: Aug 16, 2018

ITEM NO.: 6 a.

TYPE OF ITEM: Work

PRESENTED BY: Shayne Scott, City Manager

SUBJECT/AGENDA TITLE: Leasing Policy Document Discussion

EXECUTIVE SUMMARY:

From time to time Kaysville has excess land that is not needed for current city operations. Several times over the past two years, individuals have reached out to the city asking about the possibility of leasing city land.

The purpose of this discussion item is to gain consensus on a policy surrounding the leasing of land and other facilities owned by Kaysville City.

Council Options: Move this item to a future ACTION agenda.
Move this item to a future WORK agenda with direction on document changes.

Recommendation: At this time Staff recommends moving this item to a future ACTION agenda.

Fiscal Impact & Fund Source for Recommended Action: No fiscal impact at this time.

Attachments: Leasing Policy Document

RESOLUTION

A RESOLUTION ADOPTING AND APPROVING A POLICY ESTABLISHING A POLICY AND PROCEDURE TO LEASE OR RENT CITY OWNED PROPERTY

WHEREAS, the Kaysville City Council desires to effectively use City Property in a way that will bring value to the City when possible; and

WHEREAS, the City Council desires to establish a policy to determine the desirability of leasing or renting certain property; and

WHEREAS, the City Council desires to establish a standard operating procedure for leasing or renting certain property; and

WHEREAS, the City recognizes that establishing this policy will help insure fair access to any applicable property; and

WHEREAS, the City believes that establishing a policy will lead to greater value returned to the City; and

WHEREAS, it is deemed to be in the best interest of the citizens of Kaysville City to adopt and approve the policy outlined below.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF KAYSVILLE, UTAH:

1. The City Manager is directed to follow the following procedure for all future rental or lease of City Property:
 - a. City Staff will periodically evaluate and determine if there is City-owned real property that is not currently used or anticipated to be used to provide City Services.
 - b. Any properties that City Staff deem have worthwhile lease or rental potential shall be presented to the City Manager for preliminary lease approval.
 - c. Following the approval of the City Manager, the property will be advertised for lease. The lease shall be advertised to the public on the City's website and may be advertised using other methods as necessary.
 - d. Throughout this process and up to the point of City Council approval, City Staff shall have the ability to negotiate lease rates, locations, use, and other terms to further the good of the city
 - e. All leases will be open for appropriate bids for a minimum of 21 days.
 - f. All leases will be received via sealed bid or confidential email
 - g. All potential lease agreements shall be ratified by the City Council through the use of the Consent agenda.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this **16th day of August, 2018.**

Katie Witt, Mayor

ATTEST:

Maria Devereux, City Recorder

STAFF REPORT



COUNCIL MEETING DATE: Aug 16, 2018

ITEM NO.: 6 b.

TYPE OF ITEM: Work

PRESENTED BY: Shayne Scott, City Manager/Ryan Judd, IT Director

SUBJECT/AGENDA TITLE: IPAD Discussion

EXECUTIVE SUMMARY:

With the resignation of James Hansen and appointment of Council Member DeCaire, staff thought it might be a good opportunity to discuss something that has been an issue since the council decided to go paperless for city council meetings.

It would be beneficial for the IT Department if the IPADS that are issued to City Council become the property of the City Council Member to which the device is issued. This would allow the device to be completely self-managed by the council member (with city staff answering questions and providing support where necessary) without the IT Department including this device in its “support” roster. This roster of devices costs the city a monthly charge. Kaysville City has very few IPAD devices and requires additional work on the platform as a result of these 6 devices. Finally, at the end of a term the device is at least 4 years old and is of no use to the city after being used for at least one term. It would be best for the city if the device could be given to the council member and become that council member’s property.

While no formal action is necessary to classify these devices as city or council property, staff is looking for direction on this request to classify these devices as owned by council members and to remove the devices from the roster of city devices.

Council Options: Classify the devices as City owned
Classify the devices as Council Member owned

Recommendation: At this time Staff recommends classifying the device as Council Member owned.

Fiscal Impact & Fund Source for Recommended Action: Since the device is issued to the Council Member upon their swearing in, no additional fiscal impact would be made at this time if the staff recommendation is followed. The exception to this is the device would no longer be owned by the City which would be a positive financial impact during the life of the device but would not be able to be sold after the term is of the Member has concluded.

Attachments: None

STAFF REPORT



COUNCIL MEETING DATE: Aug 16, 2018

ITEM NO.: 6 c.

TYPE OF ITEM: Work

PRESENTED BY: Shayne Scott, City Manager

SUBJECT/AGENDA TITLE: Spatial Needs Assessment Discussion

EXECUTIVE SUMMARY:

As staff, residents, and council have discussed the fate of the library building, a common theme has been the need to make a decision that takes into account the staffing needs of the city. A lack of space at the Operations Center and Primary City Office have resulted in space being created at City Hall in the form of shortening up and walling off some of the council chambers. At the Operations Center a portable was donated to Kaysville City that was transported and is utilized to house excess and overflow staff. Administrative staff have also been forced to sacrifice a break room and a copy room that were renovated as office space.

In 2015 a study was commissioned to assess the Kaysville City staffing needs and building space requirements now and in the future all the way up to and including "build out". Seeing that the council is getting closer to making a decision regarding the library building, City Staff thought it might be an appropriate time to go in to some detail about from where the spatial needs information is often quoted.

Council Options: No action necessary on this item.

Recommendation: No recommendation necessary on this item.

Fiscal Impact & Fund Source for Recommended Action: N/A

Attachments: Spatial Needs Assessment Document



Kaysville City Master Plan

Space Needs Summary Municipal Center

ARCHITECTS

4/11/2016

Space No.	Space Description	Staff	Existing Staff Qty.	Existing Area	5-10 Yr. Req'd	10-20 Yr. Req'd	Space Standard	Area Factor	Room Total	Comments	Notes
6.1	Public			4,453 S.F.					5,781 S.F.	1,328	
6.1.1	Vestibule		2	112 S.F.	2		56 S.F.	1.00	112 S.F.		
6.1.2	Public Lobby		1	1,140 S.F.	1		1,140 S.F.	1.00	1,140 S.F.	Existing not accessible	
6.1.3	Mens Public Restroom		1	84 S.F.	1		167 S.F.	1.30	217 S.F.	Existing not accessible	
6.1.4	Womens Public Restroom		1	84 S.F.	1		167 S.F.	1.30	217 S.F.	Existing not accessible	
6.1.5	Multi-Purpose		1	2,000 S.F.	1		2,000 S.F.	1.00	2,000 S.F.	Currently used for records storage, too small	
6.1.5.1	Multi-Purpose Storage		1	78 S.F.	1		78 S.F.	1.00	78 S.F.	Used by Youth Court and for custodial storage	
6.1.5.2	Multi-Purpose Storage		1	172 S.F.	1		172 S.F.	1.00	172 S.F.	Used by Youth Court and for custodial storage	
6.1.6	DBIS		1	250 S.F.	1		650 S.F.	1.00	650 S.F.	DBIS not accessible	Enlarge DBIS and add side work table
6.1.7	Small Conference (Shared)			S.F.	1		180 S.F.	1.33	239 S.F.	Accessed by Public and Staff	
6.1.8	Large Conference (Shared)			S.F.	1		350 S.F.	1.30	455 S.F.	Multi-function / Council work room	
6.1.9	Museum			533 S.F.	1		500 S.F.	1.00	500 S.F.	Located with public lobby area	
6.2	Administration			1,737 S.F.					3,133 S.F.	1,396	
6.2.1	Mayor		1	182 S.F.	1		200 S.F.	1.30	260 S.F.		
6.2.2	City Manager		1	235 S.F.	1		280 S.F.	1.30	364 S.F.		Includes small conference area
6.2.3	Finance		1	182 S.F.	1		200 S.F.	1.30	260 S.F.		
6.2.4	Resource Service Manager		1	182 S.F.	1		200 S.F.	1.30	260 S.F.		
6.2.5	Recorder		1	182 S.F.	1		200 S.F.	1.30	260 S.F.		
6.2.6	Accounting		1	152 S.F.	1		200 S.F.	1.30	260 S.F.		
6.2.7	City Attorney			S.F.			230 S.F.	1.30	0 S.F.	Future Position	Areas not included in tabulation below
6.2.7.1	Prosecutor			S.F.			200 S.F.	1.30	0 S.F.	Future Position	Areas not included in tabulation below
6.2.7.2	Admin Assistant			S.F.			100 S.F.	1.30	0 S.F.	Future Position	Areas not included in tabulation below
6.2.8	HR / Payroll Clerk			S.F.	1		200 S.F.	1.30	260 S.F.	Future Position	Areas not included in tabulation below
6.2.9	Clerks / Reception		4	545 S.F.	6		80 S.F.	1.30	624 S.F.	Future Position	Areas not included in tabulation below
6.2.10	Admin Short Term Storage		1	77 S.F.	1		150 S.F.	1.30	195 S.F.	Security and noise are issues	Natural lighting is a desire.
6.2.11	Admin Long Term Storage			S.F.	1		300 S.F.	1.30	390 S.F.		
6.3	Planning, Zoning & Engineering			756 S.F.					1,771 S.F.	1,015	
6.3.1	Planning and Zoning Reception		15	355 S.F.	2		100 S.F.	1.00	200 S.F.	Review accessibility	Areas not included in tabulation below
6.3.1.2	P&Z Working		1	60 S.F.	1		60 S.F.	1.00	60 S.F.		
6.3.2	City Engineer		1	173 S.F.	1		250 S.F.	1.30	325 S.F.		
6.3.2.1	Engineering Code Enforcement			S.F.			135 S.F.	1.30	176 S.F.	Future Position	
6.3.3	Planner		1	168 S.F.	1		200 S.F.	1.30	260 S.F.		
6.3.4	Small Conference			S.F.	1		150 S.F.	1.30	195 S.F.		
6.3.5	Short Term Storage			S.F.	1		100 S.F.	1.00	100 S.F.		
6.3.6	Long Term Storage			S.F.	1		350 S.F.	1.30	455 S.F.		
6.4	Building Department			866 S.F.					2,242 S.F.	1,376	
6.4.1	Building Department Reception		15	222 S.F.	2		100 S.F.	1.00	200 S.F.	Currently PT Position, poor visibility to public	Areas not included in tabulation below
6.4.2	Building Official		1	147 S.F.	1		150 S.F.	1.30	195 S.F.		Will be full time position
6.4.3	Inspector		1	110 S.F.	1		120 S.F.	1.30	156 S.F.		
6.4.4	Inspector		1	116 S.F.	1		120 S.F.	1.30	156 S.F.		
6.4.5	Open Work Area / Copy		1	271 S.F.	1		354 S.F.	1.30	460 S.F.		
6.4.6	Short Term Storage			S.F.	1		100 S.F.	1.00	100 S.F.	Review Current area & future need	Shared area between Planning & Building Departments
6.4.7	Long Term Storage			S.F.	1		350 S.F.	1.30	455 S.F.	Review Current area & future need	
6.4.8	Medium Conference			S.F.	1		250 S.F.	1.30	325 S.F.		
6.4.9	Small Conference			S.F.	1		150 S.F.	1.30	195 S.F.	Share with Planning	
6.5	IT			528 S.F.					1,242 S.F.	714	
6.5.1	IT Manager		1	173 S.F.	1		175 S.F.	1.30	228 S.F.	Reduce Area	Areas not included in tabulation below
6.5.2	IT Technician		1	173 S.F.	2		150 S.F.	1.30	390 S.F.	2 FT's currently sharing office	Includes small conference area
6.5.3	Server / Comm		1	182 S.F.			S.F.	1.30	0 S.F.	Server moves to Police end of 2014	Create offices and not a shared space. Comm closet will remain within space.
6.5.4	Build Area / Test / Storage			S.F.	1		250 S.F.	1.30	325 S.F.		
6.5.5	GIS		1	S.F.			150 S.F.	1.30	195 S.F.		Create transient work area / Review storage cabinets, HD storage?
6.5.6	Communication Closet			S.F.	1		80 S.F.	1.30	104 S.F.		
6.6	Common			483 S.F.					2,106 S.F.	1,673	
6.6.1	Small Conference (Shared)		1	207 S.F.	2		150 S.F.	1.30	390 S.F.		
6.6.2	Medium Conference (Shared)				1		250 S.F.	1.30	325 S.F.		
6.6.3	Vault / Record Storage		1	128 S.F.	1		300 S.F.	1.30	390 S.F.		Additional storage provided above

6.6.4	Men's Single User	1	50 S.F.	1	60 S.F.	130	78 S.F.	Existing not accessible	
6.6.5	Women's Single User	1	50 S.F.	1	60 S.F.	130	78 S.F.	Existing not accessible	
6.6.6	Janitor	1	48 S.F.	1	80 S.F.	130	104 S.F.	Power panels located in this space	
6.6.7	Break room		S.F.	1	290 S.F.	130	825 S.F.	Existing break room used as an office	
6.6.8	Electrical Room		S.F.	1	120 S.F.	130	156 S.F.		
6.6.9	Shared Copy / Work Room		S.F.	1	200 S.F.	130	260 S.F.		Space would include mailboxes

Existing Area Total: 8,823 S.F.
Gross Area Factor: 12%
Building Gross Area: 10,081 S.F.

Area Total: 12,261 S.F.
Existing Area Deficiency: 28%



Kaysville City Master Plan

Space Needs Summary
Former County Library

ARCHITECTS 4/11/2016

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Space No.	Space Description	Staff	Existing Staff Qty.	Existing Area	Comments	Notes
8.1	Public			4,103 S.F.		
8.1.1	Stacks / Reading / Circulation			2,809 S.F.		
8.1.2	Children's Reading Room			641 S.F.		
8.1.3	Vault			119.2 S.F.		
8.1.4	Museum			533.2 S.F.		
8.2	Administration			487 S.F.		
8.2.1	Office			91 S.F.		
8.2.2	Office			79 S.F.		
8.2.3	Office			47.2 S.F.		
8.2.4	Work Area			97.9 S.F.		
8.2.5	Break Room			152.3 S.F.		
8.2.6	Storage			19.1 S.F.		
8.3	Support			1,038 S.F.		
8.3.1	Vestibule			25.6 S.F.		
8.3.2	Entry			55.9 S.F.		
8.3.3	Vestibule			63.5 S.F.		
8.3.4	Womens			139.4 S.F.		
8.3.5	Mens			161.9 S.F.		
8.3.6	Custodial			26 S.F.		
8.3.7	Mechanical			394.3 S.F.		
8.3.8	Corridor			171.1 S.F.		

Existing Area Total: 5,627 S.F.
Gross Area Factor: 10%
Building Gross Area: 6,231 S.F.



Kaysville City Master Plan

Space Needs Summary

Future Community Development and Legal Building (Former County Library Building)

4/11/2016

Space No.	Space Description	Staff	Existing Staff Qty.	Existing Area	5-10 Yr. Req'd	10-20 Yr. Req'd	Space Standard	Area Factor	Room Total	Comments	Notes
9.1	Public			867 S.F.					1,271 S.F.	145	
9.1.1	Vestibule			25.6 S.F.	1		56 S.F.	1.30	73 S.F.		
9.1.2	Entry			55.9 S.F.	1		56 S.F.	1.30	73 S.F.		
9.1.3	Vestibule			63.5 S.F.	1		56 S.F.	1.30	73 S.F.		
9.1.4	Women's			139.4 S.F.	1		167 S.F.	1.30	217 S.F.		
9.1.5	Men's			161.9 S.F.	1		167 S.F.	1.30	217 S.F.		
9.1.6	Circulation			28 S.F.	1		150 S.F.	1.30	195 S.F.		
9.1.7	Electrical / Comm Room			150 S.F.	1		150 S.F.	1.30	195 S.F.		
9.1.8	Electrical / Comm Room			150 S.F.	1		150 S.F.	1.30	195 S.F.		
9.2	Planning, Zoning & Engineering			346.3 S.F.			200 S.F.	1.30	260 S.F.	1,615	
9.2.1	Planning and Zoning Reception		15	355 S.F.	2		100 S.F.	1.00	200 S.F.	Review accessibility	
9.2.2	PA&Z Waiting		1	60 S.F.	1		60 S.F.	1.00	60 S.F.		
9.2.3	City Engineer		1	173 S.F.	1		250 S.F.	1.30	325 S.F.		
9.2.4	Engineering Code Enforcement			S.F.	1		135 S.F.	1.30	176 S.F.	Future Position	
9.2.5	Planner		1	168 S.F.	1		200 S.F.	1.30	260 S.F.		
9.2.6	Small Conference			S.F.	1		150 S.F.	1.30	195 S.F.		
9.2.7	Small Conference			S.F.	1		150 S.F.	1.30	195 S.F.		
9.2.8	Small Conference			S.F.	1		150 S.F.	1.30	195 S.F.		
9.3	Long Term Storage			866 S.F.			350 S.F.	1.30	455 S.F.	1,376	
9.3.1	Building Department Reception		15	222 S.F.	2		100 S.F.	1.00	200 S.F.	Currently FT Position, poor visibility to	Will be full time position
9.3.2	Building Official		1	147 S.F.	1		150 S.F.	1.30	195 S.F.		
9.3.3	Inspector		1	110 S.F.	1		120 S.F.	1.30	156 S.F.		
9.3.4	Inspector		1	116 S.F.	1		120 S.F.	1.30	156 S.F.		
9.3.5	Open Work Area / Copy		1	271 S.F.	1		354 S.F.	1.00	460 S.F.	Review Current area & Future need	Shared area between Planning & Building Departments
9.3.6	Long Term Storage			S.F.	1		100 S.F.	1.00	100 S.F.	Review Current area & Future need	
9.3.7	Long Term Storage			S.F.	1		100 S.F.	1.00	100 S.F.		
9.3.8	Long Term Storage			S.F.	1		100 S.F.	1.00	100 S.F.		
9.3.9	Small Conference			S.F.	1		150 S.F.	1.30	195 S.F.		
9.4	Legal			0 S.F.						715	
9.4.1	City Attorney			S.F.	1		250 S.F.	1.30	325 S.F.	Future Position	
9.4.2	Prosecutor			S.F.	1		200 S.F.	1.30	260 S.F.	Future Position	
9.4.3	Admin Assistant			100 S.F.	1		100 S.F.	1.30	130 S.F.	Future Position	
9.5	Common			50 S.F.	1		60 S.F.	1.30	481 S.F.	141	
9.5.1	Employee - Men's Single User		1	50 S.F.	1		60 S.F.	1.30	78 S.F.		
9.5.2	Employee - Women's Single User		1	50 S.F.	1		60 S.F.	1.30	78 S.F.		
9.5.3	Break room			S.F.	1		250 S.F.	1.30	325 S.F.		

Area Total: 6,440 S.F.
Gross Area Factor: -3%
Building Gross Area: 6,431 S.F.
Area Factor Should be approx. 10-12%

STAFF REPORT



COUNCIL MEETING DATE: Aug 16, 2018
ITEM NO.: 6 d.

TYPE OF ITEM: Public Hearing and Work Item
PRESENTED BY: Community Development Staff

SUBJECT/AGENDA TITLE: Public hearing for an ordinance amending Section 16-1-4, Licenses Required, of Chapter 16-1, Administration, of Title 16, Licensing Control and Regulation of Business, of the revised ordinances of Kaysville City providing for repealer; providing for severability; and providing for an effective date.

EXECUTIVE SUMMARY:

In 2017 the Utah State Legislature passed a bill that prohibited municipalities from charging a fee to home businesses whose impact was no more than a typical resident's. This was a hot button issue with many cities who continued to issue licenses to these business types requiring staff time and resources. Kaysville City likewise chose to continue offering licenses to businesses fitting into the State's exempt category, which we define as Minor Home Occupations. The decision to continue issuing licenses at no cost was largely due to the fact that many businesses desire the license for their purposes, or it is required by other agencies.

Based on feedback over the course of a year from many cities, the State Legislature passed a new bill in 2018 that addressed some concerns with the previous law. Cities still cannot require that 'no impact' home businesses obtain a business license; however, now if a business desires the license, a city can charge a reasonable fee to cover the cost of issuing and administering that license. The attached ordinance, in short, states that Minor Home Occupations are no longer required to be licensed in Kaysville City; however, should they desire a license they must pay the applicable administration fee. Kaysville City will still require that commercial businesses, as well as Major and Agricultural Home Occupations (businesses with customers and equipment i.e. hair salon, contractor) be licensed as they are currently. The proposed change would affect someone that essentially does paperwork and makes phone calls (i.e. book keeping, artists, etc.) from home. As written they will be paying for a business license only if they choose to have one.

Kaysville City currently licenses 488 minor home occupation businesses. Prior to the 2017 legislation, that would have accounted for nearly \$15,000 in revenues to the city at \$30 per license. The city also charges a one-time set up fee for new licenses of \$15.

Council Options: Move this item to a future ACTION agenda.
Move this item to a future WORK agenda with direction on ordinance changes.

Recommendation: At this time Staff recommends moving this item to a future ACTION agenda.

Fiscal Impact & Fund Source for Recommended Action: The exact dollar amount is unknown as the number of licenses that will be issued will be on a voluntary basis, but the ability to charge a fee will have a positive fiscal impact on Kaysville City.

Attachments: Business License Ordinance

AN ORDINANCE AMENDING SECTION 16-1-4, LICENSES REQUIRED, OF CHAPTER 16-1, ADMINISTRATION, OF TITLE 16, LICENSING CONTROL AND REGULATION OF BUSINESS, OF THE REVISED ORDINANCES OF KAYSVILLE CITY PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Utah State Legislature passed Senate Bill 158 during the 2018 legislative session clarifying the process for licensing certain home based businesses; and

WHEREAS, Kaysville City has been processing and administering minor home occupations without collecting fees; and

WHEREAS, Kaysville City has determined that it is in the best interest of the City to collect a nominal fee for the processing of business licenses from businesses who desire the service.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KAYSVILLE CITY, UTAH:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment. Section 16-1-4, LICENSES REQUIRED, of Chapter 16-1, ADMINISTRATION, of Title 16, LICENSING CONTROL AND REGULATION OF BUSINESS, of the Revised Ordinances of Kaysville City, 1993, is amended as follows:

16-1-4 Licenses Required

1. Unless qualified as exempt per Utah Code 10-1-203, Every person, partnership and corporation engaged in business in Kaysville City shall secure from the City License Officer a license for such business. Home occupations that do not have an offsite impact that materially exceeds the offsite impact of the primary residential use alone may receive a business license from the City at their request so long as the administrative fee associated with this license is paid in full.
2. A license shall be obtained in the manner prescribed herein for each branch establishment or location where a separate business is conducted, provided that warehouses and distributing plants used in connection with and incidental to a business licensed under the provisions of this Title shall not be deemed to be separate places of business or branch establishments. Each rental property shall be deemed a branch establishment or separate place of business for the purposes of this Title when there is a representative of the owner or the owner's agent or there is a regular employee of the owner or of the owner's agent working on the premises.
3. No license shall be required by Kaysville City of any person whose only business activity in Kaysville City is the mere delivery in the City of property purchased or acquired in good faith from such person at his regular place of business outside the City, providing that:
 - a. Such person's business is, at the time of such delivery, licensed by the municipality or county in which such place of business is situated.

- b. No intent by such person is shown to exist to evade the provisions of this Title.
- 4. The License Officer shall issue special permits without the payment of any license fees or other charges therefor, to any person or organization for the conduct or operation of a non-profit enterprise, either regularly or temporarily, when he finds that the applicant operates without private profit, for a public, charitable, educational, literary, fraternal or religious purpose.
 - a. An applicant for a special permit shall submit an application therefor to the License Officer, upon forms prescribed by the License Officer, and shall furnish such additional information and make such affidavits as the License Officer shall require.
 - b. A person or organization operating under a special permit shall operate his non-profit enterprise in compliance with this Title and all other applicable rules and regulations except as provided herein.

SECTION III: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: Effective Date. This Ordinance shall take effect 20 days after being passed and adopted by the City Council.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this __th day of _____, 2018

Katie Witt
Mayor

ATTEST:

Maria T. Devereux
City Recorder