



KAYSVILLE CITY COUNCIL

Meeting Minutes

APPROVED

Sept 20, 2018

Meeting Minutes of the Sept 20, 2018 City Council Meeting.

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

Others present: City Manager Shayne Scott, City Engineer Andy Thompson, Chief Sol Oberg, Finance Director Dean Storey, City Recorder Maria Devereux, City Attorney Nicholas Mills, Karen Erickson, Racy Erickson, Dean Wall, Dena Eckardt, McKenzie Eckhardt, Ryan Eckardt, Cameron McKinnon, Kyla Essex, Mitchell Harding, Ally Jarmon, Tom Mi, Camille Jepsen, Oracle Rasmussen, Clayre Scott, Marcus Hayden, Anna Van Noy, Emily Alvord, Linda Francis, Steve Gunnell, Mike Blackham, Aaron Shupe, James Wade, Matt Robinson, Kayleen Campbell, Ryan Hatch, Curtis Torres.

CITY COUNCIL – 7:00PM

OPENING

Opening provided by Council Member Page.

RECOGNITION AND PRESENTATIONS

AWARD

Chief Erickson praised Captain Ryan Eckardt for his good work ethic and dedication to the City.

FIRE PREVENTION WEEK PROCLAMATION

Chief Erickson read the Fire Prevention Week Proclamation, signed and approved by Mayor Witt.

YOUTH CITY COUNCIL OATH OF OFFICE

Council Member Barber introduced the Youth City Council and the Advisor Linda Francis. Mayor Witt administered the Oath of Office and praised the youth for their interest in City government and the Community.

RULES OF PROCEDURES UPDATES

Nic Mills, City Attorney, gave an overview of the rules of procedure for City Council members.

DECLARATIONS OF CONFLICTS OF INTEREST

There were no conflicts disclosed.

CONSENT ITEMS

Mayor Witt asked for a motion of the Consent Items.

The Consent Items are as follows: Minutes from August 16, 2018, and Housing Gap Resolution 18-9-2.

Council Member Barber made a motion to approve the Consent Items, second by Council Member Garn.

A vote on the motion is as follows:

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

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The motion passed unanimously.

ACTION ITEMS

AGREEMENT WITH THE UTAH LOCAL GOVERNMENTS TRUST /RESOLUTION

Shayne Scott, City Manager, explained that in April of 2018, the City requested proposals for Property and Casualty Insurance and related risk management services. The RFP solicited information to explore all insurance options including traditional insurance, self-insurance retention programs and pooling options. The City received various proposals for insurance coverage including coverages through the broker model and the pooling model. City Staff with

Mayor Witt and Council Member Garn reviewed the proposals and then invited three of the respondents, Olympus, ULGT and URMMA to meet and review their proposals and discuss coverages and related insurance services. City staff continued to follow up with additional requests for information and met again to review the additional information and make a recommendation for insurance coverage and related risk management services.

Council Member DeCaire made a motion to adopt the resolution authorizing insurance through the ULGT, second by Council Member Garn.

A vote on the motion is as follows:

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

The motion passes unanimously.

PRELIMINARY PLAT APPROVAL FOR THE 40 EAST CRESTWOOD PUD SUBDIVISION

Lyle Gibson explained that in February 2017, this project was fully approved by the City. The developer was not able to build the project at that time and the approvals have all expired. The Developer is now ready to construct the project and must have it reapproved. The property is located on the south side of Crestwood Road between Main Street and Heritage Park. The property is roughly 0.44 acres or just over 19,000 sq. ft. in size. The property is zoned R-M and received the PRUD overlay zone last year. The plat consists of two three-unit buildings on pads with the remainder of the property as common area.

Council Member DeCaire made made a motion to approve the preliminary plat for the 40 East Crestwood PUD Subdivision, second by Council Member Garn.

A vote on the motion is as follows:

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

The motion passes four to one.

ECONOMIC DEVELOPMENT INCENTIVES

Shayne Scott discussed the need for criteria when it comes to Economic Development Incentives in the city, as previously noted by the City Council. City Staff was asked to work on a document that the council could refine. He noted that the City Staff have been working on this document for several weeks. Refinement went further as the Kaysville ad hoc Economic Development Committee also discussed the plan and made valuable comments and suggestions for alterations.

Council Member Barber made a motion to accept Economic Development Incentive Plan, second by Council Member Page.

A vote on the motion is as follows:

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

The motion passes four to one.

A RESOLUTION AMENDING THE KAYSVILLE CITY CONSOLIDATED FEE SCHEDULE RELATED TO APPLICATION FEES AND CREDITS APPLICABLE TO RENEWABLE ENERGY (SOLAR) GENERATION CUSTOMERS. (RES. 18-9-1)

Shayne Scott gave an overview of the energy projects. He explained that the Power Commission has made three recommendations for policy changes, two are Commercial Generation Agreements and one is a Resolution related to Application Fees for renewable energy projects.

The first is a Commercial Generation Agreement (solar, hydro, etc) for Commercial customers. This is a new agreement. At the time the City Council adopted a Residential Generation Agreement back in January, it was mentioned that Commercial was yet to come. After several months of work, the Kaysville City Power and Light Company in conjunction with the Power Commission is excited to present this new agreement to you for your ratification. This agreement will allow Commercial customers to have the opportunity to produce some of their own power.

Council Member DeCaire made a motion to adopt the resolution as presented, second by Council Member Garn.

A vote on the motion is as follows:

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

The motion passes unanimously.

The second agreement is a Commercial (summer season) Generation agreement. This agreement is at a different rate because these customers will be producing power during the summer peak when we need the power for high demand times. This agreement should allow us to shave our peak some and require less purchase of power during those expensive high demand times.

Council Member DeCaire made a motion to approve the Commercial Agreement (Summer Season), second by Council Member Barber.

A vote on the motion is as follows:

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

The motion passes unanimously.

The Resolution establishes Application Fees for renewable energy meters and solar credits. All three of these agreements encourage and allow Commercial customers to produce power at their own Facilities.

Council Member Barber made a motion to approve the Commercial Generation Agreement, second by Council member Page.

A vote on the motion is as follows:

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

The motion passes unanimously.

WORK ITEMS

ADMINISTRATIVE LAW JUDGE ORDINANCE CHANGE.

Lyle Gibson explained that there is a need for an improved means of handling appeals to land use decisions in Kaysville City. Currently the city's ordinances are not clear on who appeals many land use decisions. It has been clear and will remain that appeals to a land use decision made by staff are heard by the Planning Commission. However, when the Planning Commission or City Council are the decision making body the existing ordinance does not clearly address how that is handled.

The ordinance would create a process whereby a trained attorney would act as a hearing officer for appeals to land use decisions made by the Planning Commission or City Council. This route is desirable because of the nature of an appeal or variance. These decisions are quasi-judicial decisions which have a specific legal process that must be followed. Having an administrative law judge will better serve the city, applicants, and those filing an appeal to ensure they are given a fair and just process that follows appropriate procedure.

Council Member Garn made a motion to forward the Administrative Law Judge ordinance from a work item to an action item, second by Council Member Page.

A vote on the motion is as follows:

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

The motion passes unanimously.

Council Member Barber asked the process of a Law Judge and if the Council would have any input.

Nic Mills, Attorney, noted that it is likely to be an open hearing and the public invited.

CALL TO THE PUBLIC

Dean Wall stated that he appreciates the City Attorney and the benefits that come from having him on staff.

Randy von Bose noted her concern for the old library building and would like to know more about what is happening with it in the future.

COUNCIL MEMBER REPORTS

Council Member DeCaire noted that the Youth Court is back in session on Wednesday evenings and is a positive program.

Council Member Barber advised that the Youth City Council will be helping at future City events.

Council Member Garn praised the Public Works Dept. and the projects they are accomplishing throughout the city.

ADJOURNMENT

Council Member Adams made a motion to adjourn the meeting at 9:50pm, second by Council Member DeCaire. The motion passes unanimously.

Maria Devereux/City Recorder