

KAYSVILLE CITY COUNCIL

May 16, 2019

Minutes of a regular Kaysville City Council held May 16, 2019 at 7:00 p.m. in the City Council Chambers of the Kaysville City Municipal Center.

Council Members present: Mayor Katie Witt, Council Member Dave Adams, Council Member Larry Page, Council Member Jake Garn, Council Member Michelle Barber, and Council Member Stroh DeCaire

Others Present: City Manager Shayne Scott, City Attorney Nic Mills, Finance Director Dean Storey, City Recorder Annemarie Plaizier, Community Development Director Lyle Gibson, Public Works Director Josh Belnap, Police Chief Sol Oberg, Seth Ellington, Shawn McKinnon, Reed Nelson, Bev Nelson, Andre Lortz, Jared Jensen, Camille Jensen, Jared Jensen, Melanie Moore, Eric Moore, Ryker Zeh, Henry Sommer, Brindee Badger, Dillon Badger, Brett Seifert, Jacob Seifert, Russell Seifert, Pam Seifert, Henna Seifert, Chase Ritter, Samantha Ritter, Chad Ritter, Whitnee Ritter, Tammy Ritter, Brett Tarbox, Blair Hayes, Charles Hayes, Conner Gibbs, Logan Gibbs, Russ Peirce, Andrew Cohill

OPENING

Opening provided by Council Member Page.

RECOGNITIONS AND PRESENTATIONS

SWEARING-IN OF NEW KAYSVILLE POLICE OFFICERS – JACOB SEIFERT, CHASE RITTER, AND JARED JENSEN

Chief Sol Oberg stated that the Police Department has recently hired three new officers. Jacob Seifert and Chase Ritter just graduated from the Police Academy, and Jared Jensen has about eight years of experience. Chief Oberg said that Officer Seifert and Ritter received every award that the Academy gives and is excited for these three officers to become part of their department.

Mayor Witt administered the Oath of Office to the new Kaysville City Police Officers, Jacob Seifert, Chase Ritter and Jared Jensen.

KAYSVILLE FIBER TO THE HOME, BUSINESS MODEL/FEASIBILITY STUDY PRESENTATION – DESIGN NINE

Andrew Cohill, representing Design Nine, said that they have been working with the City to conduct a study relating to bringing fiber to Kaysville. They have been surveying residents and businesses on their broadband needs and interests. Over the past twenty years, broadband and internet access has become an essential infrastructure and an improved internet service supports businesses and personal needs. More than 85% of Kaysville's businesses and residents want better

internet. The majority of the businesses have indicated that the Internet is important to the success of their business over the next five years. Almost half of those businesses who responded to the survey are based out of the home, and about 54% of businesses said they need employees to be able to work from home. The majority of businesses agreed that the City should help facilitate better Internet services. In the residential survey done, 87% of those surveyed want better Internet service, and 81% agreed that the City should help facilitate a better Internet service. About 41% of residents have nine or more Internet-connected devices in their home, and 58% have indicated that availability of broadband Internet is affecting where they choose to live. People see this as an important amenity. During the development of their cost estimate, Design Nine sampled several different neighborhood and commercial areas. Both aerial and underground utilities were sampled, and full fiber layouts were completed. The costs for each study area were extrapolated to produce a city-wide cost. The cost model includes passing every home and business with gigabit fiber. It will be supported by symmetric service, meaning that there will be equal upload and download speeds. Fiber creates a forty-year asset that will support any and all services long into the future. Adding aerial fiber where utilities are already on the pole is a less expensive system, and supports a very rapid build out with many homes and businesses getting service quickly. Those areas with underground conduit or utilities will be more expensive to install, but less likely for the lines to be damaged. It is recommended by Design Nine that the City not compete with the private sector, but rather invest in a basic infrastructure and make it available to the private sector who will sell their services to the public. This wholesale infrastructure model offers a choice of providers, services and prices. Both Comcast and CenturyLink will be invited to use the network to provide services to existing and new customers. The City has two options for connection fees. The first is a subscription-based connection fee where service providers pay for access based on the number of customers they have subscribed. This type of plan is a higher financial risk to the city because the city will have to rely on providers to generate revenue to support the infrastructure operating costs. The other option is a utility-based connection fee where every household will pay a small amount to support the network operating costs. This will minimize the financial risk to the City. It would be similar to other utility fees charged to resident to support services, such as roads, libraries, schools, etc. The service providers would pay a flat fee for network access under this plan. Design Nine feels that the utility-based fee model will be the best option for the city as it will provide a choice of providers and services to the residents, while minimizing the financial risk to the city. It will ensure long-term financial sustainability. A typical monthly plan for residential service would be about \$55 to \$65.

Mayor Witt commented that the Technical Advisory Group met last night to review these results of the feasibility study. There will be another Open House on June 12th to discuss these results with the community.

DEPARTMENT REPORT, PUBLIC WORKS

Public Works Director Josh Belnap presented a report of the Kaysville Public Works Department for the 2018 year and explained that they have had many paving projects within the year, both with asphalt paving as well as preventative maintenance on the roads. They have been trying to better implement the active transportation plan and have painted over ten miles of bike lanes throughout the city. One of their projects this year was to work with residents where tree limbs are hanging into the road. Previously the city would trim those limbs, but this year we have tried to shift that

responsibility to the residents and have had a very positive response. The city's Storm Water Manager has been serving as the Coalition Chair for Davis County and it's been a benefit to the city as he's been able to work with and learn from other cities. We have also been working to increase the education and outreach to the public regarding storm water. The Public Works department has been working on preventative maintenance and have inspected and cleaned over twenty miles of pipe in 2018. Since August 2018 they have been working on installing a new advanced metering infrastructure system. They have installed 7,700 meters of the 8,000 so far. They have also been working on exercising and flushing fire hydrants throughout the city to help ensure they are performing as they should. Flushing the fire hydrants also helps to improve water quality. The Public Works employees have spent many hours in safety trainings and programs, including working with the Kaysville Fire Department to receive CPR and AED training. This helps not only inside the workplace but outside as well. The city currently has about nine miles of roadway that is missing full improvements. They have adopted a policy on the installation of improvements and have prioritized locations within the city to focus on installing improvements based on objective data. This type of ranking can help plan future projects well in advance and it can help to create a community with greater walkability and connectivity.

Mayor Witt asked about which road projects will be under construction this season.

Josh Belnap said that Shepard Lane will be fully improved, as well as a portion of Sunset Drive. They will be repaving 400 West from 200 North Center Street in conjunction with the gas company installing new lines and will also be repaving 300 East from 200 North to 200 South in conjunction with a waterline project. Mutton Hollow is in serious need of being repaved, and the intersection of Mutton Hollow and Fairfield need to be improved. The city staff worked to obtain a grant which would have helped with these projects, but was not successful receiving that this grant this year. The city has been working with consultants over the last few weeks to see what our next steps should be.

Council Member Barber asked if sidewalks would be installed on the north area of Angel Street as there will be a new Junior High in that area.

Josh Belnap responded that there are sections along Angel Street that have curb missing, and others are only missing sidewalk. It really all comes down to timing and if they will have the resources to do those improvements.

Mayor Witt added that Staff already has many projects and we likely can't add more for this upcoming year since they are already stretched as thin as they can.

Council Member Adams asked when the other half of Sunset Drive would be fully improved.

Josh Belnap responded that they hope to be able to complete it next year, but the city wants to wait until West Davis Corridor is being constructed so we have a better idea of where exactly the connector road will be installed. Right now it looks like it might be constructed near the sewer district.

DECLARATIONS OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

Council Member Adams asked that the following item be pulled for discussion:

- c. Award of Bid for Sunset Drive Curb/Sidewalk and Paving Project.

Council Member DeCaire made a motion to accept the following Consent Items:

- a. Minutes from the May 2, 2019 meeting.
- b. Assigning the Kaysville Historic Preservation Commission Ordinance to Title 4 Chapter 9.
- d. Acceptance of Amendment No. 3 to Interlocal Cooperation Agreement for Davis County Animal Services.
- e. Acceptance of Interlocal Cooperation Transportation Project Reimbursement Agreement between Kaysville City and Davis County for Acceptance of Grant Award for Improvements to the Bonneville Shoreline Trail in the Kaysville Wilderness Park.

The motion was seconded by Council Member Garn.

The vote on the motion was as follows:

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

The motion passed unanimously.

C. AWARD OF BID FOR SUNSET DRIVE CURB/SIDEWALK AND PAVING PROJECT

Council Member Adams asked if all of the properties along Sunset Drive would be fully improved with curb, gutter and sidewalk.

Josh Belnap responded that the City has no previous right-of-way, or agreements with some of the properties on Sunset Drive, but Staff will continue to work with these property owners to ensure that we have the funding and agreements from them. Because they are limited on Staff, the plans needed to go out to bid before they could work with these properties on the agreements. It is not a question of if the properties will be fully improved, but when.

Council Member Adams suggested that a meeting be held with these residents of Sunset Drive to include them on the plans for this project and how it might impact their properties.

Council Member Garn made a motion to accept the Award of Bid for Sunset Drive Curb/Sidewalk and Paving Project, seconded by Council Member DeCaire.

The vote on the motion was as follows:

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

The motion passed unanimously.

ACTION ITEMS

REQUEST TO REZONE 0.91 ACRE OF PROPERTY AT 372 WEST BURTON LANE FROM R-A (RESIDENTIAL AGRICULTURE) TO THE R-1-20 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT – REED NELSON

Community Development Director Lyle Gibson explained that Reed Nelson owns the property at 372 West Burton Lane, located on the north side of Burton Lane. The property is barley under a half an acre in size and the applicant is requesting a rezone from the R-A to the R-1-20 zone in order to allow for a potential lot split. In the R-1-20 zone, the minimum lot size is 20,000 square feet, and has a 90 foot frontage requirement. The most likely development of a second lot on Mr. Nelson's property would be by way of a flag lot which requires a PRUD overlay zone. While the rezone of the property does not create any nonconforming issues for the existing lot, the ability to subdivide the property will require verification that there is sufficient acreage and square footage to meet the minimum requirements of the R-1-20 zone. Additionally, review of this subdivision request has identified that the city's right-of-way that could be vacated along the far west end of Burton Lane which would add more than the needed square footage for two lots in the R-1-20 zoning district, should the city be inclined to pursue process to vacate a portion of the right-of-way to the abutting property owners.

Reed Nelson commented that they haven't decide how they would subdivide their property, but wanted to plan for the future. If they decide to subdivide with a flag lot, they will likely move into the new home.

Council Member Garn asked about vacating the right-of-way.

Lyle Gibson responded that they would need to go through a formal vacation process separate from this rezone or a subdivision request.

Council Member Adams said that the amount Mr. Nelson needs is miniscule and would be helpful if the Council could still approve the rezone even if it off by a small square footage amount.

Lyle Gibson responded that right now an exception cannot be made and the applicant would have to have the minimum exact footage. If they find there isn't enough footage under the R-1-20 zone, Mr. Nelson could come back and request the R-1-14 zone which only requires 14,000 square feet per lot.

Council Member Adams made a motion to approve the request to rezone 0.91 acre of property at 372 West Burton Lane from R-A (Residential Agriculture) to the R-1-20 (Single Family Residential) zoning district for Reed Nelson, seconded by Council Member DeCaire.

Council Member Adams commented that he would support a vacation of the right-of-way. Having these right-of-way remnants is beneficial to the City when a right-of-way hasn't been established but Burton Lane has been, and there is no reason for the city to keep this right-of-way.

Council Member Garn agreed that it seems appropriate to pursue a right-of-way vacation here.

The vote on the motion was as follows:

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

The motion passed unanimously.

WORK ITEMS

BUDGET DISCUSSION FOCUSED ON IMPACT FEES AND STAFFING

Finance Director Dean Storey reviewed the proposed impact fees outlined in the tentative FY 2020 budget. Mr. Storey explained that the parks impact fee is being proposed to increase. Part of those impact fees will be going towards finishing Pioneer Park.

Council Member DeCaire commented that he feels that the proposed impact fees are adequate and will benefit the city. Kaysville is known for its parks and is something that many residents utilize. Our parks are something that have been and will continue to be utilized for years to come.

Council Member Garn commented that while cities provide largely only essential services, parks help to add to the health and vitality of the community. People notice how nice and well-kept Kaysville's parks are. They are utilized and help to draw people here as people want to live near parks.

Council Member Page said that there is a need for it and the parks and recreation is a big part of Kaysville. We likely are not meeting the demand the city already has.

Council Member Adams stated that it is not necessarily essential that the city must provide parks for residents. The parks impact fee being proposed is three times more than what it currently is, and he does not see the justification for such a large increase. Council Member Adams added that we should look at all of our needs in our parks and rotate the funds to address each of those needs yearly, rather than just putting them into one area year after year.

Council Member Garn commented that as the amount of developable land dwindles, the impact fees that we collect through development fees will also dwindle. We need to try to plan for the future.

Dean Storey reviewed the proposed tentative budget in regards to city staffing. There have been several requests for additional staff by every department. One position that will be mandatory to include in the budget is a billing clerk. This past year the city was told that there needs to be a segregation of specific duties and there is concern about billing redundancy. The cost for this position could be offset somewhat by enterprise funds because the position will be doing enterprise work. The city has minimal staffing as it is and each requested position is needed. However, there is not currently money in the budget for these new positions. If we approve them there will need to be sacrifices made in other areas of the general funds, which could potentially create more issues.

Council Member Adams asked about the three proposed school resource police officers.

Chief Oberg said that schools have been asking the Police Department for more resource officers for seven years. The Police Department is already limited in its staff and usually have to ask officers to cover schools part-time through overtime shifts. It is getting harder to find officers willing to work overtime hours in schools. While they had requested three full-time resource officers, they would take whatever extra help they were given. When school is not in session, those officers would be utilized in other areas of the city.

Council Member DeCaire commented that they aren't prepared tonight to go through the general funds and make cuts in order to accommodate these requested positions.

Dean Storey added that in the modified tentative budget it also shows the increase to the amount for per diems, as well as the amount in the agreement with the Davis County Animal Control. Other values will likely change and be modified from the tentative budget besides what has been discussed tonight, but will be presented to the Council for final approval.

CALL TO THE PUBLIC

Nothing was brought under this item.

ADJOURNMENT

Council Member Adams made a motion to adjourn the meeting at 10:00 p.m., seconded by Council Member Barber and passed unanimously.