KAYSVILLE CITY
REDEVELOPMENT AGENCY BOARD MEETING
July 2, 2019

Minutes of a Kaysville City Redevelopment Agency Board Meeting held on July 2, 2019 at 6:30 p.m. in the City Council Chambers of the Kaysville City Municipal Center.

Board Members present: Katie Witt, Larry Page, Jake Garn, Michelle Barber, and Stroh DeCaire

Absent: Dave Adams

Others Present: City Manager Shayne Scott, City Recorder Annemarie Plaizier, Community Development Director Lyle Gibson, Police Chief Sol Oberg, Information Systems Manager Ryan Judd, Mark Taylor, Julie Taylor

OPENING

Chairperson Witt opened the meeting by welcoming those present.

FAÇADE GRANT AWARDS

City Manager Shayne Scott explained that after receiving the Davis County Façade Grant we received eight applications. A citizen group with some city staff and Mayor Witt met last and would like to propose a couple of options.

Community Development Director Lyle Gibson said that the first option is to fund only the Kaysville Theater proposal. The proposal from Kaysville Theater was deemed by the committee to be professional and prepared, and the project itself would be very visible and would alter the look of Main Street in the most profound way. This option also impacts more than just the theater. The shoe repair business, attorney's office, popcorn retailer, and arguably many other businesses would also benefit. With option two, it would fund several proposals including Canyon Gallery, Studio K, Fayes, Wasatch Eye, and Western Art. The total of all of these proposals is around $34,000. The excess could be given to Kaysville Theater although this amount would only fund about a third of their total proposal. This would help several businesses with improvements, but may not have the same effect as the first option.

Board Member Page commented that this is a tough decision and, although Kaysville Theater is an anchor for this face, this is an issue of fairness and maybe there's a third option that would somehow benefit all of the applicants.

Board Member Barber arrived.

Chairperson Witt said that she was impressed with all of the applications received. Applicants were thrifty with their proposals but also looked at ways to make improvements that would impact our Main Street. They were well-researched and methodical. This façade grant might be something the city will want to consider carrying on in future years. We do little for our businesses and this is a way for us to give something back to them. Kaysville Theater is a destination location and would make a large impact to the look of Main Street. However, the smaller projects will also make an impact to Main Street as well.

Board Member Barber commented that if we show our businesses what could happen with this grant it might incentivize other businesses to apply in future years.

Board Member DeCaire asked about future funding for this.

Chairperson Witt said that the Davis Fund is not committing to contributing money every year so the money would have to be funded by the Redevelopment Agency. While we have a larger amount of money being contributed this year to this grant, it might be best to go for the larger project. The City can apply for the funding from Davis County every year, but the grant is for any city within the County and it's not something we can rely on receiving yearly.

Board Member Garn said that giving the money to the Kaysville Theater might make the largest impact revitalizing downtown.

Chairperson Witt asked how much more it would cost to go with both options one and two.

Lyle Gibson responded that the Davis Fund will be contributing $25,000 with the city matching that amount of money. The applicants have indicated they would be contributing roughly a total of $17,000 in matching funds. There are a couple of projects that did not have a lot of detail in their applications, and also did not have a financial match. Therefore Staff would recommend not including them in the awarded grand funds at this time. The total amount that would be rewarded would be about $84,500, which the RDA would responsible for $59,500 of that if they wanted to cover those six applications.

Shayne Scott added that these funds are available in the RDA budget, and the argument could be made that this is what the money should be used towards.

Board Member DeCaire commented that this would help improve our businesses downtown and will draw attention to it. It will help draw more people here and will make it more of a gathering place for people. Moving forward with this third option would benefit everyone.

Board Member DeCaire made a motion to fund all of the proposed façade grant applications, with the exception of Barnes Building (Corner) and Saunders Office Systems, totaling $59,500 in RDA contribution and $25,000 being contributed by the Davis Fund.

The voting on the motion was as follows:

Board Member Page, yea
Board Member Garn, yea
Board Member Barber, yea

Board Member DeCaire, yea

The motion passed unanimously.

ADJOURNMENT

Board Member Page made a motion to adjourn the Kaysville City Redevelopment Agency Board Meeting at 6:50 p.m, seconded by Board Member Garn and passed unanimously.

KAYSVILLE CITY COUNCIL
July 2, 2019

Minutes of a special Kaysville City Council meeting held July 2, 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 Recorder Annemarie Plaizier, Community Development Director Lyle Gibson, Police Chief Sol Oberg, Information Systems Manager Ryan Judd, Andre Lortz, Brent Tarbox, John Adams, Quan Nguyen

OPENING

The opening was provided by Council Member Barber.

DECLARATIONS OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

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

a. Award of the Remaining Bid for 200 North Bridge Repair Work.
b. Utility Line Clearance Tree Trimming.

The motion was seconded by Council Member Page.

The vote on the motion was as follows:

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

The motion passed unanimously.

Council Member Adams arrived.

ACTION ITEMS

AN ORDINANCE AMENDING MULTIPLE CHAPTERS OF TITLE 17, PLANNING AND ZONING, TO DESIGNATE WHERE MAJOR HOME OCCUPATION C BUSINESSES ARE

PERMITTED AND TO ESTABLISH THE PROCESS BY WHICH THEY ARE TO BE CONSIDERED

Community Developer Director Lyle Gibson explained that recently the City Council approved an ordinance to create the Major Home Occupation "C" category for home businesses. These businesses are required to be licensed, but have been identified as businesses that can be licensed without the need for a public meeting and conditional use permit. The proposed ordinance designated where the Major Home Occupation "C" businesses may be allowed and lists them as a permitted use in each. Staff has proposed that they be allowed as a permitted use in all agricultural residential zoning districts.

Council Member Adams asked if surrounding residents would be notified of the new home businesses.

Lyle Gibson responded that neighboring residents will be mailed notice regarding the business, but they will not have to go to the Planning Commission to obtain a conditional use permit.

Council Member Adams asked if the neighbors could appeal the decision on an approved business license.

Lyle Gibson responded that there is an appeal process if a neighbor wanted to appeal the decision of Staff who would issue the license. It would have to be done within ten days of the license being approved, and that appeal would go before the Planning Commission.

Council Member DeCaire made a motion to approve an Ordinance Amending Multiple Chapters of Title 17, Planning and Zoning, to Designate where Major Home Occupation "C" Businesses are Permitted and to Establish the Process by Which They are to be Considered, seconded by Council Member Adams.

Council Member Garn asked if after the ten day appeal process the business is found to be out of compliance, what kind of enforcement would be taken for this type of business.

Lyle Gibson responded that Staff would go through a due process administratively to give the business a chance to get into compliance before revoking their license.

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.

AN ORDINANCE AMENDING CHAPTER 17-32, "OFF-STREET PARKING AND LOADING", OF TITLE 17, PLANNING AND ZONING TO ALLOW FOR WIDER DRIVE APPROACHES IN RESIDENTIAL ZONING DISTRICTS

Lyle Gibson explained that multiple residents have expressed interest in the ability to have wider curb cuts, largely due to four-car garage homes being built. Staff has reviewed this request regarding its impact on the storm drain system, utility placement, and traffic impacts, and believes that it is appropriate to approve a change to the city's ordinances to allow for wider curb cuts. Currently a residential drive approach is limited to thirty feet in width. The proposed ordinance would increase this to forty feet. The current number of approaches and separation requirements in the ordinance as proposed would remain the same.

Council Member Barber commented that housing has changed over the years and wider driveways are necessary.

Lyle Gibson added that the spacing required between approaches will remain at twelve feet. A curb cut permit from the Public Works Department is still required for those wishing to widen their drive approaches.

The vote on the motion was as follows:

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

The motion passed unanimously.

FIBER OPTIC PROJECT PROFESSIONAL SERVICES AUTHORIZATION

City Manager Shayne Scott explained that the Technical Advisory Committee for fiber to the home project has been meeting for several months. The Committee has gathered information from citizens through surveys and open houses. The Committee has reviewed and studied technical and financial information for the project. They made a presentation to the Council with a recommended action plan at the last meeting. The purpose of this item is for the City Council to discuss and potentially authorize up to $200,000 in expenses for legal, public relations, financing, and other fiber-related project consulting services. This amount will be funded from the Kaysville City General Fund and will be later reimbursed as part of the project funding when authorized.

Mayor Witt asked for public comment.

John Adams commented that while he is favor of hiring a company to take care of these professional services and public relations, the city needs to be careful to make sure that the company maintains an unbiased approach. Mr. Adams asked if the bond for the fiber project fails at the ballot, where will the $200,000 be paid from.

Shayne Scott responded that it would still come from the general fund.

Council Member Adams asked why the city is risking $200,000 of taxpayer money when this issue is already headed to the ballot.

Shayne Scott responded that whomever is hired would help the city with allocating the message of the importance of bringing fiber to the home in Kaysville. City Staff can't advocate for it, nor can city equipment be used towards it. We need an outside consultant to help oversee the legal, public relation, financing aspects and any other consulting services needed.

Mayor Witt added that the company will also be able to keep an unbiased perspective, and will be able to clearly give the community information about all aspects of the fiber project and what it means for the residents. We need to be clear that this will be a significant change for the city, but give them all of the information we've found so they can make their own educated decision.

Council Member Adams asked when this would be on the ballot.

Shayne Scott said that it would be on the ballot for the general election.

Council Member Adams asked if the city is planning to invest any money into the fiber project.

Andre Lortz responded that originally Design Nine had assumed that the City would be contributing to the project, but currently there is no plans for city contribution.

Council Member Garn made a motion to approve Professional Services for the Fiber Optic Project, not to exceed $200,000, seconded by Council Member Barber.

Council Member Adams asked what kind of bonding would be obtained for this project.

Shayne Scott responded that it has not been decided yet.

Council Member Garn commented that now is the time to get information out to the residents to give all sides of the issue. Fiber optics is much more efficient than anything we currently have and will help our businesses, improve technology, and benefit the city.

The vote on the motion was as follows:

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

The motion passed with a motion of four to one.

WORK ITEMS

FIBER OPTIC DISCUSSION

Council Member Barber said that because moving to a utility model is different and unfamiliar, the Technical Advisory Committee feels that an opt-out option should be available for some residents. Anyone desiring to be excluded from the Fiber Utility would be required to submit an application to the city. Opt-out applications will be limited to 1,700 and would be on a first-come, first-served basis. The form would have to be submitted within twelve months of fiber availability within the applicant's section of the city. It would also inform the applicant the manner and cost of re-entry to the Fiber Utility. When they decide they would like to be included in the Fiber Infrastructure, they would then be required to submit a connection request with the City. They would then be required to pay all back monthly Utility Fees since their section of the city had fiber available, plus ten percent APR interest on the Utility Fees, plus a $100 administrative fee, with a cap of $3,000. There will be an exception for residents that quality for the Home Energy Assistance Program (HEAT) as long as they provide annual evidence of HEAT qualification. New construction can opt to pay $3,000 upfront for Fiber Utility construction with their building permit. At that point they wouldn't be charged the utility fee because they paid up front. The Council could also consider not providing an opt-out option altogether as well. The Technical Advisory Committee hopes the benefits of the Fiber Utility will be portrayed to help motivate residents to participate in the utility. If we have less trying to opt-out we will be able to pay off the bond more quickly.

Council Member DeCaire commented that he feels that it would be appropriate to have a reentry process so that those who opt-out at first could join later and the city would still be able to recover the costs.

Council Member Garn said that the feasibility study showed a strong support for bringing fiber optics to the city. It will be easier to know the real cost for residents once the type of bond we will be pursuing is decided.

Council Member Barber commented that during the feasibility study and the request for proposals process the Committee reviewed different models that were proposed independently which showed a very similar cost and was consistent with what we've seen in other cities.

Council Member Adams asked about new construction permits being able to pay $3,000 up front without having to pay the utility fee.

Andre Lortz said that the cost is different for new construction permits because it will be easier and less costly to install the system at the time of the new construction. For those who opt-out in the beginning, they will be limited to only opting out for ten years. Their cost for fiber will be higher to cover the costs of interest on the bond as well as installation costs later on. If an existing residence wants to pay $3,200 up front, which includes the $200 connection cost, they would avoid paying the monthly utility fee.

Council Member Adams asked about the utility fees for commercial businesses.

Andre Lortz responded that if a business wants to have a shared bandwidth, just as most residences will have, they will pay the same utility fee as the residences will. If a business or other customer wants to have a dedicated bandwidth service, which will provide a higher level active bandwidth service, it will require more expensive and different equipment to be installed and because of this they pay a $25 utility fee. The biggest cost difference between the two services will be through the ISP fees, which will all depend on what level of bandwidth they would like to purchase. That dedicated active bandwidth service also comes with a service agreement which will guarantee a certain level of service, but at a higher cost.

Council Member Garn made a motion to remove Council Member Adams for the remainder of the meeting, 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, nay

The motion passed with a motion of four to one.

Council Member Adams was excused for the remainder of the meeting.

Council Member Barber commented that the proposed model was designed so as to not be reliant on businesses having the dedicated bandwidth service. All of the businesses have been modeled after the residential, or shared bandwidth, rates. If they do go with the dedicated bandwidth service the city would be generating the revenue needed to pay the bond back more quickly. We have been very conservative in the proposed estimate.

Mayor Witt commented that the Council does not need to move on anything tonight, but will continue this discussion on fiber options in future meetings as we continue to gather more information.

Council Member Barber commented that there is a lot of information about what city services are available, including this project, on the city's website. The city has a franchise agreement with Comcast that says they should provide services to people in an area that already has services available. Some have asked why we haven't enforced this and enforcement has either been unsuccessful or has taken a very long time. Even if we work towards the full extent of these franchise agreements we won't have full-coverage, and we will never have the open model that is being proposed with this fiber optics project.

CALL TO THE PUBLIC

John Adams commented that he is impressed by the work the Technical Advisory Committee has done. Mr. Adams stated that while he is not opposed to fiber optics, he is concerned about the city making sure citizens understand exactly what is going to happen with it, and all of the facts behind what is being proposed. The city needs to make sure it doesn't represent something that doesn't end up being true. There is somewhat of an obligation that the city has to hire a company that will present things that will be unbiased and guaranteed for the most part.

COUNCIL MEMBER REPORTS

Council Member DeCaire commented that the Power Commission will be moving their meeting to July 16, 2019. Also, many Staff and volunteers have done a lot of work and put in many hours towards the July 4th city activities and encouraged everyone to support the city's Independence Day events.

Council Member Page thanked Staff for the work being done on our city ordinances in updating and simplifying the language. We will be starting to review the city's strategic plan and general plan in the upcoming months.

CITY MANAGER REPORT

City Manager Shayne Scott said that the city has been working with UDOT in moving the sportsman's access from Roueche Lane to the interchange by the mink farm, south of the Sewer District. This will make it so when the West Davis Corridor is built there will still be access for those who want to access the west side of the Corridor.

ADJOURNMENT

Council Member DeCaire made a motion to adjourn the City Council meeting at 8:10 p.m., seconded by Council Member Barber and passed unanimously.