

KAYSVILLE CITY COUNCIL

July 18, 2019

Minutes of a regular Kaysville City Council meeting held July 18, 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 Larry Page, Council Member Jake Garn, Council Member Michelle Barber, and Council Member Stroh DeCaire

Absent: Council Member Dave Adams

Others Present: City Manager Shayne Scott, City Recorder Annemarie Plaizier, City Attorney Nic Mills, Assistant Police Chief Seth Ellington, Information Systems Manager Ryan Judd, Resource and Service Manager Bruce Rigby, Steve Orgill, Missy Tolley, Brigg Lewis, Todd Marriott, Summer Marriott, Dorothy Wagoner, Jordan Stephenson, Bob Fowler, Ron Zollinger, Rock Schutjer, Carole Barney, Brandy Rider (Illegible), Dallin Stewart, Brad Pitts, Amy Barney, Brent Barney, Brinlee Barney, Kyler Pitts, Aiden Pitts, Brad Pitts, Mike Blackham, Nathan Hardy, Brett Tarbox, John Adams, Tammy Wursten, Megan Schmidt, David Bowman

OPENING

The opening was provided by Council Member Garn.

RECOGNITIONS AND PRESENTATIONS

CAROLE AND BRENT BARNEY RECOGNITION

Ron Zollinger said that he was representing the Kaysville Yard and Garden Civic Committee and has been serving as a volunteer for years for the community. Kaysville has a great history of people willing to serve and support their community. In 2011 he worked with Councilman Jared Taylor, with the support of Vance Garfield and Mayor Hiatt, to revitalize yard and garden service recognition. This is how the Committee was created. The Committee started to recognize the residents and businesses that seemed to go out of their way to make their properties more attractive. It was soon thereafter that the Committee came up with the idea of having a community garden. Carole and Brent Barney helped in the organization and creation of the community garden, and with the expansion of the garden in 2015. The Barney's were interested and excited about the project and had been called upon to help for many years. They have been very diligent in helping to keep the garden growing, and the garden has become a wonderful representation of our community. This last spring, Brent experienced some health issues and passed away from it. The committee wishes to express sincere condolences to the Barney family, and in appreciation of all Brent did, are presenting a memorial sign in his honor which will be installed at the community garden.

Mayor Witt thanked the Barneys, and all of the volunteers that participate on the Yard and Garden Committee. Our volunteers are a great asset to the city.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

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

- a. Approval of the Minutes of the June 20, 2019 meeting.
- b. Approval of the Minutes of the July 2, 2019 meeting.
- c. Change Order for 300 East Street.
- d. Approval of Professional Services for a System Reliability Study.
- e. Approval of Vehicle Purchase for the Power Department.
- f. Award of Bid for Conduit Boring Project.
- g. Approval of an Interlocal Agreement for Joint Use of Facilities with Davis School District.

The motion was seconded by Council Member Garn.

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.

ACTION ITEMS

CARBON FREE POWER PROJECT RESOURCE SUBSCRIPTION AND JUMP ALLOCATION

City Manager Shayne Scott explained that Kaysville City Power currently has 1 megawatt of subscription of Carbon Free Power Project. With the inevitability of our coal resources being drastically reduced or completely eliminated, Staff is recommending to increase our subscription to 5 megawatts. The Department of Energy is funding half of the Carbon Free Power Project and is going to pay for the first 60 megawatt module for ten to fifteen years. If Kaysville executes the contract for 5 megawatts, the city will get a percentage (1.8 megawatts) of the JUMP program output from that first module when those contracts expire. This portion of power will be at a greatly reduced rate for the city because the Department of Energy is going to pay all of the costs to build the first unit. There will be no debt service associated with that first module. The Department of Energy wants to see the signed subscription contracts by the end of July in order to qualify for the JUMP program. The Power Commission has reviewed, and approved these contracts.

Council Member Barber asked about why this is a good time to participate in this project.

Resource and Service Manager Bruce Rigby explained that the JUMP allocation is a percentage of our subscription into the total Carbon Free Power Project. Because the Department of Energy is paying half of the whole project and paying for the first module, it will take out the first risks that may occur with the project. It will also get the module running more quickly than if the city were to do it. They will also have a fifteen year contract with that first unit and so anyone within that subscription will get a percentage of the JUMP module.

Council Member Page asked if we have a timeline of when some of these fossil fuel stations will be going offline.

Bruce Rigby responded that we have a San Juan coal station in New Mexico which is planned to be off by 2022, or even a little sooner than that. Our biggest concern is the Hunter II station where we have about 5 ½ megawatts from. It's supposed to run until about 2032 but we are hoping it will remain until 2025.

Council Member Garn made a motion to approve a resolution approving an increase in Kaysville City's entitlement share under the Carbon Free Power Project Power Sales Contract, seconded by Council Member DeCaire.

The vote on the motion was as follows:

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

The motion passed unanimously.

Council Member Garn made a motion to approve a resolution authorizing and approving an increase in the participant's entitlement share under the Carbon Free Power Project Power Sales Contract for the Lay-Off Power Sales Agreement associated with Joint Use Module Plant Operations at the Carbon Free Power Project, seconded by Council Member DeCaire.

The vote on the motion was as follows:

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

The motion passed unanimously.

CONSIDERATION OF A CELLULAR TOWER IN BARNES PARK, AND SITE LEASE AGREEMENT WITH T-MOBILE WEST, LLC

Shayne Scott explained that T-Mobile is requesting to locate a new cell tower in Barnes Park. The proposed tower would replace an existing light post on the northeast ball field and have capacity for T-Mobile in the top position for their antenna equipment and one other future user. The tower would also have lights installed on it to function as lighting for the ball field. The tower is ninety feet in height and is permitted in the Public Use (PU) zoning district as a stealth tower. As the property owner, the City has the ability to consider the proposed contract and tower details, and can choose to accept the proposal with or without changes. The contract has been provided to the City Council for review. In short, T-Mobile would build the tower and base compound for supporting equipment and give the tower to the city to lease back to T-Mobile, as well as an additional user if desired in the future. The proposed lease begins at a rate of \$1,500 per month. City Staff has worked with T-Mobile to determine that the location works best for the park and the needs of the service provider to enhance their network.

Council Member Page asked how this location was chosen.

Shayne Scott responded that T-Mobile approached the city with a few proposed locations they were considering. Staff determined that this location was the most discreet and would not visually impact the neighboring properties. It will have a lower impact because it will be installed on an existing pole. The city feels this will be the most beneficial location for everyone.

Council Member Barber said that the agreement states that the lease begins at \$1,500 and asked if that number would increase over time.

Nic Mills responded that he isn't sure how frequently it would escalate, but an increase will be built into the site agreement.

Council Member Barber said that the \$1,500 is shown to go into the General Fund, and asked if that money could go directly towards the Parks and Recreation Department.

Shayne Scott said that it is something the city could consider.

Council Member Barber made a motion to approve a cellular tower in Barnes Park and Site Lease Agreement with T-Mobile West, LLC, with the condition that the monthly lease payment be allocated to the Parks and Recreation Department budget, seconded by Council Member DeCaire.

The vote on the motion was as follows:

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

The motion passed unanimously.

WORK ITEMS

KAYSVILLE PERSONNEL RULES AND REGULATIONS UPDATE DISCUSSION

Shayne Scott explained that over several months, he and the department heads have discussed procedures and methods to recognize and reward employees or groups of employees which show exceptional effort in the performance of their duties, as well as recognizing employees that merit an annual increase but may be at the top of their step. Staff is recommending a formal written policy be approved by the City Council, including an update to the Personnel Rules and Regulations, as well as an amendment to the compensation schedule. A draft copy of the proposed update and amendment is included for the Council's review and discussion.

Council Member DeCaire asked how this would be budgeted.

Shayne Scott said that even though the budget for this next fiscal year has been set, they should be able to conservatively initiate the program during the year. This will be formally budgeted next fiscal year.

Council Member Garn said that some authority is already in place to allow for some type of incentive awards.

Shayne Scott said that he agrees, but this gives more assurance to Staff that it could be implemented, and could be an ongoing thing. We are hoping this helps to endear our employees to the support of the Council and give them something to strive for.

Council Member DeCaire said that we are a full-service city and incentivizing our employees helps to maintain retention, promote esprit de corps and promotes morale. We have employees who have worked here for many years and are committed to our city. It is vitally important that the Council supports this incentivizing program.

Council Member Page asked how the incentives would be determined.

Shayne Scott responded that it would be the decision of the department heads, who would present the name or names to the City Manager for final approval. We have asked our department heads to be very judicious with this. It would not be something that employees could depend on receiving yearly.

Council Member Barber commented that as she has gotten to work alongside the city employees she has seen the dedication that our employees have to our city. Council Member Barber commented that with the current proposal, the incentive amount depends on if there is more or less than ten full-time employees in each department. There are some departments that have significantly more than ten employees and it seems that it might adversely affect their ability to support their employees. There might be a better way to break this out more fairly to each department.

Council Member Garn suggested considering having an employee max, rather than a department max.

Council Member Garn made a motion to move this item to an action item, 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.

FIBER OPTIC DISCUSSION

Jordan Stephenson said that he has been serving as a member on the Technical Advisory Committee and appreciates the opportunity to be part of this decision. Reliable, comprehensive and affordable connectivity is an essential component to the future success of Kaysville's government and enterprise operations. The current state of connectivity is inadequate to meet the future needs of essential services the City provides. A city-owned fiber optic networks spanning the current operations of Kaysville City, including services to buildings and residents, represents the most reliable, comprehensive and affordable connectivity solution going forward. The City can no longer afford to put off action with this initiative. The Committee is recommending that the city take up an item at the next Council meeting to discuss governing parameters for the fiber infrastructure project. These governing parameters would include total capital expenditures, ongoing operating and maintenance expenditures, service offerings, rate and fee structures by service offering, and customer opt-out and re-entry policies. Prior to the first City Council meeting in September, there needs to be extensive additional study and community outreach to define and solidify these proposed parameters in as much detail as possible. Approval of these governing parameters would not be considered approval to finance or launch a fiber infrastructure project. Rather, approval would only solidify the acceptable conditions of an eventual fiber infrastructure plan. Following approval of governing parameters, an executable plan to construct the fiber infrastructure, including the specific funding provisions, project timeline and milestones, and performance under governing parameters, will be prepared and presented to the Council.

Mayor Witt asked about the technical needs of the City.

Information Systems Manager Ryan Judd said that recently the city opened up a new building for the Cemetery offices, located west of the cemetery. This building currently doesn't have any data service except by a cellular connection. We have looked at obtaining service through Comcast or Centurylink, but have been told it would take a long time to receive it. The city has also done a lot with SCADA technology and telemetry for the water department, and is currently using cellular modems for that. There is a lot more we could do to bring good and quick information about the status of our water systems. Our water tank sites and valves would benefit greatly from data

infrastructure. We would have better control and automation over the water valves, and would control water flow more efficiently. Through this we wouldn't have to inject as much chlorine into our water systems to keep it clean. Our Power Department would also benefit from a better data infrastructure as we could have better and quicker data about when and where power outages are, downed power lines, and would give us a better understanding about how our capacitors are working. Our Parks Department deals with cleaning up a lot of vandalism, and if we were to have a better data infrastructure we would be able to install video cameras to help curb that vandalism. We haven't been able to implement these things in the past because we haven't had the connectivity available. Better infrastructure would help us better improve our operations.

Todd Marriott, with Municonsults, said that he has worked with a number of municipalities to help them build successful models to help this type of infrastructure be deployed. He was asked to come to Kaysville to help look at this model and deploy it, and feels that it will be very successful.

Council Member Barber commented that this is a necessary step for the city because it is an essential infrastructure. We will need a fiber infrastructure for future technologies. It will benefit the city going forward and it's important that we take advantage of this opportunity now.

Todd Marriott commented that this will be a real benefit to the residents of the city. The infrastructure will be used by most, if not all, of the residents every day. It is critical to the city and will help the city be more connected and be able to provide better services to the residents.

Council Member DeCaire commented that the Council is asked often about what the city is doing to help improve our infrastructure. This is a crucial infrastructure as technology is progressing faster than ever right now. Not only will it be a benefit for the city, it will help us have better and more efficient city services. It is more than just providing better internet services to our residents.

Council Member Garn said that fiber will make it possible for businesses to operate more successfully, and will make it possible for more people to telecommute. That will help to relieve traffic on our roadways. We as a city need to become more efficient and fiber will help in being able to better monitor our infrastructure systems. This will help increase the quality of life.

Council Member Page said that our current providers are not providing the services we need, and we need to look at what's going to be best for our city. Fiber isn't going to go away and more things are relying more on fiber networks.

Todd Marriott said that he has had the opportunity to work with many cities and Kaysville is unique. It's been a difficult process, but is impressed with how the city has chosen to approach this. This infrastructure will be very beneficial to the city. This is a long-term infrastructure and will be utilized for more than the internet.

Mayor Witt stated that she appreciates that the city has been able to hire expert consultants to work with our Technical Advisory Committee and city Staff in helping us navigate this project. This isn't something that would be nice to have, but rather it's become something we must have. Every resident will have access to some internet as part of the utility fee. Residents will have to pay the utility fee to cover the cost of installing the infrastructure, but they are free to choose whatever

service provider they would like, if any. Comcast and Centurylink have already lowered their rates in our city just because we have been discussing installing fiber. This will be a very positive thing for the city. Survey results from the feasibility study showed us that there are many in the city who want fiber to their home. Interest rates are low right now and we will need to bond for it by the end of the year. There will continue to be extensive community outreach and involvement as part of this process.

Council Member Barber commented that residents want to know exactly what we are considering and they want to be part of this process. It seems some residents feel overwhelmed by all of the information we have given to them, while other residents haven't heard anything about it. We need to raise our efforts and try to reach out to all of our residents, and we need the community's help with that.

CALL TO THE PUBLIC

Brigg Lewis commented that he recently read in the Davis Clipper that there will be a property tax increase in Kaysville. Costs to residents never seem to decrease. It will cost more money to put in the equipment needed to monitor our infrastructure systems. There will only be a small percentage of residents that will be allowed to opt-out of the fiber optic services and that is very concerning. It seems that Kaysville is being pressured into things just because other cities have done it. We are our own independent city and we don't need to have another financial burden put on our residents. Also, there are a lot of people who don't like what's going on in Kaysville and where Kaysville headed in the future.

David Bowman said that in January there were four issues that he had mentioned to the Council, and feels that most of those concerns have been addressed. Mr. Bowman said that he appreciates the Council listening to the feedback of the citizens, and added that he feels that the fiber optic project should be voted on by the public.

COUNCIL MEMBER REPORTS

Council Member DeCaire expressed his appreciation for the discussion they've been able to have on these issues, and thanked the Technical Advisory Committee for their work. Council Member DeCaire said that there will be a Q&A with the Mayor, Council Member Barber and himself on July 20, 2019. These Q&A meetings are a great opportunity for citizens who have questions for the Council.

Council Member Barber said that there will be benefit breakfast on July 24th at Bowman's Market to help raise money for scholarships for our Recreation Programs. It gives children in the city the opportunity to participate whose families can't afford to pay for them.

Council Member Garn commented that when road construction started on the 300 East Street they found out that the original road base was installed incorrectly and therefore would cost the city more to repair. However, it is important that our roads are done right so that it will cost less in road maintenance down the road. Also, during the construction season many will get frustrated

by the road closures and detours. Council Member Garn said that we need to be more patient and remember that this is only temporary.

Mayor Witt thanked everyone who helped to prepare and participate in the city's 4th of July Celebrations. We have many volunteers who help out with our events, including Council Member DeCaire who has helped to run the parade for eleven years. All of our city departments help to lend a hand in some way, and it is appreciated.

CITY MANAGER REPORT

City Manager Shayne Scott said that he recently had an employee come to him who wanted to thank the Council for providing our current health plan.

ADJOURNMENT

Council Member DeCaire made a motion to adjourn the City Council meeting at 8:49 p.m., seconded by Council Member Page and passed unanimously.

8:50 P.M. ARCHITECTURAL REVIEW COMMITTEE MEETING

CONSIDERATION OF A CELLULAR TOWER IN BARNES PARK TO REPLACE AN EXISTING LIGHT POLE

City Manager Shayne Scott explained that this item was just reviewed and approved by the City Council in tonight's meeting. However, because the tower is located in the Kaysville Business Park, it is required that it also be reviewed by the Architectural Review Committee.

Council Member Barber made a motion to approve a cellular tower in Barnes Park to replace an existing light pole, seconded by Council Member DeCaire.

The vote on the motion was as follows:

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

The motion passed unanimously.

Council Member Page made a motion to adjourn the Architectural Review Committee meeting at 8:52 p.m., seconded by Council Member DeCaire and passed unanimously.