



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, August 1, 2019, starting at 7:00 p.m. in the Council Room of the Kaysville City Municipal Center, 23 East Center Street, Kaysville, UT.

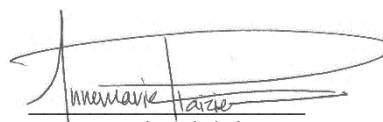
The agenda shall be as follows:

1. OPENING
 - a. Provided by Mayor Katie Witt.
2. DECLARATION OF ANY CONFLICTS OF INTEREST
3. ACTION ITEMS
 - a. Kaysville Personnel Rules and Regulations Update.
4. WORK ITEMS
 - a. Kaysville City Rules of Procedure and Proposed Amendments to the Code of Conduct.
 - b. Certified Tax Rate and Final Budget Discussion.
 - c. Fiber Optic Discussion.
5. CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN PERSON)
6. COUNCIL MEMBER REPORTS
7. CITY MANAGER REPORT
8. 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.
9. 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) 546-1235.

A Closed Session may be called to order pursuant to Utah State Code §52- 4-204 & §52- 4-205. The order of agenda items may change to accommodate the needs of the City Council, the staff, and the public. Supporting documentation for this agenda is posted on the city's website at www.kaysvillecity.com. A recording of this meeting will be posted on the city's website at the following link: <https://www.kaysvillecity.com/AgendaCenter>.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at City Hall and emailed copies to media representatives on July 26, 2019.



Annemarie Plaizier
City Recorder

STAFF REPORT



COUNCIL MEETING DATE: August 1, 2019

ITEM NO.: 3a

TYPE OF ITEM: Action Item

PRESENTED BY: Shayne Scott

SUBJECT/AGENDA TITLE: Kaysville Personnel Rules and Regulations Update Discussion.

EXECUTIVE SUMMARY:

The City Manager and Department Heads have discussed over several months procedures and methods to recognize and reward employees or groups of employees that 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.

Updates to the policy based on last council meeting have been made, capping each department spending at an average of \$600/employee.

Staff recommends a formal written policy approved by the City Council including an update to the Personnel Rules and Regulations and 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 Options:

- Move to approve the update to the Human Resource Manual
- Move to approve the update to the Human Resource Manual with suggested changes.
- Decline to approve the update to the Human Resource Manual

Recommended Options: Move to approve the update to the Human Resource Manual

Fiscal Impact & Fund Source for Recommended Action: Incentives would be financial and would vary on a case-by-case basis but be capped by department.

Attachments: Update and Amendment to Kaysville Personnel Rules and Regulations and FY 20 Compensation Plan.

RESOLUTION NO _____

A RESOLUTION ADDING SECTION 3.21 TO THE KAYSVILLE CITY PERSONNEL RULES AND REGULATIONS ESTABLISHING AN INCENTIVE PROGRAM FOR KAYSVILLE CITY EMPLOYEES AND MODIFYING THE KAYSVILLE CITY FY 2020 COMPENSATION PLAN.

WHEREAS, the Kaysville City Council understands the importance of retaining good employees and recognizing their on-going contribution to the operations of the City and recognizes the value of employees that provide exceptional effort, and

WHEREAS, the Kaysville City Council desires to establish an incentive program to reward and recognize employees and desires to add a Section to the Kaysville City Personnel Rules and Regulations and amend the FY 2020 Kaysville City Compensation Plan,

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

Section 3.21 of the Kaysville City Personnel Rules and Regulations to be included as follows:

Kaysville City understands the value of recognizing exceptional effort made by City employees and desires to reward employees for their effort. Kaysville City offers an incentive program as included herein.

Department Discretion Incentives

Department Heads may grant cash incentive awards to an employee or group of employees that demonstrate exceptional effort or accomplishment beyond what is normally expected on the job for a unique event or over a sustained period of time.

Incentive awards are discretionary, not an entitlement, and are subject to the availability of funds and upon approval of the City Manager. Each Department Head shall prepare a written request submitted to the City Manager. Incentives awarded according to the approved compensation plan.

City Manager Discretion Incentives

The City Manager at his/her discretion may grant a cash incentive award to Department Heads and other employees or group of employees based on his or her observation of exceptional effort or accomplishment for a unique event or valuable contributions over a sustained period of time. Incentive awards are discretionary, not an entitlement, and are subject to the availability of funds. Incentives awarded according to the approved compensation plan.

Amendment to FY 2020 Kaysville City Compensation Plan

The Fiscal Year 2020 Compensation Plan is amended as follows:

Department Incentives

Department Annual Maximum Incentives:

Each department will be allocated \$600/employee for bonuses.

City Manager Incentives

City Manager Annual Maximum Incentives: \$25,000.00

This Resolution shall become effective upon adoption.

APPROVED and AOPTED THIS _____ day of _____, 2019.

Katie Witt
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

STAFF REPORT



COUNCIL MEETING DATE: August 1, 2019

ITEM NO.: 4a

TYPE OF ITEM: Work

PRESENTED BY: Nic Mills

SUBJECT/AGENDA TITLE: Amendments to the Code of Conduct

EXECUTIVE SUMMARY:

Local government function best when diverse viewpoints can be shared in a professional setting devoid of vitriol and ad hominem attacks. During this civil but disparate discussion, policy makers often find novel and inventive solutions to complex problems that confront the city. City Staff was tasked with researching ways that City meetings could be more civil, efficient, and productive. It was determined that sanctions for incivility may lead to more positive and professional interactions.

Utah Code 10-3-607 authorizes a public body to remove unruly members; it states, “A governing body may adopt rules or ordinances that...establish... procedures for the expulsion of a member from a public meeting.” These changes would allow the council and the City’s various other public bodies to warn and suspend members for unprofessional conduct.

Council Options: 1) Move the Resolution to a City Council agenda as an Action Item; 2) Move the Resolution to a City Council agenda with any modifications that the Council deems appropriate; 3) Decline to move the resolution and remand to staff with further direction.

Recommended Options: Move the Resolution to a City Council agenda as an Action Item.

Fiscal Impact & Fund Source for Recommended Action: None

RESOLUTION _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAYSVILLE,
UTAH, AMENDING THE CODE OF CONDUCT.**

WHEREAS, the Kaysville City Council recognizes that dialogue relating to public topics can bring forward a variety of opinions and emotions which diversity, when brought forward in a civil manner, has significant value; and

WHEREAS, incivility can impede the fundamental goal of conducting business rationally, peacefully, and efficiently. Conduct that is uncivil can frustrate effective and fair processes and may disrupt or limit the desire or ability of others to speak; and

WHEREAS, Public Meetings provide an opportunity for discourse on many issues and people have the right and ability to agree or disagree with ideas, comments, and proposals that are made; and

WHEREAS, the Kaysville City Council desires to be productive, efficient, and respectful in conducting business on behalf of Kaysville City; and

WHEREAS, the intent of the Kaysville City Council in passing this resolution is not to regulate the content or free speech of any meeting participant but to deter behavior that may be disruptive or impede the orderly conduct of business of the City; and

WHEREAS, the Kaysville City Mayor or the Chair or Vice Chair who is responsible to conduct these meetings has the right and the responsibility to hold both Kaysville City Council members as well as board and commission members, citizens, and other meeting participants to a civil standard.

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

The Code of Conduct for Members of Kaysville City Council, Boards, Committees and Commissions Adopted by the Kaysville City Council is hereby amended as shown in Exhibit A. This resolution will be effective immediately upon passage.

**APPROVED BY THE CITY COUNCIL OF THE CITY OF KAYSVILLE, STATE OF UTAH, ON
THIS 15 DAY OF SEPTEMBER, 2016, BY THE FOLLOWING VOTE:**

Katie Witt, Mayor

ATTEST: _____
Annemarie Plaizier, City Recorder

Compliance and Enforcement

Kaysville City Code of Conduct is intended to be self-enforcing. It therefore becomes most effective when Members are thoroughly familiar with it and embrace its provisions.

The Kaysville City Code of Conduct expresses standards for ethical conduct expected of Members of the Kaysville City Council, boards, committees, and commissions. Members themselves have the primary responsibility to ensure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of boards, committees, and commissions and the Mayor, have the responsibility to intervene when actions of Members appear to be in violation of the Code of Conduct are witnessed or brought to their attention. The City Council by majority vote may also impose sanctions on Members whose conduct does not comply with the City's ethical standards. Sanctions may include:

- Official verbal reprimand in an open meeting
- Formal public letter of censure by Mayor, Chair, or majority of the council or body
- Loss of committee assignment(s)
- In accordance with Utah Code 52-4-301 or 10-3-607 may be removed from meetings

In addition to the remedies outlined above, Members shall be subject to an Official Warning and Temporary suspension.

- Official Warning If a member of the City Council, City Staff, or the Public does any of the following:
 - Repeatedly begins speaking without being recognized by the chair;
 - Engages in ad hominem insults;
 - Engages in boisterous conduct, including but not limited to applause, whistling, stamping of feet, booing, or making any loud, threatening, profane, abusive, personal, impertinent, or slanderous utterance that disturbs, disrupts, or otherwise impedes the conduct of the meeting;
 - All persons attending a Public Meeting shall obey any lawful order of the Presiding Officer to enforce the Rules of Decorum.

The meeting chair may issue an oral warning before taking further action in response to the offending actions.

This warning, which should clearly identify both the offending behavior and the potential consequences that will arise if such behavior persists, will provide the offending individual with an opportunity to improve his or her behavior before the City takes more serious action, such as removal from the premises. A warning will often be sufficient to halt any abusive treatment. The City Council shall issue this warning by a simple majority vote.

- Suspension from the Meeting If an offending person does not improve his or her behavior in response to an official warning, the City may suspend the abusive individual for the remainder of the meeting and any subsequent meetings which the City has scheduled that day. This temporary suspension from City property provides the offending individual

with an opportunity to “cool down” and reflect on his or her behavior. The City council shall approve the suspension from the meeting by a simple majority vote.



STAFF REPORT



COUNCIL MEETING DATE: August 1, 2019

ITEM NO.: 4b

TYPE OF ITEM: Work Item

PRESENTED BY: Shayne Scott

SUBJECT/AGENDA TITLE: Certified Tax Rate and Final Budget Discussion.

EXECUTIVE SUMMARY:

This item is in preparation of our Public Hearing and Budget Adoption next council meeting. Council and Staff have the opportunity to ask and answer any final questions regarding the Fiscal Year 2020 Budget.

Council Options: No motion necessary on this item. Discussion only.

Recommended Options: N/A

Fiscal Impact & Fund Source for Recommended Action: None

Attachments: None

NOTICE OF PROPOSED TAX INCREASE KAYSVILLE CITY

Kaysville City is proposing to increase its property tax revenue.

- Kaysville City tax on a \$397,000 residence would increase from \$324.69 to \$346.96, which is \$22.27 per year.
- Kaysville City tax on a \$397,000 business would increase from \$590.34 to \$630.83, which is \$40.49 per year.
- If the proposed budget is approved, Kaysville City would increase its property tax budget revenue by 6.84% above last year's property tax budgeted revenue excluding eligible new growth.

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

PUBLIC HEARING

Date/Time: 8/15/2019 6:00 PM

Location: Kaysville City Hall
23 East Center Street
Kaysville

To obtain more information regarding the tax increase, citizens may contact Kaysville City at 801-546-1235.

Fiber to the Premise Project Parameters for the City Council to approve:

Effective Date & Amount of Kaysville Fiber Utility Fee

- Assess Fiber Utility Fee as soon as each section of the city has begun construction.
- Residential fee would be set at \$12.45.
- Business Fee (Brick and mortar locations only) would be set at \$21.50.

Internet Services (excludes Utility Fees)

Residential Level Services:

- 5mbps down/1mbps up - \$0.00
- 250mbps down/up - \$35.00 - \$50.00
- 1,000mbps down/up - \$50.00 - \$65.00

Commercial Level Services:

- 250mbps down/up - \$70.00 - \$400.00
- 1,000mbps down/up - \$400.00 - \$900.00

Opt Out of Premise Install

Residents, churches or businesses desiring to not have the fiber optic infrastructure installed to their premise would need to submit an application to Kaysville City.

- The form would have the applicant acknowledge that they are electing to not have fiber optic connectivity provided to their premise. It would also inform the applicant that they would be required to disclose their Opt Out election upon sale of premise.
- Opt Out Applications would have no limit.
- The Opt Out form must be submitted prior to Fiber installation within the applicant's section of the city (notice to be provided approximately 90 days prior to start of installation in a specific section of the city).
- The form would outline the manner and cost of re-entry to the Fiber Utility.
- The form would not require any fee upon submission.
- The Opt Out is only for the Premise Connection portion of the Fiber Utility Fee. All premises will be subject to the Network Infrastructure portion of the Fiber Utility Fee.

Premise Install Process following an Opt Out Application Submission

- Applicant would contact Kaysville City Fiber Utility to request connection to the Fiber Infrastructure.
- Applicant would need to pay a premise installation fee of \$999/\$1,499 (Residential/Commercial).

Low Income Exemption

- For residents that qualify for the Home Energy Assistance Program (HEAT), they may receive assistance to lower the Fiber Utility Fee to as low as \$1.50/month. They would be responsible for any ISP service fees.

Lump Sum Payment Option

- A single lump sum payment of \$2,700/\$5,000 (Residential/Commercial) will have a Fiber Utility fee of \$1.50/month.

Business Rates

- Businesses, churches and schools may elect to negotiate with an ISP for a Residential level service and pay the same ISP rates as residential users.
- Residences, businesses, schools and churches may request Commercial level service.

New Construction

- Charge \$2,700/\$5,000 (Residential/Commercial) upfront on new construction for Fiber Utility connection with permit.
- A nominal base fee of \$1.50 will be applied to cover update, administration and refresh costs.
- Require all new construction developments to include conduit throughout the development, as well as a connection from the street to each premise for fiber installation.

Premise Install Fee

- There will be no premise install fee if already connected to fiber infrastructure during initial section installation (they don't opt out as outlined above).
- A \$199 Premise Install fee, if refused to allow install within premise during initial section installation (only allowed installation to premise, but not within).
- A \$999/\$1,499 (Residential/Commercial) Premise Install fee if Opt Out form submitted prior to section construction being started.

Timeline

- Aug 1 – present to City Council
- August – neighborhood meetings
- August 21 @ 7pm – Town Hall Meeting – Kaysville Branch of Davis County Library
- August 27 @ 7pm – Town Hall Meeting – Kaysville City Hall
- Sept 5 – Kaysville City Council Financing Super-Parameters Resolution