

KAYSVILLE CITY COUNCIL

August 1, 2019

Minutes of a regular Kaysville City Council meeting held August 1, 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 (telecom), Council Member Michelle Barber, and Council Member Stroh DeCaire (telecom)

Absent: Council Member Dave Adams

Others Present: City Manager Shayne Scott, City Recorder Annemarie Plaizier, City Attorney Nic Mills, Finance Director Dean Storey, Information Systems Manager Ryan Judd, Police Chief Sol Oberg, Andre Lortz, John Adams, Mike Blackham, Zane Larsen, Emily Walsh, Rusty Cannon, Colton Riddle, Brett Tarbox

OPENING

The opening was provided by Mayor Witt.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

ACTION ITEMS

KAYSVILLE PERSONNEL RULES AND REGULATIONS UPDATE

Shayne Scott explained that 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 have been made based on input provided at the previous Council meeting, capping each department to spending at an average of \$600 per employee. Staff recommends a formal written policy be approved by the Council, including an update to the Personnel Rules and Regulations, as well as an amendment to the compensation schedule.

Council Member Barber made a motion to approve the Kaysville Personnel Rules and Regulations update, 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.

WORK ITEMS

KAYSVILLE CITY RULES OF PROCEDURE AND PROPOSED AMENDMENTS TO THE CODE OF CONDUCT

City Attorney Nic Mills explained that local government functions 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. Staff is proposing that the Council adopt the proposed resolution as a way to address the council's concerns. When this item comes back to the Council as an action item, the City Code 2-2-3 will need to be amended which requires a two-thirds vote in order to expel a member to match what is being reflected in this resolution.

Mayor Witt asked who would be allowed to vote.

Nic Mills responded that while he is unsure, before this item is voted on more research could be done to help clarify who can vote.

Council Member Barber asked who would determine what behavior is deemed unethical or unprofessional.

Nic Mills responded that the Chair of the meeting would make that determination. Any member of the Council or Commission could bring a motion forward based on any items they feel is inappropriate or detrimental.

Council Member Page made a motion to move this item to an action item subject to clarifying who would be allowed to vote, seconded by Council Member Barber.

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.

CERTIFIED TAX RATE AND FINAL BUDGET DISCUSSION

City Manager Shayne Scott explained that this item is in preparation of the Public Hearing and budget adoption that will be considered at the next City Council meeting. The purpose of this item is to give the Council the opportunity to ask any final questions regarding the Fiscal Year 2020 Budget, and to give a small recap of Truth in Taxation. Typically the city would hold the Truth in Taxation Hearing at the meeting prior to making a final decision, giving the Council two meetings to review the item. However, because of recent changes to the State Code, we are now required to hold the Public Hearing and a special Council meeting on the same date to vote on it. For the second year in a row the City has kept the certified tax rate the same. That does capture the increased values of homes, which does increase taxes based on those valuations that operate through the Davis County Assessor's office.

Mayor Witt commented that some members of the community have expressed concern about the taxed amount being increased to about 6%.

Finance Director Dean Storey explained that the Truth in Taxation process is a revenue-driven process, rather than a rate-driven process. With that, the city is guaranteed the same amount of revenue as last year, plus any new added growth. This becomes the certified tax rate as approved by the State Tax Commission. If the city wants to propose a different revenue level, then you have to go through the Truth in Taxation process. It was decided early on in the budget review earlier this year to keep our certified tax rate the same, which by doing that captures the increase in assessed values, ending up being about 6% more. As we finalized the budget, there were several items that we would have liked to have funded but felt that we could not afford to add those items at this time. There has been some discussion that the City review the budget in about six months to see where we are at that point.

Mayor Witt asked if it would be possible to evaluate if we could have one more additional police officer for the Davis Tech Center at the end of the year.

Dean Storey responded that we are hoping to review the budget mid-year so that we can see if that and other personnel requests could be accommodated.

Council Member Barber said at the Budget Retreat the Council was presented with an estimated projected revenue that was based on this Truth and Taxation increase, and this tax increase amount being presented now is higher than what was shown when it was first presented to the Council.

Council Member Garn said that property taxes seem to be the most hated but also the most misunderstood because of the interplay between the tax rate and the valuation of property, with the revenue staying the same. This Council has made a good decision to hold a Truth in Taxation hearing every year and hopes that continues with future council. It's important to understand that the revenue amount stays the same even as inflation and purchasing power with construction costs eat away from the revenue amount. In future years it might be appropriate to not track the valuation increase because property values tend to go up faster than wages and the general inflation rate.

These increases do not have to be excessive, but they do need to accelerate. There are going to be consequences if this is not done every year.

Council Member DeCaire said that this Council is not raising taxes with this Truth in Taxation, but rather it shows a direct reflection of the property values throughout Kaysville. It signals a robust economy and that property values are going up. The 6% increase is not something that has been dictated by the city, but is a direct result of the property values that have increased not just in the city but also the County.

Council Member Barber said that the 6% increase is higher than what was first presented and we didn't anticipate such an increase. Therefore we should lower it to what was originally proposed of us. We shouldn't punish the residents because we didn't see as much housing growth as the city has anticipated over the last year.

Council Member Page said that the majority of the city's revenue does not come from property taxes, but from sales tax. Even though there's a small percentage increase, costs to provide services to the city is going up as well. If we didn't have a revenue stream coming in then the city would collapse.

Mayor Witt encouraged any residents with questions or concerns to call any member of the City Council and to come to their next meeting.

FIBER OPTIC DISCUSSION

Brett Tarbox stated that he has been serving on the Technical Advisory Committee. Since the last Council meeting they have continued to look at the proposed framework and guidelines, and the proposed utility fees has been revised. A couple of neighborhood meetings have recently been held, and they will also be holding a town meeting at the Kaysville Library on August 21 and another at City Hall on August 27. A parameters resolution will be proposed to the Council at their September 5th meeting. Mr. Tarbox said that the Committee would like to thank all of the residents who have attended their neighborhood meetings and have provided a lot of great feedback.

Council Member Garn asked about the most recent Opt Out proposal.

Council Member Barber commented that all premises would be subject to the network infrastructure fee, but would be able to Opt Out of the premise connection portion of the fee. There would be no limit for Opt Out applications, but the form would have to be submitted prior to start of installation within the applicant's section of the city. Notice would be provided approximately ninety days prior to the start of installation in that specific section of the city. The advantage of the city owning the infrastructure is that we are able to set up these types of parameters.

Mayor Witt encouraged any citizens with questions to contact the city or any of the Council Members. The Committee is also willing to come speak to neighborhoods or other groups if the citizens wished. A mailer will be sent soon to further explain the fiber project and to announce the town hall meeting dates.

CALL TO THE PUBLIC

Zane Larsen commented that the city needs to be careful when using the term “revenue”, and things need to be explained to the public simply so that everyone understands. The city hall expansion and remodel seems like it’s been orchestrated over many years. Mr. Larsen asked if there is a clearly defined list of roads planned to be worked on and when they will be completed. There is no information on the website about planned road construction projects. The fiber project is also not clear to our residents. Although everyone will be provided some portion of internet, albeit some of them by very small means, we already have places that people could go to get a connection to the internet, such as the library.

Rusty Cannon stated that he’s with the Utah Taxpayers Association and many taxpayers are very concerned about this fiber project. It seems that residents will be burdened with infrastructure placement whether they want it or not. The city should wait a few years until this infrastructure is needed.

COUNCIL MEMBER REPORTS

Council Member Barber said that the Parks & Recreation Staff has been working hard to accommodate all of the city’s needs, but there is a shortage of fields and court space. It’s becoming more difficult to accommodate all of the residents wishing to get into their recreational programs.

Council Member Page commented that the bids for the City Hall Remodel recently came in, and he was pleased with the low bid amounts. This remodel is something that we are doing right for the City.

CLOSED SESSION

Council Member Page made a motion to enter into closed session, second by Council Member Barber.

Council Member Page made a motion to adjourn the closed session, second by Council Member Barber.

ADJOURNMENT

Council Member Barber made a motion to adjourn the City Council meeting at 8:35 p.m., seconded by Council Member DeCaire and passed unanimously.