

KAYSVILLE CITY COUNCIL
PUBLIC HEARING & SPECIAL MEETING
August 15, 2019

Minutes of a Truth in Taxation Public Hearing and special City Council Meeting held August 15, 2019 at 6:00 p.m. in the City Council Chambers of the Kaysville City Municipal Center to consider the adoption of the 2019 Certified Tax Rate for Kaysville City and the Final Fiscal Year 2020 Budget.

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, Finance Director Dean Storey, City Recorder Annemarie Plaizier, Bruce McGraw, Gayle McGraw, Flemming Hyllested, Carole Walker, Brian McKenzie, Mike Houston, Michael Rawlings, Andre Lortz, John Swan Adams, Eric Jessen, Zane Larsen, Michael Romney, Bill Robbins, Hal Anderson, Dan Burton, Michael Halls, Clark Steed

PUBLIC HEARING – TRUTH IN TAXATION

Finance Director Dean Storey explained that tax rate increases have legal disclosure requirements called “truth-in-taxation”. The city’s revenue from property tax only increases when there is growth. It was decided early on in the budget review earlier this year that the city would keep its rate the same, but because of the increase in assessed values the property tax budget revenue will increase by 6.84% above last year’s property tax budgeted revenue. The average home in Kaysville City is assessed a value of \$397,000, which means that there would be an increase in tax from last year from \$324.69 to \$346.96; which is an increase of \$22.27 per year. The city increase on businesses would go from \$590.34 to \$630.83, a difference of \$40.49 per year. The city has met the requirements of notification with this public hearing being noticed in various locations for at least fourteen days before tonight.

Mayor Witt opened the Public Hearing.

Council Member Barber arrived.

A member of the public commented that the proposed tax increase is not being shown accurately. The difference between the proposed tax increase and how much he paid two years ago for his property tax was an increase of 25%. The school district and sewer districts will also be increasing their fees, which has taken a large portion of his annual pension. Any increase in pension to offset the cost of living goes back to the government through these tax increases. There is also a road fee assessed on residents to fix our roads. Something is wrong if the city feels they need to increase taxes two years in a row, and the city should be budgeting better. He also suggested that the city conduct some training for the delegates of the city regarding harassment.

Gayle McGraw asked what the increased tax amount is planned for. They had spoken with a Council Member earlier in the year and was told that there would not be a raise in taxes this year. What changed since then? It seems that raising taxes has become the answer for solving money problems in the city.

Bruce McGraw asked if a decision would be made tonight. Is the city cutting costs anywhere or is it just citizens that are having to cut costs?

Mike Houston said that it is getting more costly every year for the citizens and asked if there was a way for the city to cut costs instead of raising taxes.

Michael Rawlings commented that with all of the growth that has happened in west Kaysville, it seems that taxes just keep going up. The schools are asking for more money. Assessments have gone up every year as well. It is hard to keep covering the cost of everything and there is a great concern from the citizens.

Zane Larsen said that he wanted to advocate that it does not seem that the city has properly pursued all of the different avenues to help with space in city hall. It almost seems that the road impact fees were implemented in time to help put that money towards the city hall remodel. There must be cheaper options that could have been pursued. The city likely knew this remodel was coming beforehand and should have planned better to accommodate better for it financially. There is vacant commercial spaces already located in the city that could have likely been less expensive to use than to opt to spend the money towards remodeling city hall. Not only is the city raising taxes, but they are considering a fiber project which will further burden residents financially.

Brian McKenzie commented that he appreciates the opportunity to be able to be able to speak with the Council tonight. Mr. McKenzie commented that nobody likes taxes, but he understands that it's necessary for government to function. There are services that we need to provide our citizens, such as police and fire, but what is it the plan for this increased tax revenue going towards? Is there a vision or plan for these monies? Residents are feeling the ever increasing financial demand on them, and it seems to keep adding up. We need to have an understanding of where these taxes are going so that we have a better understanding of the vision of the City.

Council Member Adams arrived.

Flemming Hyllested said that he has lived here for forty-five years and property taxes are really taking its toll on residents. We are here to get some explanation of what is going on in the city, and why taxes keep going up. There are many senior citizens living in our community and many of them are on fixed incomes. Eventually if taxes are raised high enough many of us will have to sell our properties and go somewhere else.

There were no further questions or comments from the public. Mayor Witt closed the Public Hearing at 6:17.

The special City Council meeting started at 6:43 p.m.

ADOPTION OF THE 2019 CERTIFIED TAX RATE FOR KAYSVILLE CITY AND THE FINAL YEAR 2020 BUDGET

Council Member Garn made a motion to adopt the 2019 Certified Tax Rate for Kaysville City and the Final Year 2020 Budget, seconded by Council Member DeCaire.

Council Member Barber commented that after the Public Hearing the Council discussed and answered questions about the proposed tax rate with the audience members.

Council Member Garn gave a summation of what was discussed with the audience. Council Member Garn added that there are many concerns and needs of the city that are being put off because we don't have the money in our budget. Being able to hold a truth in taxation hearing every year helps us to determine where we are at and if it's appropriate to implement a tax increase.

Council Member Adams commented that he disagrees about doing a truth in taxation hearing yearly. There are some in the community that might not care about these small tax increases, but for those who do care feel that they are being ripped apart financially. Even though it might not seem like much for the city to spend a few thousand here and there on projects, it all adds up.

Council Member Garn said that by holding a hearing yearly it holds the Council accountable for the decisions they are making. Some years the Council might decide to increase or decrease the rate below what the valuation is. But holding a hearing is holding the Council accountable rather than advocating that responsibility elsewhere to letting some form of mechanism take over.

Council Member DeCaire said that for years a truth in taxation hearing was never held when it should have been. It helps show that the city is being transparent and open with our budget.

Council Member Barber stated that here we have an opportunity to address the needs of the city and we need to keep in mind what's good for our citizens. Implementing a tax increase than is higher than what was discussed earlier in the year seems to be inflicting more burden.

The vote on the motion was as follows:

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

The motion passed with a vote of three to two.

Council Member Garn made a motion to adjourn the special City Council meeting at 6:55 p.m., seconded by Council Member Barber and passed unanimously.

KAYSVILLE CITY COUNCIL

August 15, 2019

Minutes of a regular Kaysville City Council meeting held August 15, 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, Finance Director Dean Storey, City Recorder Annemarie Plaizier, City Attorney Nic Mills, Community Development Director Lyle Gibson, Information Systems Manager Ryan Judd, Lieutenant Shawn McKinnon, Bruce McGraw, Gayle McGraw, Flemming Hyllested, Carole Walker, Brian McKenzie, Mike Houston, Michael Rawlings, Andre Lortz, John Swan Adams, Eric Jessen, Zane Larsen, Michael Romney, Bill Robbins, Hal Anderson, Dan Burton, Michael Halls, Clark Steed, Phil Holland, Dave Hill, Diana Hill, Carole Walters, Janet Smith, Elizabeth Heath, Mike Blackham, Kim Howe, Todd Marriott, Jeremy Jones, Alexis Jones, Elijah Jones, Carson Jones, Cameron Collard, Colby Howe, Janice Pruess, Glenn Ricart, Jim Neuner, Justin Atwater, Terrell Rohm, Brad Frost

OPENING

The opening was provided by Council Member Page.

RECOGNITIONS AND PRESENTATIONS

A presentation was made by Dr. Glenn Ricart, a computer scientist who set up the first internet exchange point and the founder of US Ignite which helps bring fiber to communities to create a smart and connected community. Local governments need to improve quality of live and ensure economic development in their communities, particularly during a time of rapid technological change. Fiber communities help to build a better economic development opportunity, helps to connect people to national partners and grant-funding sources, and gives people a better innovative ecosystem. It helps to allow people to connect to things that aren't available nearby. For instance, it will allow people to stay in their home community and have healthcare available statewide. It provides a better outlet for remote classrooms. It gives government entities a better way to read and access the infrastructure more precisely and in real-time. Fiber is foundational because as far as we know there is no speed limit. It is also needed to support wireless connections including future 5g wireless connections. Communities are becoming more self-sufficient through fiber connections. People could become more productive and efficient as they are able to process more data quickly, which in turn creates faster response times. Things could be made available online rather than being processed through physical records. It will make more things able to become automatic. Fiber helps to create more telecommuters which could possibly add more tax base for the city.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

ACTION ITEMS

Council Member DeCaire made a motion to accept the following consent items:

- a. Approval of the Minutes of the July 18, 2019 Meeting.
- c. A Resolution to place on the next Municipal Election Ballot consideration of a rezone initially approved by the Kaysville City Council to be considered by the voters of Kaysville City due to a Referendum Petition.

Council Member Barber made a substitute motion to accept the following consent item:

- a. Approval of the Minutes of the July 18, 2019 Meeting.

The motion was seconded by Council Member Adams.

The vote on the motion was as follows:

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

The motion passed with a vote of four to one.

AUTHORIZING HUNTING IN WEST KAYSVILLE

Council Member DeCaire asked if the property proposed for hunting in west Kaysville was considered private property.

Mayor Witt responded that it is and is currently owned by Perry Homes. This portion of the field has been hunted on for many years and has to be approved every year by the Council.

Council Member Barber made a motion to authorize hunting at the proposed location located at approximately 2400 West 200 North, 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 Adams, yea
Council Member Page, yea

The motion passed unanimously.

A RESOLUTION TO PLACE ON THE NEXT MUNICIPAL ELECTION BALLOT
CONSIDERATION OF A REZONE INITIALLY APPROVED BY THE KAYSVILLE CITY
COUNCIL TO BE CONSIDERED BY THE VOTERS OF KAYSVILLE CITY DUE TO A
REFERENDUM PETITION

Council Member Barber commented that this is an administrative task to approve the language to be on the ballot, and not an endorsement by the Council.

Nic Mills commented that both the city and the group sponsoring the referendum had the opportunity to propose language to be used on the ballot. However, the city's proposed language was given to the group's legal counsel for review and they gave their support for it.

Council Member Adams said that the language seems leading and could give the public the wrong impression. This is disingenuous to the group that implemented the referendum petition.

Council Member Adams made a motion to accept the Resolution to place on the next Municipal Election Ballot consideration of a rezone initially approved by the Kaysville City Council to be considered by the voters of Kaysville City due to a Referendum Petition, with the modification that it read:

“Shall Ordinance 2017-09-01 adopted by the Kaysville City Council to rezone 1.51 acres of property located at approximately 1450 South Burton Lane from the R-1-20 (Single Family Residential) zoning district to the LI (Light Industrial) zoning district, and which was successfully overturned by referendum by the people, be upheld?”

The motion died for lack of a second.

Council Member Adams commented that he had received emails from some of sponsors of the referendum who stated that they were not pleased with the language of this referendum.

Council Member Garn commented that the language seems clear as it is written and that people would have the opportunity to study the issue to determine how to vote.

Council Member Barber made a motion to accept the Resolution to place on the next Municipal Election Ballot consideration of a rezone initially approved by the Kaysville City Council to be considered by the voters of Kaysville City due to a Referendum Petition as proposed, seconded by Council Member Garn.

The vote on the motion was as follows:

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

The motion passed with a vote of four to one.

ACTION ITEMS

CONSIDERATION OF A DEVELOPMENT AGREEMENT AND REZONE OF APPROXIMATELY 3.0 ACRES OF PROPERTY AT 1576 WEST 200 NORTH FROM THE R-A (RESIDENTIAL AGRICULTURE) ZONING DISTRICT TO THE R-2 (ONE TO TWO FAMILY RESIDENTIAL) ZONING DISTRICT TO INCLUDE THE PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY ZONE – GREEN MARITAL TRUST (TABLED ITEM)

Community Development Director Lyle Gibson explained that this item was reviewed by the City Council on March 21, 2019 where it was tabled to give the applicant a chance to address additional concerns expressed by the City Council during that meeting. A new concept plan is now being submitted by the applicant, as well as a revised development agreement. The current proposal is for a residential subdivision with twenty-one single family detached units in a common open space configuration with private streets. This is a change from the previous version which included twenty-nine total units, including single family attached product. As it has been several months since being reviewed, new notice was posted on the property and mailed to neighboring properties. The Planning Commission voted unanimously to recommend approval of the rezone with the following additions:

1. There be a minimum of 8 to 10 guest parking stalls, not including garages and driveways.
2. A turn-around, or something similar, be installed where the road stops at the southeast corner, and that it comply with public safety requirements.
3. The language be altered in the development agreement to reflect the option for inclusion of the open space by either ownership or easement rights. (This is not applicable under the current proposed configuration.)
4. There be two connections to the D&RGW rail trail.

Mr. Gibson continued and stated that the private road connection to 200 North will line up with the Mountain Vistas Road. The private road has a circular pattern, with additional parking as well as green space on the east side of the subdivision. The developer is requesting a variation from the R-2 zoning setbacks, which is allowed under a PRUD overlay zone. They are proposing a 15 foot front yard setback and an 8 foot side yard setback.

Phil Holland, representing Green Marital Trust and the developer of the subdivision, said that since the previous Council meeting where this project was reviewed they have tried to take a different direction with this development. Single family homes will be a better fit for the area. The open space area will help to create a buffer between the residential and nearby commercial uses. The homes will range from 2,800 to 3,800 square feet in size and will not be considered as low income housing. Previously their street plan showed dead-end streets, but they realized that circulation was important here and have created a loop system which works well for this location. These homes will also have space to park cars in front of their homes, besides the extra parking area. The Planning Commission asked for two access point to the rail trail. They have provided one but could put in another if necessary. They have also been in contact with Tesoro who owns the pipeline easement running along the eastern property line. Their recommended setback for the pipeline is 50 feet, and the spokesman from Tesoro has seen the current layout and is okay with it. The closest house would sit about 40 feet from the easement. They will be building an entry

monument for the subdivision. Mr. Holland said that they want to build the subdivision in a way that people would be proud of it.

Jim Neuner said that he lives at 1480 West Willow Drive which abuts this project on the north side. Mr. Neuner said that he is excited for this project and this is a good plan for the property. The Green family and the developer have been very active in trying to help resolve the concerns being raised.

Larry Page asked about the gas line easement.

Justin Atwater said that he works for Tesoro and structures can be built up against their easement with no enforcement. If Tesoro ever needed to maintain, modify or install pipes within that easement they would need sufficient flexibility to do so without impeding on surrounding uses. Each pipe company determines how close it can be to an existing structure. Tesoro is comfortable with what the Green family is proposing for this development. They prefer the asphalt road to be built over their easement rather than a home because asphalt is more solidified and protected. It also helps with concerns about load capacity. An encroachment agreement will be required to be signed by the HOA, which would also include an agreement that if Tesoro had to cut into their private street that it would be the HOA's responsibility to replace that asphalt.

Larry Page asked about fencing along the perimeter of the property.

Justin Atwater commented that Tesoro would rather not have fences running parallel to their easements. If Tesoro would need to access the pipe, they would have to remove the entire fence. Whereas if it were running perpendicular they would only have to remove one panel. Tesoro also does not want any footings set within their easement.

Council Member Barber asked about storm water retention.

Phil Holland said that the site engineering has not been completed yet, but they will have it completed by final plat approval.

Council Member DeCaire asked about the Neuner property and why it was no longer being considered with this project.

Phil Holland responded that the Neuner's property is already a part of a subdivision that has covenants restricting his ability to develop his property at this time. If Mr. Neuner is able to find a way to develop in the future then he would be able to get access to the rear portion of his property through this subdivision.

Council Member DeCaire made a motion to approve the development agreement for a residential subdivision at 1576 West 200 North for Green Marital Trust, seconded by Council Member Garn.

Council Member Barber commented that she feels that there hasn't been enough time for all affected parties to be able to review this new concept plan, and suggested that the Council send it back to the Planning Commission for review.

Council Member Adams stated that he had received emails from neighboring residents who feel that they hadn't been given as much time as they have previously to review this new proposal. Also, we should be a city who sets a precedence with keeping homes away from these gas lines.

Council Member Garn said that he feels that this development fits well into this location and will provide a buffer between the commercial and the neighboring residential areas. This development has already been reviewed several times and should not be delayed again.

Council Member DeCaire commented that the developer has done well in keeping the neighborhood in mind. These homes won't be small patio homes or low income housing. They will be substantial sized homes and will be well executed.

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 vote of four to one.

Council Member DeCaire made a motion to approve the request to rezone approximately 3.0 acres of property at 1576 West 200 North from the R-A (Residential Agriculture) zoning district to the R-2 (One to Two Family Residential) zoning district to include the PRUD (Planned Residential Unit Development) overlay zone for Green Marital Trust, seconded by Council Member Garn.

Council Member Barber asked about the pipeline easement and encroachment agreement.

Lyle Gibson responded that it will be reviewed through the subdivision process to ensure that both parties are satisfied to grant access to the easement.

Council Member Barber asked about installing sidewalk on 200 North.

Lyle Gibson responded that the existing sidewalk would remain on 200 North, and there will be a small landscape buffer between the sidewalk and the homes along there.

Council Member Barber asked if the developer would be incorporating the active transportation plan.

Lyle Gibson responded that there is more ability to provide a bike lane along the south side of 200 North Street and Staff feels it more appropriate to keep it there as planned. The development agreement was just approved and at this point the city would have to ask, rather than require, the developer to pay to incorporate any of the active transportation elements.

Shayne Scott explained that having a bike trail here between the sidewalk and existing trail would create a short bike lane segment which would look out of place.

Council Member Barber asked that the addition of a bike lane in this area be reviewed again later on in the year.

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 vote of four to one.

CONSIDERATION OF A DEVELOPMENT AGREEMENT AND REZONE OF APPROXIMATELY 25.0 ACRES OF PROPERTY AT 700 SOUTH DESERET DRIVE FROM THE GC (GENERAL COMMERCIAL) TO THE LI (LIGHT INDUSTRIAL) ZONING DISTRICT AND THE R-2 (ONE TO TWO FAMILY RESIDENTIAL ZONING DISTRICT TO INCLUDE THE PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY ZONE – PB KAYSVILLE, LLC

Lyle Gibson explained that the applicant, PB Kaysville LLC, is proposing a rezone of the property at approximately 700 South Deseret Drive, just south of Boondocks. The request for the rezone is for the purpose of development. A development agreement has been provided as part of the rezone application for consideration of the City which shows the desired use of the property where half of the area would be developed under the R-2 PRUD zone for single family residential use at 5.5 units per acre. The other half of the property would be developed under the LI zone with the buildings matching the architectural standards of the GC zoning district. The proposed development within this LI zone would include office, flex space, and storage units to replace existing units elsewhere in the city. The proposed residential includes its largest lots up against the existing residential subdivision to the south. It would be considered a common open space subdivision and the developer is requesting that the front and side yard setbacks be reduced to 20 foot front yards and 5 foot side yards. The Planning Commission voted unanimously to recommend approval of the rezone and development agreement as proposed. The majority of the common open space area will be on the east side of the subdivision.

Phil Holland, the developer, stated that he is very familiar with previous discussions regarding this property and is aware that it's a difficult piece of real estate property. The development being proposed tonight is very similar to what has been proposed by the previous developer. The residential area plans have not changed significantly, except the density has gone from 5.8 units per acre to 5.5 units. The most significant difference between what was proposed and what is being proposed now is that they already have multiple letters of intent from users wishing to use these commercial sites. They want this commercial site to be the "little sister" of the Kaysville Business Park, and the uses interested are very similar to what are in the commercial buildings

north of Boondocks. This is a great opportunity to bring these businesses here. The owner of the storage units who are interested in coming to this location has an existing location off of 200 North. Their plan is to relocate here so that their current storage units could be demoed to create a more feasible commercial piece within the general commercial zone.

Council Member Adams asked about the lots on the south side of the project, adjacent to the existing residential properties.

Council Member Barber responded that they are proposed to be 10,000 to 12,000 square feet in size.

Council Member Adams asked if the size of the lots are similar to what the previous developer was proposing.

Council Member Barber responded that these lots are slightly larger.

Council Member DeCaire asked about the common open space area on the east side.

Phil Holland responded that the community to the south has a large berm which runs alongside the eastern property line. Their plan is to continue that look by building a large berm along the east side as well to help create a buffer between the homes and the railroad tracks and I-15. There will be more of a community space closer to the homes, but right now they don't have any specific landscaping plans.

Council Member Page asked about the buildings in the commercial area and when they would be built.

Phil Holland responded they have a deadline with the interested users which requires them to have the first main building built by fall 2020. The first building to be built will be the one closest to Deseret Drive.

Council Member Barber commented that there will be homes abutting right up against these commercial uses and would like to see something included in the development agreement addressing lighting on these buildings and in the parking lots. Council Member Barber added that she would also like to see included in the development agreement that the developer connect the sidewalk along Deseret Drive to the existing adjacent sidewalks.

Council Member Adams made a motion to approve the Development Agreement for the Deseret Landing Subdivision at 700 South Deseret Drive for PB Kaysville, LLC with the stipulation that the development agreement address lighting concerns, seconded by Council Member DeCaire.

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.

Council Member Barber made a motion to approve the rezone of approximately 25.0 acres of property at 700 South Deseret Drive from the GC (General Commercial) to the LI (Light Industrial) zoning district, and the R-2 (One and Two Family Residential) zoning district to include the PRUD (Planned Residential Unit Development) overlay zone for PB Kaysville, LLC, seconded by Council Member Garn.

Council Member Adams commented that he was in support of the previous rezone request, and is also in support of this request as it meets the General Plan and is a good location for this type of residential component.

Council Member Page said that he appreciates the developer taking the comments from the residents, the Council and Planning Commission into consideration.

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.

**PRELIMINARY PLAT APPROVAL FOR THE COTTAGES AT HARVEY ESTATE
SUBDIVISION AT 1955 WEST 200 NORTH – CAPITAL REEF MANAGEMENT/BRAD
FROST**

Lyle Gibson explained that recently this property located at 1955 West 200 North was approved for a rezone and development agreement to accommodate this proposed development. This subdivision includes 22 lots on 5 ½ acres of property, with open spaces located along 200 North and at the west end of the cul-de-sac street for use as a detention basin. The lots range in size from 6,708 square feet to 19,191 square feet in size. This development will connect 1700 West Street through to 200 North Street. Per the development agreement, the developer will be providing an island median at the entrance of the subdivision along 200 North Street as well as at Angel Street and 75 South, located off of the subdivision plat. The proposed preliminary plat has been reviewed by multiple agencies including utility providers and public safety. There are a few utilities where different options are still being considered for final engineering design, but each reviewer believes that the general layout and number of lots can be served. The Planning Commission voted unanimously to recommend approval of the preliminary plat, asking that the following items be considered by the City Council in their review: landscaping details, traffic medians, CCRs, sewer location, irrigation details, and the street name of what is currently 1700 West.

Brad Frost commented that they have addressed some of the concerns since this plat was reviewed by the Planning Commission. The landscaping along 200 North is still being considered. They will be installing an entry feature and will work with Staff in regards to the width of the medians. There has been some concerns about the existing trees be kept on the northern side of the property. They are also working with the Johnson family in regards to the type of fencing to be installed because the Johnson's currently keep animals on their property and don't want the fence to be damaged. There has also been a concern about installing a median at 75 South Street because trailers might not be able to get around it. Mr. Frost commented that he is willing to work with Staff to determine what the best option is here.

The Mayor asked for public comment.

Michael Halls said that he lives on 75 South and would like to see the trees along 200 North be preserved. Also, the home that is currently located along 200 North is considered historic and should be reviewed by the Historic Preservation Committee. It would be viable to have it be part of the open space. How will the retention basic be maintained? Can the CCNRs be reviewed before this subdivision is approved? This subdivision needs to be developed in a way so that we can be proud of it and support it for years to come.

Dan Burton said that he lives south of this development and feels that there needs to be a four-way stop at the intersection of 1700 West and 75 South. There is also no practical way that a median could be installed at 75 South and Angel Street. It will create more problems, especially for garbage collection for those homes adjacent to it. There is just not enough room to accommodate a median. Mr. Burton asked about where the sewer and water connections will be. Someday if he would like to develop his property it is important for him to know if he will be able to connect to it.

There were no further comments or questions from the public. Mayor Witt thanked the public for their comments.

Brad Frost responded that when they spoke to the Sewer District they had mentioned they were interested in splitting their lines. There hasn't been a decision made regarding the historical home on the property, but they are willing to consider keeping it there. They will need speak with the Historic Preservation Committee and make sure there won't be any complications with keeping it here.

Council Member Barber asked about the stop signs.

Lyle Gibson responded that the stop signs at the intersection of 1700 West and 75 South was included in the approved development agreement.

Council Member Garn made a motion to approve the preliminary plat for The Cottages at Harvey Estate Subdivision at 1955 West 200 North for Capital Reef Management/Brad Frost, seconded by Council Member Page.

Council Member Barber commented that she would love to see the historic building remain. Council Member Barber added that she prefers not to see retention basins considered as open space areas because they can't be utilized by the residents. Council Member Barber stated that she would rather see a street table at 75 South rather than a median to help with traffic calming.

The vote on the motion was as follows:

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

The motion passed with a motion of four to one.

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

City Attorney Nic Mills explained that in their previous meeting, the Council reviewed and discussed proposed amendments to the Code of Conduct. In that meeting the Council asked Staff to verify who would be allowed to vote. Staff researched the option of allowing the Mayor to vote on these matters. State law dictates that except in very limited circumstances, the mayor is "a nonvoting member of the council." Also, Staff is proposing an amendment to remove "City Staff, or the Public" in regards to who would be subject to this enforcement. This change is being proposed because Staff could be removed by the Council or Mayor at any time for any reason. And the Public is governed through other state code.

Council Member Barber made a motion to approve an Ordinance of the City Council of the City of Kaysville, Utah, Amending Kaysville City Code 2-2-3 Regarding Expulsion of Members, with the amendments as proposed by the City Attorney, seconded by Council Member DeCaire.

The vote on the motion was as follows:

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

The motion passed with a motion of four to one.

Council Member Garn made a motion to approve a Resolution of the City Council of the City of Kaysville, Utah, Amending the Code of Conduct, with the amendments as proposed by the City Attorney, seconded by Council Member DeCaire.

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

RECREATION ARTS, MUSEUM, AND PARKS TAX DISCUSSION

Council Member Barber explained that each city within the County has the ability to be able to implement a RAMP tax if approved by residents through majority vote. The RAMP tax would impose a local sales and use tax of .1% on certain qualified purchases within the city. It's a sales tax and not a property tax. For example, for every \$10.00 spent, a one-cent tax would be collected. A purchase of \$1,000 is \$1.00 in tax. It does not include sales for most food items or food ingredients. The estimated revenue collected from a RAMP tax is approximately \$300,000 annually, based on Fiscal Year 2018 data. Many other cities within Davis County currently have a RAMP tax. It would be the Council who would determine the use of the RAMP tax, however residents would have the opportunity to provide input into how the funds are distributed. The RAMP Tax may be used for a variety of programs and improvements such as parks, park amenities, trails and bike paths, museums, theatre, festivals, bands, chorale groups etc. Funding may be for the City or other organizations that provide a benefit to the city. Should the Council decide to move forward with this RAMP tax, the Council would have to pass a resolution authorizing the opinion question to be placed on the ballot including the ballot title and ballot language prior to September 1, 2019.

Mayor Witt commented that she feels that putting this on this year's ballot feels rushed. A Parks and Recreation Advisory Board needs to be created to help review and decide the best course of action with this. There needs to be more discussion and we need to have a plan in place before we send this to the public to vote on it.

Council Member Adams added that these RAMP taxes have an expiration and would need to be voted on again in ten years' time. This could become a project for the people to advocate for. We should also have a better idea on what the money would be used for before we send this to vote.

Council Member Garn commented that we have some tools available to use to be able to reach out to the public and get a sense of what the community values most in the city and how the money should be used. However, this does not seem the right year to put it on the ballot because we have so many projects going on right now.

Council Member DeCaire said that he is in support of a RAMP tax. Infusing the arts and humanities into Kaysville's culture would be beneficial to the city and a lot of people would benefit from it.

Council Member Adams said that if this were put on the ballot this year it would give us an idea of how people feel about it.

Council Member Barber added that if the Council voted to put it on the ballot the year, we would still have until November to educate the public about what it is. However, the city should remain neutral in the proposition. It should be campaigned and advocated for by the people. The citizens should be allowed to take this idea over and make a decision through a ballot vote. If it fails this year than it would give us and the citizen's feedback on what needs to be done to get more people supporting before the next ballot vote.

Council Member Barber made a motion to put the RAMP Tax as an action item at the next Council meeting, seconded by Council Member Adams.

Council Member Adams commented that while he's not in support of taxation, he would like to see this go on the ballot so we have a better idea of how the people feel about it.

Council Member Garn stated that he agrees that the city needs to remain neutral in this initiative, but feels it would be more appropriate to put it on the ballot next year. It will be a Presidential Election year and people tend to vote more during those elections. It would be a good opportunity to get a better representation of what the people want.

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.

Council Member Barber made a motion to extend the meeting past 10:00 p.m., 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.

CONNECTOR ROAD UPDATE

Shayne Scott explained that Council Member Barber recently requested a discussion on the Connector Road and an update on the status. UDOT is proposing to put in an interchange for the West Davis Corridor just south of the Central Davis Sewer District. This interchange was added at the end of the West Davis Corridor design. UDOT has also authorized an interchange off of Shepard Lane at I-15. This has presented Farmington and Kaysville with a unique situation where these two interchanges could potentially be connected by one road. The city received a grant from Davis County which is being used towards creating a design for these roads. We are currently conducting an environmental study, which will help to finalize the road designs. This project has been broken out into three sections: Angel Street to Sunset Drive and Shepard Lane, Shepard Lane to the connector road and interchange, and then the connector road to the I-15 interchange. The city is currently working on an agreement between Farmington in regards to the design, the maintenance, and payment of the collector street. UDOT has expressed some interest in taking over the collector street but there are still details to be worked out. The city has about ten million dollars authorized to spend of this project, but it is anticipated that it will take closer to twelve million to complete the work. We have a couple of other funding mechanisms that we are trying to pursue to help make up the difference. We are also working with the Sunset Equestrian Center to make sure these road coming through will not negatively impact their business. There is a private dirt road off of Sunset Drive that property owners along there haven't been able to develop because they were required to have another road outlet. This project would provide them that secondary outlet needed. We are also working with the Sewer District to ensure that this road circumvents their property as much as possible.

Council Member Page asked about the timeline for this project.

Shayne Scott responded that they would like to see the connector road installed before the corridor is built in 2021.

Council Member Barber commented that it will be important to let residents in the area know that this is happening.

MUNICIPAL FIBER DISCUSSION

Information Systems Manager Ryan Judd stated that recently a website was launched to specifically address bringing fiber to Kaysville. That website is called ConnectKaysville.com and it has the most current information, as well as dates for open houses where this project will be discussed with the public.

Council Member Adams commented that he still feels that this item should have been put on the ballot for residents to vote on.

Council Member Adams made a motion to put an opinion question regarding fiber optics on this year's ballot.

The motion died for lack of a second.

Mayor Witt said that it was a very difficult decision to make but firmly believes that the city is doing the right thing. We want our citizens to come together. There are critical needs within the city that require fiber optics and it needs to happen. If we were to take this to the ballot and it was voted down, we would still have that need in the city and would have to find direction to take to get that need fulfilled. The city has been very transparent through this process. The city originally thought that this would go to the ballot to be voted on, but based on new information given to us things had to be changed.

Council Member Garn commented that fiber has become an essential infrastructure. This wasn't an easy decision, but it's the right one. We need to do what's best for the community.

CALL TO THE PUBLIC

Hal Anderson commented that in regards to the language in the Resolution for the Referendum Petition on the next election ballot, he would like to see it pass, but the language is confusing. There needs to be more education and discussion so that voters know how to understand the ballot question.

Elizabeth Heath stated that she appreciated the discussion regarding the RAMP tax. As a historian and someone who has grown up in Kaysville, she would like to see more arts and history locations in the city. It's something that needs to be more prominent. Museums provide important economic benefits of the community, and the RAMP tax would help these benefits to be implemented.

Zane Larsen said that he feels there needs to be more education to the public regarding what the RAMP tax is and what purchases it would apply to. There also needs to be more of a plan in place for where the money would go to. Some of the proposed parks that citizens have requested will require much more maintenance than a typical park, and where will that burden fall? If there is enough of a demand for one of these specific types of uses, it should be done through a commercial venture and not by the city. Mr. Larsen added that fiber should be postponed until this election year is complete, and then should be voted on by the residents of the city.

ADJOURNMENT

Council Member Adams made a motion to adjourn the City Council meeting at 10:28 p.m., seconded by Council Member DeCaire and passed unanimously.