KAYSVILLE CITY COUNCIL
October 21, 2021

Minutes of a regular Kaysville City Council meeting held on October 21, 2021 at 7:00 p.m. in the Council Chambers in Kaysville City Hall at 23 East Center Street, Kaysville, UT.

Council Members present: Mayor Katie Witt, Council Member John Swan Adams. Council Member Michelle Barber, Council Member Mike Blackham, and Council Member Tamara Tran

Excused: Council Member Andre Lortz

Others Present: City Manager Shayne Scott, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Information Technology Assistant Jordan Hansen, Public Works Superintendent Josh Belnap, Fire Chief Paul Erickson, Lieutenant Paul Thompson, Parks and Recreation Director Cole Stephens, Curtis Koch, Brian McKenzie, Kate Scott, Maggie Scott, Eliza Streadbeck, Kate Bowers, Halle Harding, Holly Francis, Gary Jepsen, Lindsay Jepsen, Kaiya Cisney, Makaela Heath, Stephanie Frischknecht, Adam Frischknecht, Emmeline Frischknecht, Eliza Frischknecht, Anne Frischknecht, Abigail Frischknecht, Alice Frischknecht, Mike Streadbeck, Chandra Streadbeck, Dave Cutright, Lindsay Harding, David Moore, Rayne Moore, Abbigayle Hunt, Judy Ure, Brent Toller, Hannah Cutright, Eliza Thaxton

OPENING – 7:00 P.M.

Council Member Barber opened the meeting with a thought and led the audience in the pledge of allegiance.

PRESENTATIONS AND AWARDS

KAYSVILLE UNIVERSITY GRADUATION

Mayor Witt explained that the Kaysville University graduates have spent 9 weeks meeting with department heads and learning more about the city. It has been a time commitment from these graduates. Mayor Witt presented the Kaysville University graduates with a graduation certificate and thanked them for participating in the program.

SWEARING-IN OF YOUTH CITY COUNCIL

Mayor Witt introduced the students participating in the Youth City Council this year and administered the Oath of Office.

PRESENTATION BY DAVIS COUNTY ELECTIONS

Curtis Koch, the Davis County Clerk/Auditor, said that they were here tonight to give a presentation about election security and integrity. We are in a unique time in our nation and the County is appreciative of the council's time to be able to discuss this topic and answer any questions. Mr. Koch thanked the city for the relationship they have in running the city's municipal

elections. Utah Elections Systems has served as a model for the nation for the last several years. Our election officials are frequently invited to share our best practices at national conferences, we help lead national election committees, and we have testified in front of congress about election practices in the State of Utah. We are aware that voter confidence across the country is suffering. Even with our exemplary system, Utah is no exception. Utahans hear what appears to be horror stories in other states, they see complex and statistical analyses that supposedly prove that elections were stolen, and they have questions. Whether these stories or analyses are valid, it still undercuts and undermines the integrity of elections. This is why as election officials we are constantly trying to improve ourselves and the election systems that we administer. Yesterday a document was released by the Lieutenant Governor's Office and was developed in conjunction with Davis County Clerk/Auditor's office, and Weber County Clerk/Auditor's office. The document discusses the risks and controls of election security. The four areas of election security are: 1. voter registration, 2. voting equipment, ballot scanners, and tabulation, 3. ballot processing, and 4. voter responsibility. Mr. Koch reviewed the handout and all four areas of election security. The county has had existing safeguards for elections for decades. Election security is nothing new to us, but we are also open for growth and development. The clerks in Utah are working to develop additional controls to help with election security risks. When it comes to voter registration systems, we are recommending that the Lieutenant Governor's Office start auditing the voter registration database. The Lieutenant Governor is the chief election officer for the state. Those who run the elections are typically your county clerks. All voter registrations are coming through clerk offices. We are proposing that the Lieutenant Governor's Office now audit those registrations. We want to know if there are problems. Counties must create documented policies demonstrating strong controls to govern ballot processing. The County Elections conducts audits throughout the election process to ensure that ballots are being tabulated correctly. We are recommending that the Lieutenant Governor's Office have someone attend without notice to a number of these events in order to provide an independent review of the process. We invite elected officials and the public to tour their election facilities to get to learn how elections are run in your county, and to ask any questions. This is the foundation of our democracy. Mr. Koch said that the County will be holding a post-election audit on November 5th and anyone is welcome to attend.

Council Member Barber asked what an audit of voter registrations would look like and if the public would have the opportunity to participate.

Curtis Koch responded that the public likely would not be able to participate because private information is involved. The Lieutenant Governor's office already has access to voter registration information and they could run an audit through their office.

Mayor Witt thanked the county for the work they do and asked if there would ever be the possibility to have candidates file their declarations of candidacy with the county offices instead of the cities.

Curtis Koch responded that the County acts as the contractor for city elections. Candidates need to file their declarations of candidacy with their municipality's election official. The County acts as the election official only when it's a county or statewide election.

Mayor Witt asked if they are looking for volunteers.

Curtis Koch responded that they have already chosen the poll workers for this election, and are currently receiving and processing ballots daily. No tabulation takes place until election night.

Elections are starting to expand with every year and they are looking for more help with each election. If someone is interested in working with elections, they need to contact the Davis County Clerk/Auditor's office.

Mayor Witt suggested that a visit to the county building be included in a future Kaysville University.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

Council Member Tran made a motion to accept the following consent items:
  a. Approval of Minutes of September 16, 2021.
The motion was seconded by Council Member Adams.

The vote on the motion was as follows:

Council Member Barber, yea
Council Member Blackham, yea
Council Member Adams, yea
Council Member Tran, yea

The motion passed unanimously.

ACTION ITEMS

A RESOLUTION ENACTING SEVERAL FIRE RELATED FEES OF THE CONSOLIDATED FEE SCHEDULE

Nic Mills explained that from time to time organizations ask the Fire Department for their assistance with special events, utility issues, or other events. The Fire Department is happy to assist with these, but by doing so they can divert city resources from other potential needs. For example, on occasion utility companies require a fire department with a charged line to be on a scene for safety concerns. Not only does this divert city resources, but it costs money to have a charged line and firefighters on standby. This ordinance helps to address these costs and ensure that the Fire Department can continue to provide outstanding service. These fees would not be required to be charged, but it would give the city the ability to charge fees if necessary. The Council reviewed this in their October 7, 2021 meeting and asked Staff to revise the language to specify what instances these fees might be implemented.

Council Member Barber made a motion to approve a Resolution enacting several fire related fees of the Consolidated Fee Schedule, seconded by Council Member Tran.

Council Member Blackham commented that he is against the fire department charging fees because they provide public services. Our fire department is asked by utility companies to be on scene when needed for their own safety. This is a service that we provide to our community. If

we start to charge, these companies then they might pass those fees down to their customers or to the person who called 911. If there are special events where they ask the fire department to attend, they can negotiate the cost with the fire department through a contract on a case-by-case basis.

Chief Paul Erickson commented that they aren't going to be charging the person who calls 911. This is directed towards commercial companies whose policy requires the fire department to be on scene during certain instances. We would not be charging anyone if we in an emergency response situation.

The vote on the motion was as follows:

Council Member Blackham, nay
Council Member Adams, yea
Council Member Tran, yea
Council Member Barber, yea

The motion passed with a vote of three to one.

AN ORDINANCE AMENDING SECTION 15-1-1 REGARDING DEFINITIONS AND ENACTING SECTION 15-9 ENTITLED "RESTRICTIONS ON RETAIL PET SALES"

Shayne Scott explained that the city was recently approached by the Humane Society about an ordinance that would prohibit the sale of some pets in pet stores in Kaysville. While this is not a situation that presents a problem at present, taking preemptive action may limit instances that may not be ideal for some animals.

Nic Mills added that there is concern that pet stores obtain dogs and cats through irreparable mills. If in the future we had a kennel club who wanted to open here, we could look at amending our ordinance to allow the sales of certified dogs or purebred cats.

Council Member Adams made a motion to approve an Ordinance amending Section 15-1-1 regarding Definitions and enacting Section 15-9 entitled "Restrictions on Retail Pet Sales". The motion was seconded by Council Member Tran.

The vote on the motion was as follows:

Council Member Adams, yea
Council Member Tran, yea
Council Member Barber, yea
Council Member Blackham, yea

The motion passed unanimously.

AN ORDINANCE AMENDING VARIOUS CHAPTERS OF TITLE 18, BUILDING REGULATIONS, AND TITLE 19, SUBDIVISIONS, UPDATING VARIOUS STORM WATER REQUIREMENTS

AN ORDINANCE ENACTING DEVELOPMENT GUIDELINES AND DESIGN STANDARDS

Josh Belnap explained that the Public Works department, along with elected officials, consultants and city Staff, have worked together to update the city's standard detail drawings for construction projects and reviewing ordinances relating to storm water. A guidebook has also been compiled for assisting developers with the implementation of the EPA requirements for Low Impact Development (LID). The Planning Commission has reviewed the proposal and has recommended it to Council for approval.

Council Member Blackham added that the city has been speaking with the ULCT regarding how to address the diminishing water in the Great Salt Lake. However, the federal government is asking us to detain and retain any water runoff and put it into the ground, and if we do send it to the Lake, then we are asked to process it first.

Josh Belnap said that this plan is quite complex and they are grateful to have had the opportunity to methodically think about this. There are large concerns about the lack of water in the Great Salt Lake. This area is unique from other parts of the country. There are high water tables, especially on the west side of our city. We have written in this plan and have stated that what the federal government is asking us is not feasible for our area. We want to see more examples of water conservancies being implemented.

Council Member Adams asked about the requirements from the federal government.

Josh Belnap responded that the federal requirements are currently very broad and vague. The state's regulations are a little more specific. However, this plan meets the requirements of both. Infiltration of water into the ground is not feasible here and we have the data to back it up.

Council Member Blackham added that we need to take care of what water we have here. Council Member Blackham said that the previous plan was burdensome to developers and we have been able to work through this to make a better plan.

Council Member Blackham made a motion to approve an Ordinance amending various chapters of Title 18, Building Regulations, and Title 19, Subdivisions, updating various storm water requirements, and to approve an Ordinance enacting Development Guidelines and Design Standards. The motion was seconded by Council Member Tran.

The vote on the motion was as follows:

Council Member Tran, yea
Council Member Barber, yea
Council Member Blackham, yea
Council Member Adams, yea

The motion passed unanimously.

CALL TO THE PUBLIC

Nothing was brought under this item.

COUNCIL MEMBER REPORTS

Council Member Blackham said that he is continuing to try to speak with UDOT and has been trying to get a meeting with the Governor to discuss this issue of the pedestrian crossing at 200 North and the West Davis Corridor. We are trying to let them know that the answer we got from UDOT is not what we were wanting or expecting. Council Member Blackham said that he is disappointed that the Governor's office isn't more willing to speak with us about this. This crossing will create a bad situation for us.

Officer Paul Thompson said that the Police Department will be holding a Trunk or Treat on Friday, October 29th at 6:00 p.m. at the Police Station. The Utah Highway Patrol will also be coming to hand out treats.

CITY MANAGER REPORT

Shayne Scott said that Lyle Gibson, the Community Development Director, recently announced that he has taken a job at Farmington City and will be starting next month. We have been doing interviews for the Power Superintendent position and have offered the job to Brian Johnson who will be taking over that position shortly.

ADJOURNMENT

Council Member Adams made a motion to adjourn the City Council meeting at 8:07 p.m., seconded by Council Member Tran and passed unanimously.