

KAYSVILLE CITY COUNCIL
November 4, 2021

Minutes of a regular Kaysville City Council meeting held on November 4, 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, Council Member Andre Lortz, and Council Member Tamara Tran

Others Present: City Manager Shayne Scott, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Information Technology Assistant Jordan Hansen, Community Development Director Lyle Gibson, Public Works Superintendent Josh Belnap, Parks and Recreation Director Cole Stephens, Power Department Superintendent Brian Johnson, Assistant Finance Director Levi Ball, Officer Jared Jensen

OPENING – 7:00 P.M.

Council Member Adams opened the meeting with a prayer and led the audience in the pledge of allegiance.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

Mayor Witt asked that Item “3c” be pulled for discussion.

Council Member Lortz made a motion to approve the following consent items:

- a. Approval of Minutes of October 7, 2021.
- b. Approval of Minutes of October 21, 2021.
- d. A Resolution authorizing an Agreement with City Creek Construction for the Chlorinator Permanent Structure Project.
- e. A Resolution authorizing an Agreement with Corrio Construction for the Ward Road Water Tank Control Valve Project.

The motion was seconded by Council Member Barber.

The vote on the motion was as follows:

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

The motion passed unanimously.

C. APPOINTMENT OF BRIAN JOHNSON TO SERVE AS THE POWER SUPERINTENDENT

Mayor Witt introduced Brian Johnson as the new Power Superintendent and stated appreciation for the work he has done with the city so far.

Council Member Lortz made a motion to approve the appointment of Brian Johnson to serve as the Power Superintendent, seconded by Council Member Tran.

The vote on the motion was as follows:

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

The motion passed unanimously.

ACTION ITEMS

REZONE OF 1.7 ACRES OF PROPERTY AT 550 EAST 300 SOUTH FROM R-1-8 (SINGLE FAMILY RESIDENTIAL) TO THE PU (PUBLIC USE) ZONING DISTRICT – DAVIS TECHNICAL COLLEGE

Lyle Gibson explained that the Davis Technical College is requesting a rezone of 1.7 acres of property located at 550 East 300 South from R-1-8 to PU. This property was most recently been used as a seminary and institute building for the Church of Jesus Christ of Latter-day Saints. It is located on the north end of the Davis Technical College campus and was recently acquired by the DTC. They are requesting a rezone to the PU zone to match the rest of their campus. They anticipate using this building for educational classroom use.

Council Member Blackham made a motion to approve the request to rezone 1.7 acres of property at 550 East 300 South from R-1-8 (Single Family Residential) to the PU (Public Use) zoning district for the Davis Technical College. Council Member Adams seconded the motion.

The vote on the motion was as follows:

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

The motion passed unanimously.

ENACTING SECTION 17-26-4B “INSTRUCTIONAL HOME OCCUPATIONS” OF TITLE 17, PLANNING AND ZONING OF THE KAYSVILLE CITY ORDINANCES

Lyle Gibson explained that city staff has been made aware of interest from residents for a new type of business license that would address a unique way of conducting business from a residential property. The proposed ordinance would allow for not more than four outside instructors or employees to work from a home at one given time. It would also allow for the owner of a business to use a neighbor’s home for their instructional business as long as proof of consent is provided. For example, a resident who would like to teach tennis lessons at a neighbor’s home would be allowed to do so as long as they provide proof of consent. No more than twelve students or clients may be on the site at any given time. Along with their business license application for an Instructional Home Occupation, the applicant must also provide the hours of operation, number of instructors, length and number of sessions, number of students per session, and a plan to handle traffic generated by the business. Instructional Home Occupations are only for businesses that teach a skill or lesson only, and they may not use the home or on-site facility for tournaments or spectator events. Instruction sessions are required to have a minimum of ten minutes between scheduled sessions in order to reduce pick-up or drop-off vehicle congestion. The Planning Commission will review these types of businesses and consider placing further restrictions on the business or property owner to mitigate any potential negative impacts to the neighbors.

Council Member Blackham asked if conditional use permits are reviewed yearly.

Lyle Gibson responded that conditional use permits run with the property but can be tied to a business license. If a complaint is made to the city about a business operation, we will review the complaint and if the business owner doesn’t resolve the issue, their conditional use permit and business license could be revoked. The biggest complaint staff typically receives is in regards to traffic coming to and from a home, and cars parking in a way that blocks driveways or mailboxes.

Council Member Adams suggested moving Item 14 under Section 17-26-4b to Item 1 so that it is more prominent.

Council Member Barber asked if the neighbors receive notification about someone wanting to have a home occupation.

Lyle Gibson responded that a public notice sign is placed in front of the applicant’s home notifying of the proposed business and pending Planning Commission review. If a neighbor has a concern, they typically approach the Planning Commission when they consider the application. However, there are times when a business will grow more than planned, or is run differently than what was stated in the beginning and a conditional use permit has to be reviewed again to see if adjustments should be made.

Council Member Tran commented that Item 2 under 17-26-4b has a typo and should read, “The resident of the dwelling on site need not own or work for the business...”

Council Member Adams made a motion to approve an Ordinance enacting Section 17-26-4b “Instructional Home Occupations” of Title 17, Planning and Zoning of the Kaysville City Ordinances, with the following changes:

1. Item 14 in Section 17-26-4b be moved to be Item 1.

2. The type in Item 2 be corrected to read, “The resident of the dwelling on site need not own or work for the business...”

Council Member Tran seconded the motion.

The vote on the motion was as follows:

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

The motion passed unanimously.

ACCEPTANCE OF A PROPOSAL FOR AN ARCHITECTURAL ASSESSMENT AND EVALUATION REPORT CONTRACT WITH FFKR

Shayne Scott explained that during the September 2, 2021 City Council meeting, the Council gave direction to staff, the Historic Preservation Committee, and the Kaysville-Fruit Heights Museum Committee to solicit firms to evaluate the old library building with the purposes of coming up with a plan for the building. The Historic Preservation Committee contacted various architecture firms that have specialties in preservation work. Staff, the Historic Preservation Committee, and the Kaysville-Fruit Heights Museum Committee have met with these firms and requested bid proposals for the assessment, and evaluation reports for the building. They have since met and reviewed the two bids supplied. FFKR was selected as the most responsible bid. This is the first step in the process of determining the use of the old library building and potential costs in any preservation work. This is unfunded in the current FY 2022 budget. Staff has submitted a grant application for the FY 2022 Cultural Organization Capital Investment Grant through the Utah Division of Art and Museums. Funding notification of the grant will occur in December 2021. In a worst-case scenario, the City would be responsible for the full \$25,600. The hope is that some funding comes from this grant.

Council Member Adams made a motion to accept the proposal for an Architectural Assessment and Evaluation Report Contract with FFKR, seconded by Council Member Lortz.

Council Member Barber asked if the report would be available for the public to view when completed.

Shayne Scott responded that it would be.

Council Member Blackham said the he would like to see that in the Architectural Assessment and Evaluation Report that they include a clear assessment of the HVAC and plumbing in the building.

Cole Stephens responded that he is working with FFKR and will ensure that the items mentioned are completed as part of the assessment.

The vote on the motion was as follows:

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

The motion passed unanimously.

WORK ITEMS

HR MANUAL – PAID PARENTAL LEAVE POLICY

Nic Mills explained that the city desires to recruit and retain quality employees, and has noticed one area of improvement to try to help accomplish this goal. Namely, benefits for new parents. The proposed resolution would authorize paid parental leave when employees have a new birth or adoption. When last discussed, Council had several questions of staff regarding this resolution. First, Council directed Staff to allow the option for use of parental leave as a complete block or in smaller portions. Staff has made this change with the following language: “Employees may take paid parental leave in one continuous period or take the parental leave in smaller periods of time, but must use all paid parental leave during the three-month time frame...” Second, Staff changed the policy to reflect a three-week allowance rather than two weeks. Third, Staff determined that this policy could have been used in the last several years. An informal poll was conducted with the help of department heads and they reported approximately thirty births in the last five years. In other words, about eighteen weeks of paid leave per year for the entire City. Forth, Staff surveyed how other Utah cities were handling parental leave. Staff found that of the eight cities polled, only two of them (Salt Lake City and Provo) offered a parental leave policy. Salt Lake City offered six weeks of paid leave for both parents, and Provo offered 120 hours for a birthing parent, and 40 hours for a non-birthing parent. One of the other cities that we polled, which did not have a policy, mentioned that they had lost employees to other cities that did offer parental leave. Staff also researched if a policy that differentiated between birthing parents and non-birthing parents was prudent. After review, Staff believes that a policy could be crafted, but that removing the gender distinction is the safest course of action.

Mayor Witt commented that because a birthing parent must deal with more physical recovery, she appreciates that the council is considering more parental leave for a birthing parent. This policy is important to consider because we value our employees and this is a reasonable thing to offer.

Council Member Tran thanked those who have been working on this proposal and the research collected. Council Member Tran said she would like to see that adoptive parents be given four weeks for parental leave.

Council Member Barber said that there has been a lot of research done nationwide regarding this topic. They have found that those who had less than eight weeks of maternity leave suffered more health and mental problems. We need to be generous and progressive in the paternity leave we are considering. Council Member Barber said she would recommend allowing six weeks of leave to birthing parents and at least three weeks to non-birthing parents.

Council Member Tran said she would like to see non-birthing and adoptive parents given four weeks as it takes time for both parents to adjust.

Council Member Lortz commented that if we start out too high, it would be hard to reduce that amount in the future. We could always approve a parental leave for lesser weeks and see how it goes. Additional time could be added later.

Council Member Blackham said that he likes how this resolution has been proposed as it is now. Offering three weeks is a lot more than the city has ever offered before. We should start with three weeks and then get some input from employees. It is hard to compare our city to Salt Lake City and Provo because they are much larger cities.

Council Member Barber commented that this is a matter dealing with people's health and it is worth being generous in this policy.

Council Member Adams said that three weeks might sound long for a non-birthing parent, especially for those who might have to cover their job position temporarily while the parent is on leave.

Council Member Lortz commented that there is rational reason to differentiate leave time between a birthing and non-birthing or adoptive parent. It does not seem like a non-birthing parent would need as much paternity leave.

Council Member Barber made a motion to move a Resolution enacting paid parental leave to an action item with the condition that birthing parents be given six weeks of paternity leave, and non-birthing or adoptive parents be given three weeks. The motion was seconded by Council Member Adams.

Council Member Blackham said that six weeks seems like too much time to be offering paternity leave.

Council Member Blackham made a substitute motion to move a Resolution enacting paid parental leave to an action item with the condition that birthing parents be given four weeks of paternity leave, and non-birthing parents or adoptive parents be given three weeks. The motion was seconded by Council Member Lortz.

The vote on Council Member Blackham's motion was as follows:

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

The motion failed with a vote of three to two.

The vote on the original motion was as follows:

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

The motion passed with a vote of three to two.

Council Member Barber commented that the paternity leave could be taken in increments to help a parent transition back to work better.

HR MANUAL – PERSONAL TIME OFF (PTO) PROPOSAL

Shayne Scott explained that the City recently discussed some potential changes to the personnel policy regarding leave. Staff received direction to explore the potential of transitioning to a paid time off (PTO) policy instead of concurrent vacation and sick leave policies. This resolution would amend the City's existing policies and remove some antiquated leave policies. Staff is currently proposing that this go into effect, if approved, starting on January 1st.

Council Member Adams asked about employees getting time off.

Shayne responded that employees would still need to get approval from their department heads for time off, which is no different from what is being implemented currently.

Council Member Lortz asked about existing employee sick leave and vacation time.

Shayne Scott explained that they would be combined into PTO, which will be capped at 320 hours for regular employees. The excess will go towards a short-term sick leave as we transition over. The short-term sick leave will technically have a cap as well, but current employees whose time would exceed that cap as well would be grandfathered in so they wouldn't lose any time accrued.

Council Member Lortz asked how this compares to current employee benefits.

Nic Mills responded that employees would be accruing the same amount of time, but instead of being separated, their sick and vacation leave will be combined.

Council Member Lortz asked about the short-term medical leave.

Shayne Scott explained that there have been times that employees have saved up their sick leave just in case of emergency. This short-term sick leave is a way for employees to have that assurance that if they have an illness or injury that causes them to need to use more than 80 hours PTO or other leave, they can use the short-term medical leave. This proposal allows employees to take time off without abusing sick leave. Employees will be required to take at least five PTO days during the year or risk losing those hours.

Council Member Lortz suggested that the city look into providing a long-term disability benefit for employees.

Council Member Lortz made a motion to move a Resolution amending the city's paid leave policies to an action item, seconded by Council Member Tran.

The vote on the motion was as follows:

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

The motion passed unanimously.

HR MANUAL – EARLY RETIREMENT INCENTIVE PROPOSAL

Shayne Scott explained that over the past year, an effort was made to evaluate Kaysville City benefits and other non-payroll related benefits. This was done through an ad-hoc committee of employees known as the Employee Morale Committee or EMC. One recommendation that came from this committee is to incentivize an employee that may desire to retire but continues to work due to health insurance requirements. The purpose of the current proposal is to help to retain and promote good employees, to recognize time and contributions from valuable Kaysville City employees, to allow a higher salaried individual to retire while capturing savings in a replacement, and to allow management throughout the city an opportunity to prepare, mentor and have a succession plan. The proposed change to the personnel manual allows retiring employees to be compensated for up to two years of health insurance benefits available to all other city employees, and for their spouse, as long as they are retiring with an official filing with the Utah Retirement System, the employee provides at least three months' notice of retirement, and that the employee doesn't qualify for any other employer or government-funded health insurance coverage.

Council Member Lortz made a motion to move the early retirement incentive proposal to an action item, seconded by Council Member Barber.

The vote on the motion was as follows:

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

The motion passed unanimously.

CALL TO THE PUBLIC

Nothing was brought under this item.

COUNCIL MEMBER REPORTS

Council Member Barber commented that she appreciates all those who voted for the RAMP tax, and that will begin to be collected in April 2021.

Council Member Lortz said that Kaysville Gives will be beginning soon and as part of that program, the City Council will be participating in the “Fill the Fire Truck” event on December 4th from 10:00 a.m. to noon at the Kaysville Fire Station.

ADJOURNMENT

Council Member Blackham made a motion to adjourn the City Council meeting at 8:16 p.m., seconded by Council Member Adams and passed unanimously.

KAYSVILLE CITY
REDEVELOPMENT AGENCY BOARD MEETING
November 4, 2021

Minutes of a Kaysville City Redevelopment Agency Board Meeting held on November 4, 2021 at 8:16 p.m. in the City Council Chambers of the Kaysville City Municipal Center at 23 East Center Street, Kaysville, UT.

Board Members present: Chairperson Katie Witt, John Swan Adams, Michelle Barber, Mike Blackham, Andre Lortz and Tamara Tran

Others Present: City Manager Shayne Scott, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Information Technology Assistant Jordan Hansen, Public Works Superintendent Josh Belnap, Parks and Recreation Director Cole Stephens, Assistant Finance Director Levi Ball, Officer Jared Jensen

OPENING

Chairperson Witt opened the meeting by welcoming those present.

A RESOLUTION DESIGNATING A SURVEY AREA, AUTHORIZING THE PREPARATION OF A DRAFT COMMUNITY REINVESTMENT PROJECT AREA PLAN, AND AUTHORIZING AND DIRECTING ALL NECESSARY ACTION BY THE AGENCY

Shayne Scott explained that city staff has been working on how the city might be able to conduct redevelopment within the city and would like to conduct project area investment activities in the area proposed tonight. This would allow the city's Redevelopment Agency to begin the process of adopting a project area plan. The Survey Area shown on the proposed map requires study to determine whether redevelopment is feasible. Through the proposed resolution, it would allow Staff to prepare a draft Community Reinvestment Project Area Plan and Budget, including notifying taxing entities and participants.

Board Member Lortz commented that he would like to see the map include more area east along 200 North.

Board Member Blackham asked about the process when projects are proposed.

Shayne responded that each project would be reviewed by on a case-by-case basis. If the city wanted to offer incentives it would be completely negotiable based on what the Agency members would like to do. Even if a project is proposed that is not being shown on this map could still be considered. This plan will ultimately provide more opportunities for businesses to invest here.

Board Member Barber made a motion to approve a Resolution designating a Survey Area,

authorizing the preparation of a draft Community Reinvestment Project Area Plan, and authorizing and directing all necessary action by the agency, seconded by Board Member Tran.

Board Member Blackham said that he wanted assurance that the Redevelopment Agency would have the ability to come back on speak on each proposal.

Shayne Scott said that the Redevelopment Agency would be making all decisions on these projects and presenting it to applicable entities.

A vote on the motion was as follows:

Board Member Barber, yea
Board Member Blackham, yea
Board Member Adams, yea
Board Member Tran, yea
Board Member Lortz, yea

The motion passed unanimously.

ADJOURNMENT

Board Member Adams made a motion to adjourn the Kaysville City Redevelopment Agency Board Meeting at 8:23 p.m., seconded by Board Member Lortz and passed unanimously.