



KAYSVILLE CITY COUNCIL

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Meeting Minutes

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Meeting Minutes of the January 3, 2019 Kaysville City Council Meeting.

Present: Mayor Witt, Council Member Barber, Council Member Page, Council Member DeCaire, Council Member Garn, and Council Member Adams.

Others present: City Manager Shayne Scott, Chief Sol Oberg, City Recorder Maria Devereux, Public Works Director Josh Belnap, Community Development Director Lyle Gibson. Record of attendees unavailable. Roster unsigned.

CITY COUNCIL MEETING - 7:00 PM

The opening was provided by Council Member Garn.

DECLARATION OF CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

Mayor Witt asked for a vote on the Consent Items, she noted that the Minutes from Dec. 6th were incorrectly listed as Dec. 12th and should be changed to reflect the correct date.

Council Member Adams asked to have the Fire Station Roofing item pulled for discussion.

Council Member Adams asked the age of the roof.

Cole Stephens, Parks Director noted that it is original to the structure.

Council Member Adams made a motion to accept the consent items with noted changes, second by Council Member DeCaire.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes unanimously.

ACTION ITEMS

BETTER CITY AGREEMENT

Shayne Scott, City Manager, explained that t.....

Shayne Scott, City Manager explained that over the past two years we have contracted with Better City on Economic Development services targeting two parcels of Commercial land in Kaysville. The contract was established to pay them \$1000/month and to reward them for bringing certain commercial developments to the two specific parcels. The contract was extended for another year last year after lapsing after year one. The purpose of this work item is to decide on how or if to continue our relationship with Better City.

Council Member Barber noted that she is in favor of the moving forward with Better City with an “Award” or “success” fee if they were to bring the right commercial user to either of the two properties mentioned in the agreement.

Shayne Scott noted that Adam with Better City has reviewed the attached agreement and is in accord with moving forward in the manner discussed and recommended by staff.

Council Member Garn made a motion to approve the Better City Agreement, second by Council Member DeCaire.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes unanimously.

AMENDMENT OF SECTION 17-31-25, TELECOMMUNICATION TOWERS, TOGETHER WITH AMENDMENTS TO APPLICABLE ZONING DISTRICTS WITHIN TITLE 17, PLANNING AND ZONING, TO CLARIFY WHERE TOWER TYPES MAY BE LOCATED AND BY WHICH PROCESS THEY MAY BE CONSIDERED.

Shayne Scott, City Manager explained that In consideration of allowing and encouraging a broader range of telecommunication towers in Kaysville City staff has worked with the Planning Commission over multiple meetings to prepare an ordinance reflecting new tower types, where they are located, and standards by which they must be built. Based on feedback from the Planning Commission during previous discussions, the proposed draft puts all cell tower approvals under the purview of Planning Commission. More specific definitions and standards have been added including more clearly specifying different tower types. A distance requirement has also been added in order to space out monopole towers.

Council Member DeCaire made a motion to approve the Amendment of Section 17-31-25, Telecommunication Towers, together with amendments to applicable zoning districts within Title 17, Planning and Zoning, to clarify where tower types may be located and by which process they may be considered, second by Council Member Page.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes unanimously.

AN ADDED ORDINANCE TO THE KAYSVILLE CITY CODE REGARDING THE NEED TO KEEP THE PUBLIC RIGHT-OF-WAY CLEAR OF OBSTRUCTIONS (PARTICULARLY WITH STREETS AND SIDEWALKS)

Josh Belnap, Public Works Director explained that currently, sections of the City Code address protecting access along and through the Public Right-of-Way the City. However, we felt that those sections do not adequately inform residents and owners of this needs and responsibilities that exist, and exactly how they can help to better the access for City services and pedestrian/vehicle traffic.

Council Member Barber made a motion to approve Ordinance 9-2-11, second by Council Member DeCaire.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes four to one.

PRELIMINARY PLAT APPROVAL OF THE RICHTER FARM SUBDIVISION 2ND AMENDMENT AT 1572 SOUTH SUNSET DRIVE – CHERYL RICHTER.

Lyle Gibson, Community Development Director explained the applicant is requesting to subdivide their property at the subject address into two total lots. The existing home would stay on Lot 101 with over an acre of property, while a new 1.8 acre lot would be created to the south. Both lots front Sunset Drive which is already fully improved on their side of the street at this location. The zoning requires half-acre lots with at least 100 feet of frontage. The lots well exceed the frontage and minimum lot size requirements for the R-A zoning district. He explained that after holding a public hearing, the Planning Commission voted unanimously to recommend approval of the preliminary plat as proposed. The vote was based on the findings of compliance with applicable zoning, standards, and regulations.

Council Member Adams made a motion to approve the Preliminary Plat for the Richter Farm Subdivision 2nd Amendment at 1572 South Sunset Drive, second by Council Member DeCaire.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes unanimously.

REZONE OF 10 ACRES OF PROPERTY AT APPROXIMATELY 700 SOUTH DESERET DRIVE FROM GC (GENERAL COMMERCIAL) TO THE R-2 (RESIDENTIAL) ZONING DISTRICT.

Lyle Gibson explained that recently Ivory Homes has come before the Planning Commission and ultimately the City Council for consideration of zoning in this area in order to pursue future projects. The recent request which was considered over several months and multiple meetings started with an application for the R-M zone on the entire 25 acres of property owned by America First Credit Union. Over several meetings the proposal evolved to ultimately include 12.5 acres of R-2 zoning with the PRUD overlay and 12.5 acres of LI (Light Industrial). The Planning Commission at the time

recommended approval of the request with a stipulation that 5 acres be left in the GC (General Commercial) zoning district. Ultimately the City Council denied the request. Per Section 17-1-9 subsection (8) of the city's ordinances, "in case an application for a change of zone district is denied, a new application for the same zoning change affecting the same property shall not be eligible for reconsideration for one (1) year subsequent to such denial. A new application affecting or including all or part of the same property must be substantially different from the application denied, in the opinion of the Planning Commission, to be eligible for consideration within one (1) year of the denial of the original application." The applicant expressed desire continue working with the city to find an acceptable zoning outcome and in the opinion of staff the application is very different from the actual original application and substantially different enough from the evolved request which was denied that it may be reconsidered.

The current proposal is to rezone 10 acres on the south side of the America First Property to the R-2 zone to accommodate residential development. The area under consideration is adjacent to vacant commercial property to the north, and existing R-1-20 residential to the south and west. The property is adjacent to I-15 and Deseret Drive which are both considered major streets per the Kaysville City Major Street Plan. The full details of the R-2 zone can be found in Chapter 17-14 of the Kaysville City Ordinances. In short, the commercial zone is for retail sales and services or office type development. It does not allow for dwellings. The R-2 zone is for one and two family dwelling structures.

Matt Zollinger stated that he would like to see more commercial businesses in this area.

Council Member Page asked for further information of subdivided plats.

Council Member Adams made motion to table the item, second by Council Member Barber.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Nay
Council Member Adams, Yea
Council Member Garn, Nay
Council Member DeCaire, Nay

The motion fails three to two.

Council Member DeCaire made a motion to decline the request to Rezone of 10 acres of property at approximately 700 South Deseret Drive from GC (General Commercial) to the R-2 (Residential) zoning district, second by Council Member Page.

The vote on the motion was as follows:

Council Member Barber, Nay
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes three to two.

Council Member Adams made a motion to take a 5 minute break, second by Council Member DeCaire and passed unanimously.

WORK ITEMS

FIBER DISCUSSION AND NEXT STEPS

Shayne Scott, City Manager noted that since installing the fiber ring around the city that connects the substations, the City Staff have been discussing options with using this valuable resource to benefit Kaysville residents. Also, since Kaysville owns its own Power Company, there may be flexibility with a fiber project that other cities may not enjoy (pole attachments, rights-of-way, etc) The purpose of this discussion is to let the council know more about the details of staff thoughts, results of the RFP that was released late last year, and discuss some possibilities and requirements when it comes to future fiber to the home options within Kaysville City. He explained they would like to take and engage feasibility study/operational study and hopefully could get recommendations from the consultants. He noted that they have put out a survey, and over 800 people have taken survey already. He explained that there are high percentages that show that fiber is preferred in Kaysville.

Mayor Witt explained that she feels it is important to have an independent third party.

Council Member DeCaire stated that he finds it highly encouraging that the City has had over 800 responses just a short amount of time.

Council Member Barber clarified that the decision at this meeting is to bring in a third party.

Mayor Witt explained that the City would not go forward with the project if not financially viable.

Council Member Garn made a motion to move this item to an action item, second by Council Member Barber.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Abstain
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes four to one.

UTA REQUEST DISCUSSION

Shayne Scott explained that The Utah Transit Authority (UTA) has requested more land around their bus stop along the side of the Kaysville Fire Department building. They are open to purchasing land, having land donated, or an easement or other legal means by which they can expand the stop to accommodate those with disabilities. It is recommended that we do not divest ourselves of any land simply because we

don't know what the future holds. But we would recommend that we grant UTA an easement to use the property to alter the bus stop according to their plans. We believe this would best serve the residents that use this bus for commuting and other purposes and would allow Kaysville City to continue to be a good partner with UTA.

Council Member Barber made a motion to move this item to the next meeting as an Action item, second by Council Member Adams.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes unanimously.

COUNCIL MEMBER REPORTS

Mayor Witt stated that the City is holding interviews for the power commission within the next few weeks. .

CALL TO THE PUBLIC

Dean Wall stated that he appreciates the council and how they really make a difference to the city.

Russel Holbrook stated that he is in favor of fiber in the city.

CITY MANAGER REPORT

CLOSED SESSION

Council Member DeCaire made a motion to enter into closed session with a 5 minute break, second by Council Member Adams.

Pursuant to Utah State Code §52- 4-204 & §52- 4-205, a Closed Meeting was held to discuss the purchase, exchange, or lease of real property.

Council Member Garn made a motion to close the strategy session, second by Council Member DeCaire and passed unanimously.

ADJOURNMENT

Council Member DeCaire made a motion to adjourn the meeting at 9:24PM, second by Council Member Garn and passed unanimously.