

KAYSVILLE CITY COUNCIL
February 18, 2021

Minutes of a regular Kaysville City Council meeting held on February 18, 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 Barber, Council Member Mike Blackham, Council Member Andre Lortz and Council Member Tamara Tran

Others Present: City Manager Shayne Scott, City Attorney Nic Mills, Deputy City Recorder Maria Devereux, Information Systems Manager Ryan Judd, Community Development Director Lyle Gibson, Fire Chief Paul Erickson, Police Chief Sol Oberg, Tara Esplin, Eric Jessen, Reed Ferrin, Phil Holland, Karen Erickson, Ray Vine, Daron Vine, Caleb Brown, Aaron Shupe, Cameron McKinnon, Mikell Baron, Chris Montgomery, James Wade, Jason Anderson, Amber Budzynski, Brigg Lewis, Craig Christianson, Jennifer Summers, Jim Farr (via Zoom), Roger Timmerman, Joseph Silverzweig

OPENING

Council Member Adams opened the meeting with a thought and led the Pledge of Allegiance.

PRESENTATIONS AND AWARDS

PRESENTATION OF FIREFIGHTER OF THE YEAR FOR 2020, KELTON VINE

Fire Chief Erickson said that Kelton Vine started with the fire department in 2017 as a part-time firefighter. He was hired as a full-time firefighter in 2018 and he has excelled at many things during the time he's been with the department. In June of 2019 he was promoted to Engineer and has completed the Fire Officer I course, Incident Commander Course, has finished the paramedic prerequisites and recently applied for the paramedic program through Weber State University. He also has helped assure we have all the medical supplies needed, especially through the pandemic. He is self-motivated, has a great attitude, is hard working, and is professional.

PRESENTATION OF 35 YEARS OF DEDICATED SERVICE AT KAYSVILLE FIRE DEPARTMENT, FLOYD LANDON

Chief Erickson said that Floyd Landon moved to Utah from California in 1983 and started at the Kaysville Fire Department in 1986. Floyd has held numerous positions at the fire department, such as playing Santa Clause, helping with the electric light parade, keeping the drink and candy machines full, maintaining the firefighter accountability system, helping with payroll when the secretary was gone, maintaining their air machine for air packs, organizing the yearly fire department open house, and ordering and restocking medical supplies. He attended the National Fire Academy and was trained as a juvenile fire counselor. Floyd has retired from Western Airlines, United States Air Force, the FAA, and he works one day a week as a volunteer at the Hill Air Force Base Museum. He has done a fabulous job and is a great help for our department.

Mayor Witt thanked Kelton Vine and Floyd Landon for all they do for Kaysville City. Their efforts do not go unnoticed.

INTERNET CONNECTIVITY PRESENTATIONS

Mayor Witt explained that over the last few years we have been looking at how we could improve our internet connectivity in the city. We recently reached out to several franchises and a few of them are here tonight to speak with us about any ideas they might have with our current connectivity issues.

Jennifer Summers, the Director of Government Affairs for CenturyLink, said that she appreciates the invitation to be here and speak with the Council. CenturyLink values the relationship we have with the City and appreciates the open communication we've had over the years. CenturyLink has made significant investments into their network to bring broadband access to every corner of our service territory where it's economically feasible. We are always looking at ways to expand or enhance our broadband services, including working closely with policy makers on public-private partnerships which help to encourage broadband investment. We believe that the best approach remains for state and local governments to explore workable solutions with existing internet service providers. We continue to work closely with communities on creative public-private partnerships that bring high-speed internet services to more homes and businesses. These creative solutions can bring the technologies that communities need and the expertise to run a network in a secure dynamic environment where technology does change rapidly, while limiting the financial risk to your citizens. Additionally CenturyLink is currently trialing new technologies that could benefit the city. Some of the features of these services include future-ready connections that amplify our current internet speeds, offer a download speed of up to 940 MB, they attract and keep tech-savvy residents with power to do multiple high bandwidth activities, they use existing wiring, and this technology allows for minimum or no-cost upgrades. Best of all, this technology could be utilized in existing properties infrastructure and in those hard to reach or expensive to reach brown-filled areas. CenturyLink is also building fiber to the home and they continue to build out in 2021. CenturyLink enables thousands of new developments with fiber to the home in Utah each year. When we are ready to start marketing to the residents of Kaysville, we will immediately reach out to the city with those plans. We know that what we have now doesn't solve the connectivity problems in the city but we have plans coming that we hope will help to improve the situation. We want to continue to be a good partner with the city and continue to keep the lines of communication open as things develop and as technologies develop. We are continually asking about the new technologies and working on the community's behalf. We know the needs and the concerns that the residents have brought before the council.

Council Member Barber asked about CenturyLink's percentage of coverage in Kaysville currently and if they are able to expand at all now.

Jennifer Summers said that the numbers are considered proprietary information. Right now we don't currently have any plans for any immediate growth within the Kaysville boundaries. But as soon as we do we will make them available to the city to review.

Council Member Lortz asked about potential policies within the city to help encourage improvement in broadband access and availability. What is the minimum accepted bandwidth requirement for maintaining a franchisee license in Kaysville?

Jennifer Summers responded that there is a difficulty with regulating broadband in general and it's not something that we've done in any other franchise agreement, but are willing to discuss this further as we move forward.

Council Member Lortz asked about a most favored nation clause to make sure there is not discriminatory pricing practice within Kaysville versus surrounding communities.

Jennifer Summers responded that she didn't think that the pricing for broadband could be regulated per state statute.

Roger Timmerman, the Executive Director and CEO at Utopia, said that Utopia is a partnership with cities and interlocal entities, and we exist to help meet the needs of our communities. Utopia will finance fiber projects, construct them, operate them and maintain them, and then reinvest that back into these communities. We see these communities as our owners. We report to a board made up of city managers and mayors from various communities in Utah. Years ago we made a presentation to the Kaysville city council regarding a proposed project in the city, but they were turned down. Things have changed since then and Utopia has readjusted their plans. They have already installed some fiber within the city, which has helped to decrease some of their costs. Interest rates are really low right now which makes this a good time for fiber projects. These interest rates make a big difference with the finances of a project. The Utah Infrastructure Agency (UIA), which Utopia is part of, has been very successful at financing fiber projects. When we do a new partnership with a city, the city will enter into an agreement which says that Utopia will take on the debt and bond of about 20 million dollars for the cost of the project with the expectation that there will be a take rate of at least 30% of the city. Utopia would build the project out and then charge each customer for their fiber connection. That revenue is then used to pay off the bond. Residential customers would pay about \$30 fee each month. It is our assumption that the network would be built underground. There is a significant cost savings if we are able to incorporate overhead infrastructure installation. The financing cost, taking into account the capitalized interest of a two year period, come out to about \$95k a month. The city's obligation would be tied directly to the closed financing terms that we are able to get on the market. We are able to get better terms being partnered with UIA. Utopia has been doing these types of projects for over 20 years and have only seen take rates increase over time. We have a lot of confidence in having the ability to get more take rate than we need and to maintain that rate. The model for this is Utopia wouldn't be the provider but rather this is done with various contracted private partners. We have 30 business providers that use our system. This is a true public-private partnership in the sense that we put in public infrastructure and private partners come in and use that to sell and provide the services to customers. This is a long-term investment and asset that will benefit the community forever. It will solve net-neutrality issues and will bring competitive options. Utopia has the capacity to do this project and there is already fiber in Kaysville that we can piggy-back off from so we can get this to residents faster than any other option out there. We can likely have this project built out in 2 years.

Council Member Adams asked if the city would be a part-owner in this or would Utopia completely own the network once the bond has been paid off.

Roger Timmerman said that UIA owns the assets and would technically own the network. However, they try to work with cities in regards to how much and what kind of ownership they would like. Just because it would be owned by them, it would still be a public asset. There is a lot of liability that comes with ownership. The Utah code prohibits cities from running telecommunications as a profit center or enterprise fund. If we have a surplus of money coming in after the bond is paid off then we will lower our prices for customers. We also have standardized pricing for every city we are working with. Kaysville will benefit from a lower price structure and fiber coming to the community more quickly.

Council Member Adams commented that the city would still be taking a risk because if you don't get the 30% take rate then the city would have to pay the difference. Mr. Adams said that he had spoken with Comcast previously and was told that Comcast currently uses fiber through Kaysville already in order to get coax cable to neighborhoods. You can get 1 GB speed from the coax cable, but you have to dedicate more of the electrical boxes for them. If fiber were installed, would other providers have the capacity to even be able to use it?

Roger Timmerman said that a typical fiber network is designed like a cable network, but fiber has a lot more speed than the cable network. Because Utopia is open access we have to guarantee the speeds and capacities to every customer because their neighbor may be with a competitive provider. Every connection with Utopia has dedicated capacities to that end user and it's a huge different in architecture from the cable network, and it brings an enormous capacity. Businesses would be able to get a 100 GB guarantee. With the Comcast fiber network, they will provide the fiber to a node, but then everyone in that neighborhood shares that same node. Utopia is not only providing the best type of wired network, but it's also the way the fiber is designed with the dedicated connections to every household and business. It leaps ahead of any other fiber network in the state.

Council Member Barber commented that the technology that Utopia is offering is different than what we see from several other providers. Utopia is already offering certain type of services to some of our businesses. We won't ever be able to have fiber going to residential areas without them having a partnership with the city.

Council Member Tran asked about the city's role.

Roger Timmerman said that if we don't get the take rate needed, we therefore won't be getting the revenue needed to pay off the bond. The city would need to loan the money towards paying the bond. However, based on previous experience this scenario is highly unlikely. The commitment to start paying off the bond starts two years from the closing of the finance. This date could be pushed back to 3 years, but that would result in a capitalized interest cost. The city would have to sign a revenue pledge for this project but with this we will get better bond ratings.

Council Member Blackham commented that he has some concern with this model because the citizens just voted against a fiber bond in 2020, and the city would have to sign an agreement committing ourselves to a financial obligation.

Council Member Lortz asked if Utopia would support a right-of-way fee.

Roger Timmerman said that Utopia would, but there are federal laws in place that prohibit internet taxes. We want cities to be compensated for the use of their right-of-way but the regulatory environment is hard to get around.

Joseph Silverzweig, Manager of Government Affairs with Comcast, said that Comcast is a global media technology company and is one of the nation's largest video, high-speed internet and phone providers to residential customers. Comcast is dedicated to research and development and are constantly building and improving the fundamental technology of our products. Comcast is also diversified to be able to incorporate a number of different entertainment products. Currently every customer in Kaysville can get 1/1 symmetrical gig connection. Comcast passes nearly every household in Kaysville. There are some brown areas that we are looking to build out, a full comprehensive ability analysis was just completed as part of this process. We are open to partnering with Kaysville in order to close these remaining gaps. There are some misconceptions about how we build our architecture and deliver speeds to customers. We never throttle speeds and every customer gets the speed that they are contractually obligated for. The network right now is about 98% fiber and we are constantly pushing fiber deeper through the network. We serve many business customers in Kaysville already. Those customers all have access to a 10 gig symmetrical pipe fiber internet. We have a hybrid collapsed technology for our residential customers where the fiber is connected to a node in the neighborhood, which is connected from the node to their homes through coax cable. We can provide up to 100 GB symmetrical connections for our business connections. Comcast has invested a lot of finances and time into improving our customer service resources. Comcast also has a smart city product called MachineQ. It can provide manhole monitoring, leak and pressure detection with utility pipes, monitor waste & recycling, parking, outdoor lighting as well as rodent and pest control. The reality with smart city technology is that you don't have to own your own network and high capacity fiber for most of it. Most of the meters require a low bandwidth long-term connection. Comcast is doing more than we've ever done before to help keep people connected now that it's more important than ever to have that. We have also started creating "lift zones" at community centers which offer free wireless connections. There are dozens of these planned in Utah and we would like to see one in Kaysville as well. These are a 3-year 1 GB Comcast fiber business connection. These locations can support about 25 students or residents at once. Comcast's mission is to help build a global, connected community and we understand that is dependent on access to the internet. We define that mission by inclusion; everyone can get it and use it, regardless of your ability. We also offer a program called Internet Essentials which offers a low-cost high speed internet to low-income people, and also provides access to digital literacy training. Comcast has an ongoing commitment to investing in accessibility so everyone can connect to all of our products in the same way as possible. Comcast is committed to continue to invest in a network that stays at least 12 to 18 months ahead of capacity needs. We will explore partnerships to close coverage gaps and support the community. We will also continue our industry-leading investment in technology innovation so our customers continue to get the speeds and service they need. We want to have further conversations with the city about trying to meet the needs of the community and fill in the brown spots that the city has.

Council Member Lortz asked about the city requiring a minimum acceptable bandwidth requirement.

Joseph Silverzweig said that they wouldn't be concerned about having to meet a minimum bandwidth because their architecture is well ahead of those requirements.

Council Member Lortz asked if there are improvements being made to the current upload speeds and programs. Most citizens in Kaysville are struggling to even get a 6 MB upload limit.

Joseph Silverzweig said that they don't limit their upload speeds. Any customer can come to Comcast to change the contract in order to get better upload speeds.

Council Member Lortz responded that, personally, he has no pricing option on his current plan to increase his upload speed from his home, unless he jumps to a 1 GB service connection. This is likely a similar situation with many of our residents in the city. Council Member Lortz said that the city is also considering implementing a right-of-way fee, which funds would be used to improve access in the city.

Joseph Silverzweig said that he feels that's up to the council to decide if that's what is best for the city. We will handle any fee as long as it meets the city and federal laws.

Council Member Lortz asked about pricing.

Joseph Silverzweig said that Comcast offers consistent pricing across the state.

Council Member Tran asked about franchise fees.

Joseph Silverzweig said that their franchises are based on the Federal Telecommunications Act. It limits both what cities and telecommunication companies are allowed to do.

Council Member Adams said that he struggles with the franchise fee because it just seems like another way to tax residents. As a council we want to protect our citizens from having to pay exorbitant amounts of money for what seems to only be low internet speeds.

Council Member Barber thanked Mr. Silverzweig for providing a coverage map so we can see which areas are being underserved at the moment and what we need to focus on. Council Member Barber asked about providing faster internet speeds.

Joseph Silverzweig responded that if customers are unable to get the speeds they have been contracted with, it's usually a problem with the age of the router or device they are using as well as how compatible it is to be able to handle Comcast's network speeds. Another problem contributing to internet speed is latency.

Council Member Barber asked about data caps.

Joseph Silverzweig said that Comcast removed the data caps because of the higher internet demand resulting from the pandemic.

Council Member Barber asked about the timeline for rollout and what the city could expect to see.

Joseph Silverzweig said that he was unsure what the timeline would be.

Mayor Witt thanked the presenters for their information and for answering the city's questions.

ROAD FEE UPDATE

City Engineer/Public Works Director Josh Belnap said that his presentation was in regards to what road fee funds are going towards, what projects have been completed, and what projects we have planned for this upcoming year. These funds are comprised of what are called “C-Road” funds, which includes state gas tax based on the number of center lane miles of road in the city. We also receive local active transportation funds and road utility funds. We collect about 2.5 to 2.6 million dollars a year between those 3 sources. During FY 2020 our largest road project was to finish the improvements and repaving on Sunset Drive from Western Drive to the sewer plant property. As part of this project 3.5 miles of connected sidewalk was installed between phases 1 and 2, as well as a dedicated bike lane from end to end. The Angel Street project was finished after 3.5 years in 2020. A lot of time and effort went into this project and we are grateful for all involved to try to get it completed. Because of the pandemic we had a couple of projects that we had postpone. However, the North Davis Sewer District’s project at Phillips Street was able to be completed. We were able to partner with them to get good pricing on asphalt, and it was also a project that we didn’t have to utilize a lot of staff time or pay for the mobilization costs and engineering costs. Preventative maintenance on our streets has become a big focus for the city as we try to keep roads in good shape. Chip seal is very cost-effective and performs exceptionally well, but we had significant problems with it this year. We haven’t been able to identify one particular reason but rather a few contributing factors for this. The neighborhoods in Creekside, King Clarion and Whisperwood Cove saw significant amounts of material coming off the roads and being deposited into curbs, park strips and driveways. The city approached the contractor about this and they immediately brought out a crew to start cleanup and are continuing to do so. They’ve committed to continuing this until we can evaluate what needs to be done this spring and decide what the best long-term solution will be. To help alleviate future issues with other projects we decided to adjust our technical specifications. A temporary roundabout was installed at the Frontage Road and Burton Lane, and we received a lot of input and feedback about it. This was a small roundabout and it seemed tight, especially for large vehicles. This temporary roundabout was installed to see how it would work at this specific location. It will be further evaluated and we will be incorporating the feedback received into the evaluation to design a permanent roundabout here if we feel it would be beneficial. If a permanent roundabout is installed, the intersection will also be enlarged. If we find it wouldn’t be a good location for a roundabout, other alternatives will be reviewed for this intersection. Before the road fee was implemented we didn’t have the funding to focus on maintaining our roads, but now our workload has doubled or tripled as a result of the road fund. Our focus has mainly been to fix the main arterial streets, but we are going to start to focus on the inner neighborhood streets. It still will be a slow process but we are working to increase the quality of our roads in Kaysville. In 2021 there will need to be utility work done on Thornfield Drive and therefore we will be repaving the road when the work is done. We also plan to repave 350 East Street and with it be able to utilize some developer contributions from the townhome project here in Farmington. In addition to these repaving projects we have several other preventative maintenance projects around the city. The majority of these will be chip seal projects.

Mayor Witt expressed appreciation to Mr. Belnap and the Public Works Department and thanked them for their hard work

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

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

- a. Approval of Minutes of January 23, 2021.
- b. Approval of purchase for AMI Meters – Kaysville Power Department.
- c. Interlocal Cooperation Agreement for Municipal Election Services with Davis County.

The motion was seconded by Council Member Tran.

The vote on the motion was as follows:

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

The motion passed unanimously.

D. A RESOLUTION APPROVING THE COUNTY'S CREATION OF A HAZARD PLAN AND AUTHORIZING THE CITY MANAGER TO TAKE ACTION TO COMPLETE THE CITY'S PARTICIPATION.

Chief Paul Erickson explained that the County has been working with FEMA to create a county-wide hazard plan. As part of that process, FEMA would like the County to obtain official endorsement of the plan. This resolution would officially endorse the on-going efforts of the County to develop a county-wide hazard plan. Further, the resolution would authorize the City Manager to take any steps necessary to complete the city's participation.

Council Member Blackham said that the language of this resolution seems open-ended in regards to the City Manager being authorized to take any action necessary to complete the city's participation.

City Attorney Nic Mills responded that this resolution would authorize the city manager to negotiate and sign the hazard mitigation plan. There will be no expenditure of city resources.

Chief Paul Erickson added that the County hasn't completed the plan yet, which will still take a while to finish. As part of this process the County asked the cities to create a resolution which assures that our city will be part of that plan when complete. The County will continue to work with us for whatever further tasks we will need to complete in order to part of this plan.

Council Member Lortz made a motion to approve a Resolution approving the county's creation of a hazard plan and authorizing the City Manager to take action to complete the city's participation,

with the change in the language that the City Manager be authorized to “execute the hazard mitigation plan”. The motion was seconded by Council Member Blackham.

The vote on the motion was as follows:

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

The motion passed unanimously.

ACTION ITEM

Mayor Witt asked that Items 5c and 5d be considered next on the agenda.

REZONE OF 2.16 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 990 SOUTH ANGEL STREET FROM THE A-1 (LIGHT AGRICULTURAL) ZONING DISTRICT TO THE R-1-LD (RESIDENTIAL SINGLE FAMILY LOW DENSITY) ZONING DISTRICT TO INCLUDE THE PRUD OVERLAY ZONE FOR PHIL HOLLAND.

PRELIMINARY PLAT FOR THE WATERFRONT ESTATES PRUD SUBDIVISION LOCATED AT APPROXIMATELY 990 SOUTH ANGEL STREET FOR PHIL HOLLAND.

Lyle Gibson explained that a rezone request has been submitted for the property at approximately 990 South Angel Street in order to accommodate a proposed single-family dwelling 4-lot private lane subdivision. The property is currently zoned primarily to accommodate light agricultural uses allowing only one home per acre. The requested R-1-LD zoning district allows for two units per acre. While limiting the total number of homes that could be built, the zone does allow for some flexibility in lot sizes where no lot could be smaller than 12,000 square feet. Phil Holland, the applicant, has provided a site plan and preliminary plat indicating how they anticipate the property would be used. The plan includes a private street to serve the four proposed lots with a Y-shaped turnaround that meets fire code standards. The Planning Commission held a Public Hearing during their meeting on January 28, 2021, after which they voted unanimously to recommend approval of the proposed rezone and preliminary plat with the stipulations that the applicant provide an easement to the ponds on the west for city access in order to maintain the ponds, that this easement be shown on the final plat, and that the FEMA flood plain also be shown on the final plat.

Council Member Blackham commented that we need to make sure that the easement is shown on the final plat before it is approved.

Phil Holland responded that because the easement was requested to be shown on the final plat by the Planning Commission they had not altered the current preliminary plat. After the Planning Commission meeting, Mr. Holland said that he had a discussion with the Public Works Superintendent who discovered that the city already has access to the pond just south of this property and therefore the easement could be unnecessary. However they are willing to acquiesce to the easement if needed, as well as allow the city to dredge the pond.

Josh Belnap added that the dredging work mentioned would be part of a larger project. Back in 2017 the city started coordinating with residents along the ponds because of concerns brought up about the amount of sediment in the ponds and the water quality. A flow control structure was installed in the area with the intent that the structure would help to assist in maintaining the flows through the pond, thereby helping with water quality. A head gate was also installed which allows us to open it up and utilize the flood control structure to help assist in maintain the sediment buildups in the ponds.

Reed Ferrin added that he had worked on this project with the city engineer back in 2017 and it was discussed that boxes be placed upstream to help collect the sediment and prevent it from flowing downstream. If this property were to be dredged correctly now with the right measurements then it is unlikely that it would need to be dredged again.

Josh Belnap said that if the property is dredged correctly than it would not be necessary for a permanent easement to be placed within this proposed subdivision. Also, because of the terrain and typography of the area an easement might not be feasible in this location anyway.

Council Member Adams said that we would hope that we would only need to dredge it once, but would like to see the easement still remain here in case we need to do it again.

Council Member Blackham said that the city shouldn't encumber a piece of property with an easement that would never be used.

Nic Mills responded that the council could approve the preliminary plat subject to the easement being addressed by city staff and that there must be an approval from Public Works to ensure that we are meeting the obligations of the previous agreement to provide the property maintenance that the city was required to do.

Council Member Barber made a motion to extend the meeting past 10:00 p.m. until the end of the agenda, seconded by Council Member Lortz and passed unanimously.

Council Member Lortz commented that the city shouldn't put a prohibition on Mr. Holland's project based upon a city obligation that we had already planned to execute. We need to make sure as a city that we follow through with that obligation.

Council Member Barber made a motion to approve a rezone of 2.16 acres of property located at approximately 990 South Angel Street from the A-1 (Light Agricultural) zoning district to the R-1-LD (Residential Single Family Low Density) zoning district to include the PRUD (Planned Residential Unit Development) overlay zone for Phil Holland. The motion was seconded by Council Member Lortz.

The vote on the motion was as follows:

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

Council Member Adams, nay

The motion passed with a vote of four to one.

Council Member Blackham made a motion to approve the preliminary plat for the Waterfront Estates PRUD Subdivision located at approximately 990 South Angel Street for Phil Holland with the stipulation that the technical issues of the drainage and easement needed for the pond be approved by our Public Works Superintendent to ensure that Kaysville City is covered for the future issues on those ponds. The motion was seconded by Council Member Tran.

The vote on the motion was as follows:

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

The motion passed with a vote of four to one.

AMENDMENT NO. 06 TO INTERLOCAL COOPERATION AGREEMENT FOR ANIMAL CONTROL SERVICES WITH DAVIS COUNTY

Shayne Scott explained that this agreement is between Kaysville and Davis County for animal control services. The amendment is only intended to be in place through 2021 as we transition to Davis County establishing a tax levy specific to animal control services. If successful, a plan would be put in place to transition cities out of this service altogether. Great things are happening in Davis County Animal Control and this agreement is an important step as we move forward on meeting this important need in our city and county.

Council Member Tran made a motion to approve Amendment No. 06 to the Interlocal Agreement for animal control services with Davis County, seconded by Council Member Barber.

The vote on the motion was as follows:

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

The motion passed unanimously.

AN ORDINANCE AMENDING SECTION 6-2B-4 “UNLAWFUL PARKING” TO PROHIBIT CERTAIN VEHICLES FROM PARKING IN ELECTRONIC VEHICLE STALLS

Nic Mills explained that the City recently installed stations to charge electric and hybrid vehicles. City staff has received some complaints that non-electric or non-hybrid vehicles are parking in

these stalls. This ordinance would prohibit this behavior and impose a civil penalty as a sanction for those violating this ordinance.

Council Member Lortz made a motion to approve an Ordinance amending Section 6-2B-4 “Unlawful Parking” to prohibit certain vehicles from parking in electronic vehicle stalls, seconded by Council Member Barber.

The vote on the motion was as follows:

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

The motion passed unanimously.

A RESOLUTION VOICING OPPOSITION TO HOUSE BILL 98 – “LOCAL GOVERNMENT BUILDING REGULATIONS” AND AUTHORIZING THE COUNCIL TO CORRESPOND WITH GOVERNOR COX REGARDING THEIR POSITION

Nic Mills explained that House Bill 98 proposes to allow developers to bypass City building inspections and limits some city-required building requirements. This resolution would voice the City’s opposition to this bill. The resolution would also authorize the Mayor and City Council to correspond with Governor Cox about this issue.

Council Member Blackham and Council Member Lortz both expressed their opposition to House Bill 98. Council Member Lortz added that it is not in good form to allow someone to be able to approve their own work. If this is passed by the state the ramification would be that everybody wanting to buy or build a home would then have to hire their own private inspector to make sure that they are buying what they asked for.

Mayor Witt said that there are some municipalities that make it hard on homeowners or contractors trying to build within their cities and that is likely why they are considering this bill. However that is not all cities and we should not have to suffer the consequences if this bill were to pass. It also oversteps into municipal authority.

Council Member Adams made a motion to approve a Resolution voicing opposition to House Bill 98 – “Local Government Building Regulations” and authorizing the council to correspond with Governor Cox regarding their position, seconded by Council Member Blackham.

The vote on the motion was as follows:

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

The motion passed unanimously.

WORK ITEMS

DISCUSSION OF AN INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR PARAMEDIC SERVICES

Chief Paul Erickson explained that this item is to discuss an Interlocal Agreement with Kaysville, Davis County and Davis County cities. This agreement would outline the timing and steps involved in transitioning Paramedic Services from under Davis County control to the control of cities. Each city has been organized into a group by geographical and other factors. Kaysville will be grouped with Farmington and Fruit Heights. City Manager Shayne Scott and Chief Erickson have attended countless meetings about this transition over the past two years and believe this Interlocal Agreement is ready to be adopted by Davis County and each city in the county. This agreement is a crucial step as we move forward on meeting this important service in our city and the county.

Shayne Scott said that there is a timeline included in the city council packet which shows that this agreement is only step 2 out of 12, but this an important step and will help to start to address when the financial aspects are switched from the County to the cities. This agreement will help them in making some long-term decisions. This process is going to take a year and a half to complete.

Council Member Blackham commented that most entities have their paramedic program operating under the fire departments, which is where it belongs.

Chief Paul Erickson said that when this program began it worked well for the county and they've done a great job providing these services over the years.

CALL TO THE PUBLIC

Tara Esplin commented on an email sent from the City Manager to city employees. She feels that poor judgement was used for the verbiage of the email. She appreciates that this matter has been taken seriously and feels it is appropriate to direct employees to officials to try to find reliable information.

Eric Jessen said that he is in disagreement with the email sent by Mr. Scott and the comments made about the COVID-19 vaccine. He feels that the email came off as threatening and when people in government authority are given this type of position we get things like the Equal Opportunity Employment Commission which makes it legal to fire someone who doesn't get vaccinated.

Brigg Lewis commented regarding the presentations given by Comcast, Utopia and Centurylink. He said that he feels that the city should have asked more questions, more specifically about internet accessibility if the power goes out. People make a living relying on their internet connection and the reliability of the internet is very important.

Craig Christianson said that he was disappointed with CenturyLink's presentation because they

indicated that they had no plans for growth in Kaysville and they seem to have little to no desire to partner with the city. He was excited about the option Utopia presented but the question of ownership will need to be worked out. Comcast blamed poor speeds on customer's devices. This is not true for him because he has tested his devices on other networks and they worked fine. Mr. Christianson said that he had checked Comcast's website and found no 1 GB speed option for his house. Kaysville has more than enough demand to support a solution like Kaysville Fiber. This is still an important issue in Kaysville and Mr. Christianson thanked the Council for giving so much attention to it.

COUNCIL MEMBER REPORTS

Mayor Witt commented that she appreciates our residents sharing their opinions with us and they are important. The Council has to talk about big issues and we appreciate our community being willing to engage with us. Mayor Witt added that there would be a Q&A with Council at 10:00 a.m. on Saturday if any residents had anything they would like to speak about with the council.

ADJOURNMENT

Council Member Barber made a motion to adjourn the City Council meeting at 10:32 p.m., seconded by Council Member Lortz and passed unanimously.