

KAYSVILLE CITY COUNCIL

March 5, 2020

Minutes of a regular Kaysville City Council meeting held on March 5, 2020 at 7:00 p.m. in the Business Resource Center of the Davis Technical College at 450 South Simmons Way, Kaysville, Utah.

Council Members present: Mayor Katie Witt, Council Member John Swan Adams (via phone), Council Member Michelle Barber, Council Member Andre Lortz, Council Member Tamara Tran, and Council Member Mike Blackham

Others Present: City Manager Shayne Scott, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Community Development Director Lyle Gibson, Public Works Superintendent Josh Belnap, Parks and Recreation Director Cole Stephens, Information Systems Manager Ryan Judd, Information Technology Assistant Jordan Hansen, Police Chief Sol Oberg, Fire Chief Paul J. Erickson, Lexi Benson, Rachel Laub, Steven Richardson, Brad Mortensen, Julie Laub, Jacob Loose, David Sanders, Flemming Hyllested, Tawnya McConkie Trent Messer, Brett Messer, Tyson Embley, Braden Embley, Kayleigh Embley, Kim Embley, Keyton Moore, Marcie Handy, John Briggs, Brigg Lewis, Brent Jex, Dena Eckardt, Ryan Eckardt, Tammy Wursten, Chris Montgomery, AJ Mason, Karen Erickson, Bryce Huff, Dean Wall

OPENING

Mayor Witt opened the meeting.

RECOGNITIONS AND PRESENTATIONS

SWEARING-IN OF NEW KAYSVILLE POLICE OFFICERS TYSON EMBLEY, KEYTON MOORE AND BRENT JEX

Police Chief Sol Oberg said that the city is fortunate to have three officers come to work for us. Tyson Embley and Keyton Moore are both coming from working at other police departments and we are excited to have them come to work for Kaysville. Brent Jex will be the city's reserve officer who will be helping the department with administrative tasks. Brent is a retired police officer has already been helping our department with officer wellness, as well as conducting background checks. We are looking forward to working with all three of these new officers.

Mayor Witt administered the Oath of Office to the new Kaysville Police Officers.

WEBER STATE UNIVERSITY PRESIDENTIAL LEADERSHIP FELLOW PRESENTATION

Brad Mortensen, President of Weber State University, said that he recently became president of the school and he has been visiting surrounding cities to talk to them about what Weber State University has to offer. Recently Weber State celebrated their 130-year anniversary. One of Weber State's core values is community engagement, and by visiting nearby cities we are providing an opportunity to share the Weber State story, especially our commitment to student

success.

Rachel Laub said that her family has been part of the Kaysville community for many years and her mother teaches at Davis High School. She was offered a four year full-ride scholarship as ambassador and was excited for the opportunity. Ms. Laub said that at first she was skeptical if it was the right choice for her and what it would mean for her future, but within a short period of attending Weber State she realized that it was the best decision for her. Weber State has an amazing faculty which encourages students, and the courses offer students a lot of hands-on experiences. She has been able to work on very diverse projects and have real world experiences through being able to study abroad. Weber State wants their students to learn in non-traditional settings because it gives them more diverse experiences. Ms. Laub said that she will be graduating in April in computer science.

Brad Mortensen said that Rachel is a good example of our successful students at Weber State. Their school is grateful to the communities who help support them. They have students that work at Safe Harbor and at the Family Enrichment Center in Kaysville, as well as being involved with helping at different schools within the city. They have outstanding faculty, staff and academic infrastructure to help support students to be successful. Mr. Mortensen asked that the city help to spread the word about what's going on at Weber State. Weber State wants to give back to the community.

KAYSVILLE FIRE DEPARTMENT ANNUAL/5-YEAR PLAN REPORT

Fire Chief Paul Erickson presented a report of the Kaysville Fire Department from the 2019 year and explained that they are a full-service fire department providing services to Kaysville, Fruit Heights, the Mutton Hollow Township and areas of unincorporated Davis County. They operate out a single fire station which is staffed twenty-four hours a day, seven days a week. They have ten full-time firefighters, sixteen part-time firefighters, and one part-time administrative assistant on staff. Currently all of their firefighters are certified with the minimum certifications required of their jobs, but many also carry additional certifications in specialty areas. In 2019 they conducted 1,020 annual inspections on commercial and home businesses, and food trucks. They conducted over a hundred station tours and participated in over twenty special events. They hold monthly safety meetings, and have annual fitness evaluations and physical exams. Over the last few years they have seen a reduction in the number of emergency responses, which they attribute to Layton increasing their own staff and therefore not needing mutual aid from Kaysville. Kaysville has had sixty-five reported fires over the last three years. The majority of calls typically come from the Mutton Hollow apartments, but they have seen a reduction of calls here as the property owners has been working to install better fire alarms. The fire department is looking at possibly being able to provide better fire protection on the west side of Kaysville through building another fire station in west Kaysville at some point in the future. Their response times to west Kaysville fail to meet the standard oftentimes because it takes so long for their department to respond across the city.

Mayor Witt commented that Chief Erickson is an integral part of Kaysville and we appreciate his leadership.

Fire Chief Paul Erickson gave a presentation of the Kaysville Fire Department's five-year plan. They would like to be able to increase the number of full-time firefighters to twelve. They would

also like to see a new station built on the west side, which would have four fire-fighters on staff during each shift, with two engines and two ambulances. They would also like to have their own paramedic services in place. The fire department feels that a new station on the west side of Kaysville would be justified because of the growing population. Having another station would drastically give them a better response time.

Council Member Barber said that in speaking with residents, they have expressed the importance of being able to have a fire station on the west side of the city.

Chief Erickson said that they would like to implement their own paramedic service because sixty-five of all of their responses are medical related. Having a second fire station would help them to respond quicker which will help them to be able to get fires under control quickly, and they will also be able to respond more quickly to cardiac or stroke patients. They are also finding it more difficult to meet the NFPA requirements of the number of firefighters required on scene and we rely heavily on surrounding agencies to meet those numbers. Having other agencies responding to calls also increases our response time. In researching other cities comparable in size we are finding that they have more firefighters and staff on duty than our city does. There is a definite need alter something, so that we can better meet the standards required, but more importantly meet the needs of our residents when they call on our services.

Council Member Blackham commented that he had been working for the Kaysville Fire Department for several years until last year, and many residents do not understand how understaffed our fire department currently is. Public safety is very important to the city. We typically have only four firefighters on duty at the station to cover the entire city. The department has become very reliant on Farmington and Layton to try to help on calls, but their cities are becoming increasingly busier. There is no guarantee that they will be able to help us when we need it. This is not only a matter of taking care of our residents, but it also affects the safety of our firefighters. People could get hurt if we are not adequately covering our city. Our fire department needs more resources and it is urgent that we find a solution for this. There are a lot of demands on our city budget, but life safety is a critical issue that needs to be addressed now.

Council Member Lortz said that he thinks that the fire department has presented a good five year plan, but in order to meet our city's needs, residents need to know that taxes will need to increase. The city will be holding a Truth in Taxation Hearing in August and residents are encouraged to come to discuss what these funds will be used for.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

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

- a. Approval of the Minutes of January 24, 2020.
- b. Approval of the Minutes of February 6, 2020.
- c. Approval of Parks and Recreation Advisory Board Member Appointments.
- d. Approval of materials purchase, hot stick equipment storage trailer – Power Department.

- e. Adopting an Ordinance authorizing city staff to hire an Assistant City Attorney.
- f. Acceptance of a Grant for Assistant City Attorney Prosecution Time.
- g. Award of Bid for Pedestrian Trail Bridge Crossing with Kimley-Horn.
- h. Award of Bid for Phase 2 of the Pickleball Courts at Barnes Park.
- i. Approval of Contract for services to update the Kaysville City General Plan.
- j. Approval of an Ordinance to rezone 2.23 acres of property at 1422 South Sunset Drive from R-A to R-1-LD to include the PRUD overlay zone – Carl Horne.

The motion was seconded by Council Member Barber.

The vote on the motion was as follows:

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

The motion passed unanimously.

Council Member Barber commented that she wanted to acknowledge everyone who has been working towards creating additional pickleball courts at Barnes Park. It was a community-driven effort and a huge win for the community.

ACTION ITEMS

AN ORDINANCE AMENDING SECTION 17-25-6, PROJECTIONS INTO REQUIRED YARDS, EXEMPTIONS OR MODIFICATIONS, OF TITLE 17, PLANNING AND ZONING (TABLED ITEM)

Lyle Gibson explained that this amendment was originally created at the direction of the Planning Commission. The Planning Commission asked city Staff to put together a draft ordinance which would allow for some reasonable flexibility to the city's ordinances to help provide an alternate option to the variance process for items the commission has dealt with recently and determined to be acceptable but not legal under the existing code. An ordinance was prepared which included the proposed language to address these projections into side-yards and corner lots. That ordinance was presented to the City Council recently, who showed general support for an ordinance that accomplished the intent of the proposal, but asked Staff to take time to ensure that the ordinance accomplished what was intended and was not difficult to administer. That revised ordinance is being presented to the Council tonight for approval. Staff feels that this revised ordinance is clearer, and also provides visual examples of the scenarios where this would apply.

Mayor Witt asked for public comment.

Bryce Huff commented that the proposed ordinance is a logical amendment and will allow residents in this type of situation some flexibility in how they are able to further develop their property. It also makes the language of the ordinance clearer.

There were no further comments or questions from the public. Mayor Witt closed the public

comment for this item.

Council Member Blackham made a motion to approve an Ordinance amending Section 17-25-6, Projections into Required Yards, Exemptions or Modifications, of Title 17, Planning and Zoning, seconded by Council Member Tran.

The vote on the motion was as follows:

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

The motion passed unanimously.

WORK ITEMS

KAYSVILLE FIBER TIMELINE DISCUSSION

Council Member Barber commented that since the beginning of the year the Technical Advisory Committee has been taking all the feedback received about the fiber project, and have narrowed the comments down to three main point outlining what citizens have stated that they want for this project. Those three things are: the ability to vote on the fiber project, only paying for fiber if they want fiber, and being able to know exactly what the cost will be. The TAC has also been working to decide the best way to get the fiber project on the ballot this year for residents to be able to vote on it.

Council Member Lortz added that last year when the city and TAC was first looking at this project, they were given multiple options to consider, including: partnering with a private entity, having a private entity own and operate the network, or having the city own the network. Third-party ownership will cost the city residents more money, which is why the TAC felt it best for the city to go with a utility model for fiber internet. They have been preparing a financial report which would address exactly what the cost would be to residents.

Council Member Barber commented that they are proposing that this plan be adjusted to a subscription-based model and therefore residents would only pay for it if they wanted it.

Council Member Lortz said that recently they have been taking applications for a citizen panel to discuss putting this project on the ballot for a citizen vote. They received several applications and have invited seven members of the public to join the panel. Panel members will give their feedback and will help come up with a communication plan on how to get facts and information out to the public before a vote.

Council Member Barber said that there will be no action taken tonight, but they wanted to have a work item to give an update on where the Kaysville fiber project is at. Tonight they wanted to give their approximate timeline they will be following to try to put this project on the ballot in November. Within the upcoming month we want to issue a request for proposal so that we have

the financial data on the costs of the project. They will be working on publishing an informational brochure between May to June. The City Council will have to approve the language for the ballot in July, as well as plans for super-parameters bonding. A public hearing for the bonding is planned to be held in August.

Mayor Witt thanked Council Member Barber and Lortz who have been giving a lot of their time towards helping with this project. There has been a lot of information dispersed so far, and they've been able to have some good public discussions. Mayor Witt commented that she is excited to see this being proposed to be vote on in November.

CALL TO THE PUBLIC

Brigg Lewis commented that as the city is pushing for installing fiber throughout the city as well as a new fire station, the Council needs to keep in mind those residents who are on fixed incomes. Many financial advisors would state that we are currently on the edges of a recession and people are already having to dip into their savings. More taxes on residents could force many more residents to go into debt.

Dean Wall commented that the fire department is proposing to tax each household \$100 every year, and that fee will increase yearly. Other cities of similar size have tried to build similar stations but didn't have the money to support them and are now vacating the buildings. Those cities are not much bigger than ours. We don't have the statistics to support or justify needing a fire station on the west side of the city. Mr. Wall also asked how much of the city's money has been spent on promoting fiber and how many people have been hired to support the fiber project.

COUNCIL MEMBER REPORTS

Council Member Barber thanked those who are involved in the fiber project, and said she appreciates those willing to serve in all of the city's committees. It helps to give the city a fresh perspective and more people working together to do what is best for the city.

Council Member Lortz said that the fire department is proposing \$20 to \$30 per household per year for five years. The city has not spent money on promoting fiber, but has been using internal staff and volunteers. Council Member Lortz reported that the Power Department has been working to get AMI meters installed throughout the city and is almost done. They will likely have them completed in September. The department is almost done installing LED street lights in the city as well. We are already seeing less issues with these street lights than previously. The reliability study is also currently being done and will help the Power Department moving forward in the future.

Council Member Tran commented that she has enjoyed attending Youth Court and has been impressed with the youth of our city. Council Member Tran said that she is grateful to our community who is so willing to be involved and want to be part of these committees supporting the city.

Council Member Blackham asked if Josh Belnap, the Public Works Superintendent, could give an update on the Public Works summer projects.

Josh Belnap responded that they have bracketed their summer work into three main categories: preventative maintenance, chip-seal, and seal coat on our roads. They are also finalizing the design of the remaining section of Sunset Drive which will be finished with full improvements this year. They hope to have bids on that project out by the end of the month. They will also be working with UDOT with the Highway 89 and West Davis Corridor projects.

Mayor Witt said that in January the City Council created a Parks and Recreation Board, and last weekend applicants were interviewed. The members chosen were appointed in tonight's meeting.

Council Member Barber added that the city will continue to have more opportunities for residents to serve in the future.

CLOSED SESSION

Council Member Blackham made a motion to adjourn to the City Council meeting at 8:23 p.m. and reconvene into a closed meeting for a strategy session to discuss pending or reasonably imminent litigation, seconded by Council Member Lortz. The motion passed unanimously.

Council Member Lortz made a motion to adjourn the closed meeting at 8:48 p.m. and reconvene into the City Council meeting, seconded by Council Member Adams. The motion passed unanimously.

ADJOURNMENT

Council Member Lortz made a motion to adjourn the City Council meeting at 8:49 p.m., seconded by Council Member Blackham and passed unanimously.