

KAYSVILLE CITY COUNCIL

June 3, 2021

Minutes of a regular Kaysville City Council meeting held on June 3, 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 (via phone) and Council Member Tamara Tran

Others Present: City Manager Shayne Scott, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Information Systems Manager Ryan Judd, Police Chief Sol Oberg, Public Works Superintendent Josh Belnap, Parks and Recreation Director Cole Stephens, Recreation Superintendent Kris High, Legal Intern Josh Martineau, Fawn Morgan, Marcie Handy, Melinda Maw, Ryan Ward, Jim Morgan, Judy Rigby, Pete Van Wynen, Kathy Brewer, Bostyn Buhler, Joslyn Buhler, Decklyn Buhler, Mariah Campbell, Like Barber, Karah Crosby, Jessica Gnehm, Tammy Wursten, Steve Brewer, Chad Buhler, Michael Crookston, Jessica Dunford, Allen Anderson, Trish Duncan

OPENING

Council Member Blackham opened the meeting with a prayer and led the Pledge of Allegiance.

PRESENTATIONS AND AWARDS

DAVIS HIGH SCHOOL MUSICAL NUMBER

Members of the Davis High School band performed a musical number.

Michael Crookston, the Davis High School Band Director, explained that they have 160 students in the band but tonight have brought the student leaders to represent their band. The band has a long and deep history of music within the community, and there have been several band teachers who have helped to grow this program and be part of the lives of these students.

YOUTH CITY COUNCIL RECOGNITION

Council Member Adams commented that our Youth Council are a very impressive group of students who have a love for their community. Their advisors work hard to support this program and we are grateful for them. There are three Youth Council members who will be graduating this year and we want to recognize them tonight. They are Koleman Stinger, Parker Francis and Abby Mathews. Koleman Stinger has served on the Youth Council for three years, and Parker Francis and Abby Mathews have served for one year.

RECREATION, ARTS, MUSEUM, AND PARKS (RAMP) PRESENTATION

Council Member Barber commented that there is a group of citizens here tonight who will be making a presentation regarding a RAMP tax in Kaysville.

Karah Crosby commented that she believes in the power of recreation within a community. There are many cities within our county who receive funding through a type of RAMP tax and they use the funding to help improve their city recreation. This is something that Kaysville is missing out on. Our group here tonight came to show support of putting a question on the ballot regarding implementing a RAMP tax. We are excited to show why we think it's time for a RAMP tax.

Jessica Dunford commented that she was born and raised in Kaysville and is now raising her family in Kaysville. Ms. Dunford said that it has been great to see kids being involved in the city's recreation programs. It helps teach these kids new things, it helps make them stronger, they meet new people, build confidence, learn to work as a team, learn how to win or lose, gives them activity and builds character. It helps them to set goals and have something to work towards and be passionate about. These programs are important for our children and they benefit from them. However, our city's current programs are at max capacity and we need to consider the future of these programs for our kids.

Fawn Morgan commented that their group believes that a well-rounded, unified and thriving community is enriched by a cultural environment. Our ancestors saw a need for cultural institutions. Recreation and art programs help enrich lives. We are enjoying what those before us have left behind. A RAMP tax would help to honor our desire to establish a museum. The city is ready for this proposed RAMP tax and it would give us a way to have the means to meet some of our goals. The public considers museums a trustworthy source of information and they are creative spaces. It's time to look at our unifying influences and build on that. We need to support each other and rally together.

Pete Van Wynen said that the city has a large variety of sports that our residents can participate in. There is something for everyone and anyone can find a sport they would be interested in.

Trish Duncan commented that she also shares a passion to support the community and advocates for responsible pet ownership. She would like to see more opportunities for pet owners to have an outlet where they can enjoy the outdoors with their pets, such as a dog park. However, she understands that there needs to be enough interest to generate these types of amenities and is willing to do what is needed to make that happen. Mrs. Duncan said that when she lived in Orem the cities had used some of the funds generated from their RAMP tax to enhance their city park to create the state's first all-together playground where children of all ages and abilities could play together. This type of playground is something we would like to see in our city.

Karah Crosby said that she believes that city parks and recreation is vital to a thriving community and they believes that if a RAMP tax would benefit every citizen. When looking at the recent Kaysville land use study that was conducted, 60% of the respondents said that they would support a RAMP tax.

Bostyn Buhler commented that Kaysville needs more parks and recreation options for kids. There needs to be more areas for kids to play. Miss Buhler commented that she has been part of a

recreation program for six years and would like to see everyone, both boys and girls, get the same opportunities as the programs grow larger.

Council Member Barber thanked everyone who came to speak tonight or to support a proposed RAMP tax. This has been a culmination of a lot of work. Council Member Barber said that she wanted to see this put on the ballot three years ago, and the time is finally here to do so. This needs to be a community effort and not the City Council pushing for it. People go to our parks because it helps their lives to be better. With the data received from the recent survey done, along with the interest expressed, it would be negligent of us to not put this on the ballot. This was made possible by our legislature and many of our surrounding communities have benefited from it.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

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

- a. Approval of Minutes of May 3, 2021.
- b. Appointment of Chelsie Fromeyer as Deputy City Recorder.
- c. An Ordinance updating the Criminal and Traffic Code Adoption ordinances.

The motion was 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.

D. A RESOLUTION AND NOTICE OF INTENT TO SUBMIT RAMP TAX BALLOT OPINION QUESTION TO RESIDENTS.

Council Member Blackham commented that this RAMP tax would be a local sales and use tax of 0.1% and would only be applied to non-food items. It's not a large amount and would not be added to property taxes. This is something that is an opportunity for our citizens to have a vote and make it part of their community. All of these things that a RAMP tax could help to finance would add to our community.

Council Member Adams expressed his support of a RAMP tax and encouraged residents who also support this to join together to try to start getting the word out to help explain to every voter what this is about. Any time people see the word "tax" they get nervous. Sharing information will be vital in getting this to pass. People need to understand what this is about and what the benefits of it will be. This has the potential to help our community in many ways.

Council Member Tran said that when our residents are shopping in other cities they are contributing towards that city's RAMP tax if they have one. We should be doing the same for those making purchases in our city. This is a good idea and our residents have expressed the importance of our parks and recreation. We are known for it and our residents seem to want to continue to support that lifestyle.

Council Member Lortz said that this would be a great investment and will strengthen our community. Council Member Lortz said he appreciated seeing the support for this and for those who see this revenue being able to support these programs in the future.

Council Member Barber made a motion to approve a Resolution and Notice of Intent to submit a RAMP tax ballot opinion question to residents, seconded by Council Member Tran.

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.

The City Council took a five-minute break at 7:48 p.m.

WORK ITEMS

UDOT PROPERTY ACQUISITION PROPOSALS

Josh Belnap explained that recently UDOT had a third party appraise three parcels along the Highway 89 frontage roads, which are owned by the city. Portions of these parcels are needed for the frontage roads, but the remainder of the affected parcels will remain intact and usable by the city. The first property is on Green Road in Fruit Heights, the second in front of the 'Lower Pasture Tank' entrance, and the third is where the now demolished 'West Crestwood Water Tank' used to sit. The West Crestwood Water Tank was replaced in the Orchard Ridge Subdivision. In total, the three parcels make up 1.62 acres, and UDOT's appraisals of the portions needed total \$520,100.

Council Member Blackham asked if the city could negotiate with UDOT to have them pave the access road to the Lower Pasture Tank.

Josh Belnap explained that they have considered having the road paved, but have found that in the winter it is better to have it as a dirt road. There is also potential of additional infrastructure being laid through here at some point and it would be best if this area weren't paved.

Council Member Adams made a motion to move the UDOT property acquisition proposals to an action item, and direct staff to bring recommendations to the Council for the use of the funds being acquired. The motion was seconded by Council Member Blackham.

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.

FIRE SERVICES PROPOSAL WITH FRUIT HEIGHTS CITY

Mayor Witt explained that Kaysville City has been providing Fire and EMS Services to Fruit Heights City for decades through an agreement. Over the past five years, this agreement has lapsed and there has been some dispute between the cities on the costs of said service. In March 2021, Mr. Shayne Scott sent an outline of the anticipated costs and expectations to continue providing the fire and EMS services to Fruit Heights. Mayor Witt and Mayor Puhlman, of Fruit Heights City, have met several times and at times with elected officials from both cities to discuss the details of the proposal and try to find a common ground. This agenda item is to discuss the common ground that has been reached by both mayors, and for the Kaysville City Council to discuss and potentially adopt a resolution outlying the understanding between the two communities for both Fiscal Year 2021 and Fiscal Year 2022.

Council Member Blackham said that Kaysville is providing a professional fire service to our citizens and the citizens of Fruit Heights. Our Council has expressed our willingness to hold a Truth and Taxation in Kaysville so we can continue providing fire services at that professional level. Fruit Heights city should follow suit for their residents. This is an essential service we are providing and it costs money to provide these services. There are minimum standards that have to be met in order to meet federal requirements. We cannot be operating a service where we charge per-call. Council Member Blackham said that Kaysville came up with what he felt was a fair and equitable proposal for Fruit Heights based off property valuations, which is a constant factor.

Mayor Witt responded that the number that was proposed between the two cities was not based off anything but arbitrary numbers.

Council Member Tran asked if Fruit Heights had accepted the counter-offer to them.

Mayor Witt responded that potentially they have but their city council must agree to the proposed resolution.

Council Member Barber commented that the cost for future paramedics services needs to be shared between both cities.

Mayor Witt commented that whether Fruit Heights choosing to continue working with Kaysville for fire and EMS services would not affect the professional services that we provide to our citizens. We can't continue to provide services through an arbitrary number. There needs to be a solidifying of the process if we continue to work with Fruit Heights in the future. The resolutions being considered by Kaysville and Fruit Heights address this issue through 2022. Mayor Witt said that

she would like to see a fire district created for this area be created because it will depoliticize it. The figures written in the resolutions are not what either city was asking for, but we also don't want to throw out our longstanding relationship with Fruit Heights. Fruit Heights has been looking at obtaining bids from other entities for similar services that Kaysville currently provides.

Council Member Adams suggested that the resolution include a specified date that a decision has to be made.

Council Member Blackham commented that he would like to see more specific numbers and reasons for the proposed amount rather than arbitrary numbers.

Council Member Barber made a motion to move the Fire Services Proposal with Fruit Heights City to an action item, seconded by Council Member Lortz.

Council Member Barber commented that while neither city is satisfied through this resolution, it would be negligent of us to do nothing.

Council Member Blackham said that he feels that there are still too many unanswered questions for this item to be moved to an action item.

Council Member Tran said that we need to move forward but make it clear to Fruit Heights that some decisions need to be made because we won't be doing this again.

The vote on the motion was as follows:

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

The motion passed with a vote of three to two.

AMERICAN RESCUE PLAN (ARP) FUNDS DISCUSSION

Shayne Scott explained that Staff has met together with all of the department heads and have come to a consensus on recommendations when it comes to spending American Recovery Plan funds as part of a federal legislation. We have also looked at Treasury guidance when making these decisions. The funds used by the fire department would support public health response. Funds for the water department would invest in water, sewer and broadband infrastructure. Funds directed towards fiber projects in the city would benefit the city with connectivity to city facilities and will open up opportunities for increased connectivity, including investments in broadband made in areas that are currently underserved, while being encouraged to prioritize projects that achieve last-mile connections to households and businesses. The vast majority of spending directly benefits water and sewer related infrastructure. We will be doing our best to utilize our existing infrastructure and contractors currently working in the city to maximize the dollars allocated. The final area where money would be allocated would be towards our police department in supporting the public health response. This proposal includes the hiring of a full-time mental health

professional. The idea behind this would be to fund this program for 4 years to respond to both staff and residents from a mental health perspective. So many times our police officers and first responders are asked to intervene in a mental health crisis when they often do not have the training to do so. We should be receiving the first half of the ARP funds soon and the second half should come in a year. We will have until 2026 to spend these funds.

Council Member Blackham commented that mental health is something that should not be treated lightly and needs someone qualified for the position.

Police Chief Sol Oberg said that we want to have someone who can respond to critical incidents but also help to establish a relationship with the mental health community. Our officers are trained and certified in crisis intervention but it's just a quick fix. Having someone hired specifically as a mental health professional will help our community greatly and they can help families who need help to get down the right path. Oftentimes we respond to calls that involve the same people and this new employee could help work with them better than we can currently.

Council Member Adams said that it would be likely that we will continue to have the need for a mental health professional on staff for more four years. This is an important position and we need to have a plan to evaluate this position in four years to make sure it's something we want to invest in. We also need to be up front with the person that we hire that is planned as a four-year position.

Council Member Tran said that this position could potentially be a contract position rather than a full-time position.

Mayor Witt said that there is more value of having someone hired as an employee rather than a contractor. Mayor Witt said she doesn't see this mental health professional position going away in four years because we will continue to have the need. The hope is that we will have money in the budget in four years to pull their salary from in the four years once this funding has run out.

Council Member Barber commented that our Victim's Advocate obtains grants for their programs and as part of that has to report to Council ever year. Council Member Barber suggested that we have this mental health profession do something similar.

Police Chief Oberg said that they want to be upfront with this person so they know what is expected of them and that there is a chance that in four years the position could be dissolved. We would ask them to show their work, as they do with all of their programs at the police department. This is a position that has been needed for a long time and will be impactful in our community.

Council Member Lortz made a motion to move the American Rescue Plan Funds item to an action item, seconded by Council Member Barber.

Council Member Blackham thanked Staff for the work they have done towards coming to a consensus about where the money should be spent. Our department heads have been entrusted to be responsible for the money allocated for their departments and they should be the ones to make the recommendations for where we most need the funds.

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.

CALL TO THE PUBLIC

Nothing was brought under this item.

ADJOURNMENT

Council Member Adams made a motion to adjourn the City Council meeting at 9:03 p.m., seconded by Council Member Tran and passed unanimously.