

KAYSVILLE CITY COUNCIL
March 21, 2024

Minutes of a regular Kaysville City Council meeting held on March 21, 2024 at 7:00 p.m. in the Council Chambers in Kaysville City Hall at 23 East Center Street, Kaysville, UT.

Council Members present: Mayor Tamara Tran, Council Member John Swan Adams, Council Member Mike Blackham, Council Member Abbigayle Hunt, Council Member Nate Jackson, and Council Member Perry Oaks

Others Present: City Manager Jaysen Christensen, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Community Development Director Melinda Greenwood, Davis County Commissioner Lorene Kamalu, Public Works Director Josh Belnap, Information Technology Assistant Jordan Hansen, Fire Chief Paul Erickson, Police Chief Sol Oberg, Assistant Chief Seth Ellington, Lt. Paul Thompson, Officer Kalawai Delos Santos, Ladd Morrell, Jennifer Brooks, Kim Lee, James Lee, Cheryl K. Tarbet, Jennifer DeCou, Jon Pugmire, Sam Pugmire, Randy Clem, Steve Weir, Bruce McGraw, Gayle McGraw, Dave Weaver, Keith Potter, Alma Farnsworth, Mark Quillen, Amy Lawrence, Erica Harper, Colleen Ostergaard, Marilyn Johnson, Jill Dredge, Tom Eads, Marian Jeffs, Mike Beck, Darlene Schons, Linda Gardner, Steve Gardner, Debra Hill, Justin Lund, Kay Lynn Arnell, Dave Rosser, Scott Steward, Glen Dalton, John Winkelman, Candace Winkelman, Lindsey Pearce, Jennifer Goodfellow, Ryan Goodfellow, Jason Largey, Ron Jugenitz, Kristine Koelling, Carmen Jorgensen, Katie Yates, Kimmy Humphreys, Natalie Stewart, Jana Dalton, Shirley Manning, Paul Legler, Scott Edwards, Julie Edwards, Drew Chamberlain, Laurene Starkey, Val Starkey, Wenfei Yu, Ruth Jones, Ellen King, Mike Lyon, Mike McCrary, Jim Lee

OPENING

Mayor Tran opened the meeting and led the audience in the Pledge of Allegiance.

PRESENTATIONS AND AWARDS

PRESENTATION OF PROCLAMATION AND AWARD TO OFFICER KALAWAI DELOS SANTOS

Mayor Tran introduced a proclamation honoring Officer Kalawai Delos Santos for his bravery and quick actions in apprehending runaway drivers on two separate occasions. The proclamation highlighted Officer Delos Santos' employment history with Kaysville since January 19, 2021, emphasizing his courageous interventions on April 15, 2022, and February 9, 2024. These interventions prevented potential tragedies and saved lives. Officer Delos Santos received recognition from both the Utah Department of Public Safety and the Kaysville Police Department for their exemplary service, earning the Medal of Valor for their remarkable acts of heroism.

Mayor Tran, alongside the Kaysville City Council, proclaimed February 9 as “Kalawai Delos Santos Day” in Kaysville and awarded him a Key to the City.

Mayor Tran expressed her heartfelt appreciation for Officer Delos Santos' bravery, commending his contributions to making Kaysville a safer place for all residents.

KAYSVILLE FIRE DEPARTMENT ANNUAL REPORT

Fire Chief Paul Erickson provided a comprehensive overview of various aspects of the Fire Department's performance and initiatives over the past year. He expressed gratitude for the hard work and dedication of the fire department personnel, noting significant successes despite inherent difficulties in their profession. Chief Erickson gave a breakdown of various aspects of the department's operations, discussing staffing levels, including the number of full-time and part-time employees. He discussed the challenges they are faced with in procuring new engines and ambulances due to extended lead times but expressed optimism for the arrival of these essential vehicles. Transitioning to training initiatives, Chief Erickson emphasized the department's commitment to ongoing education, particularly in advanced areas such as airway management and sedation protocols. He underscored the importance of maintaining high training completion rates. Regarding health and safety measures, Chief Erickson outlined the department's monthly safety meetings and mandatory annual physical exams to ensure personnel fitness for duty. He also mentioned the upcoming firefighter safety stand-down event focused on returning to the basics of fire training. Chief Erickson provided insights into the department's response areas, explaining the geographical distribution of coverage and their interactions with neighboring departments through mutual aid agreements. He presented call data statistics including figures on call volumes, types of incidents, mutual aid interactions, and performance metrics such as response times. He highlighted the department's efforts to meet NFPA standards for response time compliance, acknowledging the challenges posed by real-world scenarios such as traffic conditions. He stressed the importance of remaining vigilant against complacency to uphold the department's high service delivery standards. Chief Erickson discussed the department's adherence to certification requirements for personnel and regular inspections of personal protective equipment to ensure operational readiness. Throughout his presentation, Chief Erickson provided council members with a detailed and transparent account of the fire department's activities, achievements, and ongoing challenges.

DAVIS COUNTY HOMELESS SHELTER UPDATE - COMMISSIONER LORENE KAMALU

Mayor Tran provided historical context regarding the formation of a task force in April 2023, initiated by Commissioner Kamalu in response to a state bill mandating winter response measures for counties. Mayor Tran recounted the task force's deliberations, including considerations for potential shelter locations with wraparound services. Despite initial discussions about allowing billboards to facilitate this effort, Mayor Tran clarified that Kaysville and most other cities in Davis County decided against it in October 2023. The task force has also toured facilities like the Mission Center for Code Blue and "Switchpoint", aimed at exploring options for a Code Blue response and understanding service provision models. Mayor Tran indicated that she had continued to inform the council of ongoing discussions about winter response and Code Blue during city council meetings. This has all lead to tonight's presentation from Commissioner Kamalu's regarding legislative requests this year and task force updates.

Commissioner Lorene Kamalu addressed the council, expressing gratitude for the opportunity to provide information regarding homelessness initiatives in Davis County. She shared insights from her tenure as a planning commissioner in Kaysville and emphasized the importance of public service. Commissioner Kamalu addressed disinformation surrounding homelessness efforts in Kaysville and reiterated her commitment to providing factual updates. She outlined the legislative background of House Bill 299, which mandated Code Blue sheltering and winter response measures for counties lacking shelters, emphasizing the challenges posed by the law's requirements and the need for collaborative solutions. Commissioner Kamalu provided data indicating a higher homeless population in Davis County than previously estimated, citing statistics from various sources and highlighting the role of nonprofits in providing services for the homeless. She discussed the formation and objectives of the task force committee, including the need for a permanent comprehensive facility to address homelessness effectively. Commissioner Kamalu clarified that the task force had not yet determined a site for a facility, as it has been difficult finding suitable land in Davis County. She concluded by highlighting successful models like the “Switchpoint Community Resource Center” in St. George, and underscored the importance of community support in addressing homelessness.

Council Member Jackson expressed gratitude to Commissioner Kamalu for attending and commended the efforts of the taskforce in addressing the challenges posed by the recent state bill. Council Member Jackson inquired about the timeline and actions taken by the task force and the county between October and December 2023 regarding the decision to pursue a permanent shelter instead of a temporary one.

Commissioner Kamalu explained that the task force voted on December 4th to pursue a permanent location. It was a task force decision, not the county. In between task force committee meetings, county staff would work on various tasks discussed by the task force, such as researching properties for sale. A meeting of the Council of Governments was held where a proposed idea was discussed to use the property of a local billboard business as a shelter, but in turn, each city would have to allow them to build a billboard in the city. Discussions about potential locations at the Council of Governments meeting were separate from the task force’s decisions.

Council Member Jackson commented that the state has created this mandate for a shelter but has provided no support or funding. Council Member Jackson asked about the methodology of the task force behind opting for a permanent solution and asked for clarification on what it might entail for Davis County.

Commissioner Kamalu stated that task force meetings were held monthly and they tried to consider any building options within Davis County that could potentially be converted into a shelter. They considered what the needs and data regarding the homeless population in the area, and they were limited on the time they had to come up with a Code Blue solution. They knew that the legislative session was upcoming and that they needed to go to the state to ask for funding. In their December 4th meeting, the task force had agreed that they needed to figure out what they would be asking for in the upcoming legislative session, which is why they held a vote that night. Because of that, they prepared a request for appropriation for funding. In regards to a permanent solution within Davis County, Commissioner Kamalu described a model similar to Switchpoint in St. George, emphasizing its focus on providing comprehensive services and opportunities for the homeless.

Council Member Jackson expressed a desire to tour Switchpoint and mentioned an email from the county, which stated that the task force had requested a tour of the emissions center building in Kaysville to discuss its potential use as a Code Blue shelter for the county. The email mentions an urgency to consider the building because of the upcoming winter. Council Member Jackson said that the council had made it clear in past meetings that they were not insinuating that the building would be used ultimately but just wanted to have an open public discussion to receive feedback. There have been some misunderstandings regarding the use of county facilities within Kaysville during times of Code Blue events.

Commissioner Kamalu clarified that the task force was not considering the emissions facility located in Kaysville that was mentioned in an email from the county. Commissioner Kamalu said that she would have worded the email differently and explained that the intent of the email was the county brainstorming existing locations throughout the county to use as a temporary Code Blue shelter, not a homeless shelter. The county has been offering hotel vouchers to the homeless population on days when the temperature had dropped, but the county was unsure if they would be able to continue offering that through winter. The county health department had mentioned that they were using the emissions center building in the facility after 2024, and she and other members of the task force wanted to tour the building, as they had never been inside of it. Mayor Tran and City Manager Jaysen Christensen were part of that tour. There is a tremendous need and risk that goes along with Code Blue events, and there has been a sense of urgency in finding suitable solutions for the homeless population. Commissioner Kamalu mentioned misinformation that had been circulated throughout Kaysville regarding the establishment of a homeless shelter. She clarified that rumors about hundreds of beds being planned for the city were unfounded and emphasized the need for accurate information dissemination. Commissioner Kamalu encouraged residents to attend public commission meetings for updates and reassured them that decisions regarding homeless services would be transparent.

Council Member Adams agreed with comments made, and added that there are essential components necessary for a successful shelter, including transportation and access to services, referencing Switchpoint in St. George as a model.

Commissioner Kamalu said that it is not required by law to have those services, but any facility working with the homeless population understands the need for providing such services. Several nonprofits and organizations already within the county could provide significant assistance.

Council Member Adams said that the Switchpoint in St. George is surrounded by many businesses and services to support their facility, which Kaysville lacks.

Commissioner Kamalu said that the chances of any form of shelter being in Kaysville would be slim to none.

Council Member Adams asked if there was ever a decision to use any building in Kaysville for either a Code Blue event or shelter.

Commissioner Kamalu replied that there never has been such a decision.

Council Member Adams said that there had been a rumor circulating about the county's interest in purchasing a piece of land near Boondocks, owned by the City, for a potential shelter. He emphasized that this information is untrue. He underscored the city's commitment to finding practical solutions for homelessness while dispelling rumors about potential shelter locations. Council Member Adams expressed empathy for the homeless population and stressed the importance of compassion and sensibility in addressing their needs.

Commissioner Kamalu mentioned that Wayne Niederhauser is heading the Utah Office of Homeless Services and was tasked by the governor to address the complex issue of homelessness and find solutions to meet the needs of the homeless population.

Council Member Oaks expressed concern about the discrepancy between the reported number of homeless high school students and the overall homeless population count in Davis County. Council Member Oaks asked about the criteria for accessing homeless services and questioned the feasibility of bringing organizations like Switchpoint to Davis County.

Commissioner Kamalu responded by explaining the data-driven approach used to identify individuals experiencing homelessness, emphasizing the reliability of data collected by various organizations. She discussed her interactions with Switchpoint and confirmed their interest in expanding to Davis County. Commissioner Kamalu commented on the challenges posed by the lack of funding for homeless services and acknowledged efforts by the state and community to address the issue. She mentioned the allocation of federal relief money for potential homelessness initiatives in Davis County, indicating a commitment to finding sustainable solutions.

Council Member Hunt asked about the deadline for submitting a solution to the state to address homelessness in Davis County.

Commissioner Kamalu explained that a comprehensive plan must be submitted by August, and it does not have to state where the facility will be located. The final submission will be due in August 2026.

Mayor Tran added that the plan serves as a proactive measure to address homelessness.

Commissioner Kamalu elaborated on the funding challenges and mentioned the role of mitigation funds allocated by the state to support homelessness initiatives. Community resource centers also receive funding as long as they qualify. Commissioner Kamalu highlighted the need for permanent supportive housing and discussed the progress of Davis Behavioral Health's facility, which received funding to build sixty units on Main Street in Layton. Commissioner Kamalu thanked the Mayor and other attendees for having her at the meeting. She expressed her willingness to answer any further questions and mentioned that the County Commission would be visiting the city council again in the future. Commissioner Kamalu then excused herself from the meeting.

CALL TO THE PUBLIC

Drew Chamberlain advocated for rejecting any unfunded mandates from the state and suggested

suing the state if necessary. He suggested allowing the homeless population to use city halls during Code Blue events. He also shared his experience interacting with homeless individuals and suggested that many choose to be homeless to avoid responsibilities like child support.

Scott Edwards expressed concerns about the proposed location of the emissions center for a Code Blue shelter, citing his ownership of property and a business across from the emissions center. He stated that if the emissions center were to be used for Code Blue events, the business on his property would relocate elsewhere. Additionally, Mr. Edwards noted his disappointment that Commissioner Kamalu had left the meeting early before hearing public input. He recounted previous discussions with Commissioner Kamalu regarding support for homeless initiatives, expressing that her statements made tonight contradicted what he had been told before. Mr. Edwards emphasized the importance of clear communication with elected officials regarding support for or opposition to homeless initiatives. He also mentioned conversing with a homeless couple who expressed satisfaction with being part of the homeless population due to government-provided assistance.

Marian Jeffs voiced concerns regarding what appeared to be a shift in Commissioner Kamalu's comments tonight, from discussing a temporary Code Blue facility to a permanent homeless facility in Davis County. Ms. Jeffs expressed apprehension about the potential negative impacts such facilities could bring to the community, drawing parallels to cities like Seattle and Portland where increased drug use and crime rates have been observed. Ms. Jeffs emphasized her belief that such facilities would adversely affect Kaysville, stating that there is no suitable location in the city for a Code Blue or shelter facility.

Jennifer Brooks expressed concerns about the lack of transparency and public input in the initiatives related to homeless services in Davis County. She questioned the necessity and evidence behind various programs and initiatives targeting homelessness in the county.

Jim Lee shared concerns about the challenges of helping homeless individuals that have severe mental illness and substance abuse issues. He referenced examples of problematic homeless encampments and emphasized the need to protect communities, particularly children, from potential dangers associated with homelessness.

Bruce McGraw expressed concerns about the limited involvement of the general public in the decision-making processes regarding homelessness, noting the exclusion of public participation in the task force. He also raised questions about the possible inclusion of undocumented immigrants in homeless initiatives and emphasized security concerns, citing evidence suggesting that many immigrants are involved in violent criminal activities prior to immigrating here.

Jason Largey urged for an independent audit of the data used to inform homeless initiatives in the county. He expressed worries about the adverse effects of situating homeless facilities near residential areas or places frequented by children. Additionally, he voiced concerns that sanctuary counties or cities may not enforce immigration laws if a facility like Switchpoint is established locally, pointing out that some immigrants with criminal backgrounds are deliberately sent to such places. Mr. Largey requested continued police enforcement of laws related to panhandling, homelessness, vagrancy, and similar issues.

Mark Quillen requested that clear statements be given by elected officials confirming that homeless shelters would not be established in Kaysville. While acknowledging residents' compassion for the homeless population and their desire to help, he expressed concerns about the potential negative impacts of facilities like Switchpoint on the community, particularly regarding crime and safety issues. Mr. Quillen emphasized the need to locate such facilities away from residential areas. He also warned that if a homeless facility were established in the area, cities outside of Davis County might transport homeless individuals to Kaysville because they do not want them in their own areas.

Mike Lyon argued that the proposed emissions site for a homeless facility in Kaysville would have sufficient access to transportation, services, and open spaces. He pointed out that nearby neighborhoods have many open spaces that could potentially become areas where the homeless camp long-term, which would pose challenges for HOAs. Mr. Lyon asserted that the local police force is equipped to handle any disturbances that may arise from a homeless Code Blue facility and disputed claims that the emissions center site was unsuitable, urging officials to consider the facts objectively.

Mayor Tran reiterated Kaysville's consistent stance against hosting homeless shelters within Kaysville and emphasized the need for data-driven decision-making. She clarified the distinction between temporary Code Blue responses and permanent homeless facilities and assured residents that their concerns were being taken seriously. She stressed the importance of community input and transparency in decision-making processes related to homelessness.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

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

- a) Approval of Minutes of January 18, 2024 City Council Work Session.
- b) Approval of Minutes of January 18, 2024 City Council Meeting.
- c) Approval of Minutes of January 18, 2024 Kaysville Business Park Architectural Review Committee Meeting.
- d) Approval of Minutes of February 1, 2024 City Council Meeting.
- e) Approval of Minutes of February 2, 2024 City Council Work Session.
- f) Approval of Minutes of February 15, 2024 City Council Meeting.
- g) Appointment of RAMP Advisory Board Members.
- h) Approval of Sanitation Contract Extension.

Council Member Oaks seconded the motion.

The vote on the motion was as follows:

Council Member Adams, yea

Council Member Hunt, yea
Council Member Jackson, yea
Council Member Oaks, yea
Council Member Blackham, yea

The motion passed unanimously.

ACTION ITEMS

AN AMENDMENT TO THE KAYSVILLE CITY CONSOLIDATED FEE SCHEDULE RELATED TO DEVELOPMENT REVIEW FEES

Public Works Director Josh Belnap explained that last year's legislative changes regarding the development review process prompted discussions within city Staff about the potential need to adjust development review fees. The aim is to ensure that the City's time and resources expended during development review are appropriately accounted for. After receiving input from elected officials and residents, Staff has settled on additional fees that would be applied based on the action requested (such as subdivision review, lot line adjustments, easement vacations, etc.) and the complexities of the site (including steep terrain, streams/ditches, coordination required with other cities/agencies, FEMA floodplain). Despite the city's efforts to maintain a good fiscal standing amid high inflation, the rate of projects and increased costs has made this increasingly difficult. Therefore, Staff believes it is prudent to make this adjustment now.

Mayor Tran opened the public comment period for this item.

There were no comments or questions from the public.

Council Member Hunt asked about changes to the fee schedule for subdivision development compared to previous discussions. She noted a shift from concrete numbers to percentages in the current document.

Josh Belnap clarified that the concrete numbers discussed previously were hypothetical examples used to demonstrate how the fee schedule would be applied to different scenarios. The percentages outlined in the document, on the other hand, indicate how developers would calculate fees based on specific characteristics of the subdivision.

Council Member Hunt asked about whether the proposed fees would adequately cover the costs of subdivision review.

Josh Belnap explained that while the objective for proposing these fees is cost recovery, the fees are conservative estimates and not intended for revenue generation. Mr. Belnap said that he feels that the proposed fees will be sufficient, and cited comparisons with practices in other communities' and adjustments made to ensure accurate numbers.

Council Member Jackson emphasized the importance of ensuring that all costs are covered without having to draw funds from the city's general or water funds. He stated that any doubts about the adequacy of the proposed fees should be addressed now.

Josh Belnap reassured that they had considered potential variations in costs when determining the fees and reiterated their belief that the proposed fees would be adequate.

Council Member Oaks echoed Council Member Jackson's concerns about potentially subsidizing developers at the expense of taxpayers, emphasizing the importance of adequately covering expenses.

Council Member Blackham expressed appreciation to Mr. Belnap for his efforts and the justification of the proposed fees. He expressed frustration over potential misconceptions that the city is not striving to promote more affordable housing, when the city's goal is simply to cover our costs. We will likely see developers passing these fees on to homebuyers.

Mayor Tran reiterated the importance of not subsidizing development fees with taxpayer dollars. She emphasized the importance of having hard conversations to ensure financial responsibility within the city.

Council Member Oaks made a motion to approve an amendment to the Kaysville City Consolidated Fee Schedule related to development review fees, seconded by Council Member Hunt.

The vote on the motion was as follows:

Council Member Hunt, yea
Council Member Jackson, yea
Council Member Oaks, yea
Council Member Blackham, yea
Council Member Adams, yea

The motion passed unanimously.

COUNCIL MEMBER REPORTS

Council Member Hunt noted the progress made by the Communities that Care group for Davis County, mentioning that they had met recently and developed a name and vision statement.

Council Member Oaks indicated that with the council's approval of the RAMP members, they would be scheduling a meeting for mid-April to begin reviewing applications.

Council Member Adams informed the council that meetings had commenced to plan the city's Fourth of July celebrations. Additionally, he mentioned the upcoming annual Easter Egg Hunt at Barnes Park on March 30th.

Mayor Tran reiterated the council's united stance that Kaysville is not a suitable location for a homeless or Code Blue facility. However, she noted that if the county or the state were to decide to establish such a facility on property they own within the city, Kaysville would have limited

influence over the decision.

CLOSED SESSION

Council Member Oaks made a motion to recess the city council meeting at 9:16 p.m. and convene into a closed session to discuss the character, professional competence, or physical or mental health of an individual, in conformance with Utah State Code §52-4-205. The motion was seconded by Council Member Jackson and passed unanimously.

Council Member Blackham made a motion to extend the meeting past 10:00 p.m., seconded by Council Member Hunt and passed unanimously.

Council Member Oaks made a motion to adjourn the closed session at 10:07 p.m. and reconvene into the city council meeting, seconded by Council Member Hunt. The motion passed unanimously.

ADJOURNMENT

Council Member Hunt made a motion to adjourn the city council meeting at 10:08 p.m. The motion passed unanimously.