

KAYSVILLE CITY COUNCIL
SEPTEMBER 1, 2015

Minutes of a special meeting of the Kaysville City Council held September 1, 2015 at 6:30 p.m. in the City Council Chambers of the Kaysville City Municipal Center.

Council Members present: Mayor Steve Hiatt, Mark Johnson, Ron Stephens, Jared Taylor, Brett Garlick and Susan Lee.

Others present: City Manager John Thacker, Recorder Linda Ross, Engineer Andy Thompson, Zoning Administrator Lyle Gibson, Davis County Commissioners Jim Smith, Bret Millburn, and John Petroff, Carole Walker, Margaret Brough, Brigg Lewis, Orwin Draney, Jackie Coombs, and Robyn Dickson.

Commissioner Millburn stated that the Davis County Commission came this evening to receive information from citizens and to provide a question and answer forum for Davis County matters. He wanted to know what issues the City is dealing with and if there are any concerns that the City Council may have regarding County matters.

Council Member Garlick wanted to know why Davis County decided to dissolve the Davis County Justice Court.

Bret Millburn stated that a justice court is not fun to administrate and the County believes they are not the best model for the court system. They determined that is not the business they want to be involved in. He believes that a good solution was reached by changing court administration to the jurisdiction of Farmington. The County and some cities will now be contracting with Farmington for court services.

Council Member Stephens wanted to know the County's perspective as to their role regarding storm water and how that interrelates to cities.

John Petroff stated that the County's responsibility is to get water from the mountain to the lake. It is up to the County to keep channels clean and make sure the water runs through cities. Today, homes have been built around channels which makes it more challenging. For the most part, landowners are great to work with but stream channels have become amenities to landowners. He explained that the County has spent \$28 million recently on storm channel work.

Council Member Lee wanted to know how involved the County is with the North Davis Corridor and planning where that road will go.

John Petroff stated that property for that corridor in West Point has been dedicated for a long time. He is working as closely as he can to get it in the right place. He is in favor of the process but believes that the process needs to be correctly followed.

Council Member Lee wanted to know if big trucks will be allowed on this road or if the road will be similar to Legacy Highway where large trucks are prohibited.

John Petroff stated that he doesn't know if trucks will be allowed or not.

Jim Smith stated that the County will not have a big voice on this project. UDOT will totally control that. He also believes that it is critical that the process be followed step-by-step.

Council Member Garlick wanted to know what the most important issue is that the County faces at this time.

Jim Smith stated that he believes the biggest challenge at this time is coping and preparing for growth. Getting infrastructure in place for the growth that will be coming is a challenge. A school bond, local option sales tax, and RAP taxes will appear on the November ballot which all deal with growth issues. Growth is his biggest concern.

Bret Millburn stated that growth is a challenge at this time but it also brings great opportunity. Great economic development is happening and jobs are being generated.

John Petroff stated that he is learning about modern technology to deal with trash at the landfill. Because of new technology, the estimated life of the landfill has been extended to 30 years. He believes that the County is lucky to have a Landfill Director that understands technology and is applying it.

Mayor Hiatt thanked the County Commissioners for their great work.

The meeting was adjourned at 7:00 p.m.

KAYSVILLE CITY COUNCIL
SEPTEMBER 1, 2015

Minutes of a regular meeting of the Kaysville City Council held September 1, 2015 at 7:00 p.m. in the City Council Chambers of the Kaysville City Municipal Center.

Council Members present: Mayor Steve Hiatt, Mark Johnson, Ron Stephens, Jared Taylor, Brett Garlick and Susan Lee.

Others present: City Manager John Thacker, Recorder Linda Ross, Engineer Andy Thompson, Zoning Administrator Lyle Gibson, Police Chief Sol Oberg, Park Superintendent Vance Garfield, Louise Shaw-Clipper, Ron Zollinger, Margaret Brough, Orwin Draney, Carole Walker, Edwin Zollinger, Brian Silkey, Jackie Silkey, Sharon McKinlay, Marily Gren, Diane Morrell, Brent Barney, Carole Barney, Maxine Rodgers, Tom Wood, Carri Blackham, Mike Blackham, Paul Thompson, Bryan Barry, Shawn McKinnon, Preston Benoit, Katie Witt, Brayden Ferland, Jason Ferland, Robyn Dickson, Laurel Edwards, Farrell Edwards, Jake Garn, Zelan Garn, Gavin Garn, Brigg Lewis, Myron Taylor, Carol Taylor, Marian Speirs, Robert Speirs, Sally Taylor, Jackie Coombs, JaNae Francis, John McCleary, Kaeleen McCleary, Gary Baker, Emma Baker and Kristi Taylor.

VOLUNTEER OF THE MONTH RECOGNITION

Council Member Garlick recognized Farrell Edwards as Volunteer of the Month. Farrell has coached over 300 kids on 30 different teams. He loves creating a rich, safe, fun environment for his teams and is happy if they have a great time, care about each other, and play a little better.

YARD AND GARDEN AWARDS

Council Member Taylor explained that a business known as Silkey Skin was nominated to receive the Yard and Garden Award this month. He congratulated them and presented them with gift certificates from Tri-City Nursery, Joe's Greenhouse and Taco Time.

Ron Zollinger, Chairman of the Yard and Garden Committee, thanked members of the committee and explained that they are completing their 4th year. He also thanked Council Member Taylor who has been the Council liaison for this committee and thanked businesses who have partnered with them, Bowmans, Tri City Nursery, Ace Hardware, Joe's Greenhouse and Taco Time. He then asked members of the committee to talk about the Yard and Garden website and what this committee does for the community.

Edwin Zollinger stated that he is donating \$400 to this committee and will look into getting them a grant.

PRESENTATION TO OUTGOING COUNCIL MEMBER JARED TAYLOR

Mayor Hiatt presented outgoing Council Member Jared Taylor with a plaque and thanked him for serving from January 4, 2010 to September 1, 2015. He appreciates his desire to learn and to serve. Council Member Taylor is resigning from his position because he is moving to Layton City.

Council Member Taylor stated that it has been an honor to work with Mayor Hiatt, the City staff, and the Council Members and to serve the community.

Police Chief Oberg presented Council Member Taylor with Police Department memorabilia and stated that he appreciates Council Member Taylor's interest in public safety. He explained that Council Member Taylor took time out of his schedule to talk to and support the officers one-on-one in order to learn about their challenges.

CALL TO THE PUBLIC

Margaret Brough distributed a copy of the history of the Happy Hollow Pageant that was held from 1976 to 1992 and asked the Council Members to read it and learn about it.

REZONE OF 1.19 ACRES OF PROPERTY AT 50 EAST 220 NORTH FROM GC (GENERAL COMMERCIAL) TO PU (PUBLIC USE)

Andy Thompson explained that Kaysville City is requesting this rezone. The property is located directly adjacent to Heritage Park. Recently, the property was acquired by the City for additional parking to better accommodate the use and attendance at the park. The PU zone is much more limited in the uses that are allowed but it fits more appropriately with the existing zoning of the park and the use of parking in connection with the park facility and the library. The permitted uses of the zone are limited to agriculture and public facilities (parks and cemeteries). The Planning Commission recommended approval.

Council Member Garlick made a motion adopting Ordinance No. 15-9-1, Rezoning 1.19 Acres of Property at 50 East 220 North from GC to PU, second by Council Member Taylor.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

REZONE OF 0.39 ACRE OF PROPERTY AT 186 NORTH 100 EAST FROM R-D (DIVERSE RESIDENTIAL) TO PB (PROFESSIONAL BUSINESS)

Andy Thompson explained that Ron Wright is requesting this rezone. The property is across the street from the CC zone district as well as the new library and park which is zoned PU and is on an arterial street (200 North). The existing zoning primarily allows for single family dwellings with an exception to permit the continued use of some existing multi-family dwellings. The PB zone would permit business and professional offices. A public hearing was held at which time an adjacent property owner to the south questioned the intent of the rezone but did not express opposition. The Planning Commission recommended approval.

Council Member Taylor made a motion adopting Ordinance No. 15-9-2, Rezoning 0.39 Acre of Property at 186 North 100 East from R-D to PB, second by Council Member Garlick.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

FIELD OF DREAMS SUBDIVISION PRELIMINARY PLAT

Andy Thompson explained that this subdivision is located at 1133 and 1111 West Webb Lane and consists of six lots. Bryan Sorensen previously presented a three lot subdivision which included two flag lots. He has since started working in cooperation with the adjacent landowner to the east Mike Blackham, on a six lot private lane subdivision. The current proposed arrangement will create a subdivision that includes two existing homes which front Webb Lane and four new lots which will be accessed from the private street. The subdivision consists of 3.22 acres of property. The Planning Commission recommended approval.

Council Member Lee stated that when Bryan Sorensen came before the Council recently for flag lot approval he was asked to provide a 50' setback on the south end of his property. She wonders if the Blackham property should also provide a 50' setback.

Andy Thompson explained that there will be less impact from the Blackham property because it does not directly affect the property owner to the south who did not want a home built close to his property.

Council Member Taylor made a motion granting preliminary plat approval for Field of Dreams Subdivision, second by Council Member Stephens.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

EXCHANGE OF PROPERTY FOR EASEMENTS AT 727 SOUTH SUNSET DRIVE

John Thacker explained that the property acquired from Davis County for the trail connecting the Rail Trail to Centennial Jr. High School contains a storm drain which is outside of the trail fence. The storm drain is connected to a ditch on the Douglas Tate property. Mr. Tate has been maintaining and will continue to maintain the property outside the fence and grant an easement over the storm drain and the storm drain ditch in exchange for conveying that strip of property to him. The City needs utility easements for the entire storm drain so a Quit Claim deed would convey 6,579 square feet of property for 7,903 square feet of utility easements.

Council Member Garlick made a motion to exchange 6,579 square feet of property with Douglas Tate for 7,903 square feet of utility easements, second by Council Member Stephens.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

AMENDMENT OF CHAPTER 17-33 SIGN REGULATIONS, OF TITLE 17, PLANNING AND ZONING, OF THE REVISED ORDINANCES OF KAYSVILLE CITY

Lyle Gibson explained that the Council reviewed proposed revisions to the sign regulations at their last meeting. A concern was expressed about allowing larger Electronic Message Center signs. Currently, the City does not allow off-premise signs, including billboards. City staff was asked to check with the Utah League of Cities and Towns to make sure that the proposed changes didn't unintentionally move the City in a direction that might force the City to allow these sign types. Staff discussed the proposed changes and concerns with Jodi Hoffman, the Utah League of Cities and Towns staff member who specializes in land use law, legislation, and politics. Because the proposed changes do not change the existing language that lists an off-premise sign as a prohibited sign, the ability to prohibit such sign types remains. The Planning Commission recommended approval of the proposed changes.

Council Member Taylor made a motion adopting Ordinance No. 15-9-3, Amending Sections 17-33-4, Definitions, 17-33-7, General Sign Provisions, and 17-33-9, Signs Permitted by Zone, of the Revised Ordinances of Kaysville City, second by Council Member Garlick.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

APPROVAL OF MODIFICATIONS TO THE APPROVED SECOND AMENDATORY POWER SALES CONTRACT BETWEEN INTERMOUNTAIN POWER AGENCY AND KAYSVILLE CITY CORPORATION

John Thacker explained that the City has approved the Second Amendatory Power Sales Contract between Intermountain Power Agency (IPA) and Kaysville City Corporation which provides for the repowering of the Intermountain Power Project (the "Project") with natural gas. Modifications have been made to the Contract during the approval process so approval of those modifications is requested. The modifications allow alternatives to gas repowering of the Project.

Council Member Johnson made a motion approving Modifications to the Approved Second Amendatory Power Sales Contract Between Intermountain Power Agency and Kaysville City Corporation, second by Council Member Taylor.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

**APPROVAL OF CARBON FREE PROJECT STUDY PHASE SITING AGREEMENT
BETWEEN UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS AND KAYSVILLE
CITY**

John Thacker explained that Kaysville City is a participant in the Carbon Free Power Project (“CFPP”) formed by Utah Associated Municipal Power Systems (“UAMPS”). CFPP was formed to pursue development of a facility that can house up to 12 NuScale nuclear power modules that can each generate up to approximately 50 megawatts of electric power. The anticipated commercial operation date for the first such nuclear power module is currently scheduled to occur in late 2023. The current work of the CFPP is project site selection, characterization for NRC application and related matters described in the CFPP Study Phase Siting Agreement. Kaysville City’s participation cost will be 2.9% of the Study Phase costs less adjustments, paid monthly. To continue investigation of this future electric energy resource, approval of the Carbon Free Power Project Study Phase Siting Agreement Between Utah Associated Municipal Power Systems and Kaysville City is recommended.

Council Member Garlick wanted to know what the total cost for Kaysville City would be for this study.

Jackie Coombs, representing Utah Associated Municipal Power Systems (UAMPS), explained that the total cost for the project is anticipated to be \$6.3 million. Anticipated costs of the first phase is \$3 million of which Kaysville’s cost is estimated to be \$153,187. If the project exceeds 20% of the budget and at the end of every phase, Kaysville City has the ability to withdraw.

Council Member Taylor made a motion approving the Carbon Free Project Study Phase Siting Agreement Between Utah Associated Municipal Power Systems and Kaysville City, second by Council Member Lee.

The vote on the motion was as follows:

- Council Member Johnson, yea
- Council Member Stephens, yea
- Council Member Taylor, yea
- Council Member Garlick, yea
- Council Member Lee, yea

The motion passed unanimously.

COUNCIL MEMBER REPORTS

Council Member Garlick stated that the foundation for the cabin at Heritage Park has been poured and the cabin should be in place in a few months.

Council Member Taylor stated that the Community Development Department has been making some changes and working on different ways to communicate with the public. He has enjoyed attending Planning Commission meetings during his tenure on the City Council.

MINUTES

Council Member Taylor made a motion approving the August 12, 2015 and August 18, 2015 City Council minutes, second by Council Member Johnson.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

CLAIMS

Council Member Taylor made a motion approving claims in the amount of \$645,115.87, second by Council Member Garlick.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

CALENDAR

The Council Members reviewed a three month calendar.

Mayor Hiatt recommended the following process to appoint a replacement for Council Member Taylor:

- The position will be posted on the City website and marquee September 2 until September 17.
- The position will be published in the Davis County Clipper on September 3, 10 and 17.
- Applications will be accepted until September 17 at 5:00 p.m.
- As applications are received, they will be sent to Council Members for review.
- A special City Council meeting will be held on September 22 to interview applicants and appoint a replacement.

Council Member Garlick made a motion to adopt the recommended process for replacement of Council Member Taylor, second by Council Member Johnson.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

CLOSED MEETING TO DISCUSS PERSONNEL AND PURCHASE AND SALE OF PROPERTY

Council Member Taylor made a motion to adjourn the City Council meeting at 8:15 p.m. and reconvene into a closed meeting to discuss personnel and purchase and sale of property, second by Council Member Garlick.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

Council Member Taylor made a motion to adjourn the closed meeting at 9:55 p.m. and reconvene into the City Council meeting, second by Council Member Garlick.

The vote on the motion was as follows:

Council Member Johnson, yea
Council Member Stephens, yea
Council Member Taylor, yea
Council Member Garlick, yea
Council Member Lee, yea

The motion passed unanimously.

Council Member Taylor made a motion for adjournment at 9:55 p.m., second by Council Member Stephens and passed unanimously.