

KAYSVILLE CITY COUNCIL
JUNE 16, 2015

Minutes of a regular meeting of the Kaysville City Council held June 16, 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, Finance Director Dean Storey, Engineer Andy Thompson, Zoning Administrator Lyle Gibson, Police Chief Sol Oberg, Parks and Recreation Superintendent Vance Garfield, Fire Chief Brett Larkin, Paul Thompson, Tim Barlow, Andy Barlow, Lelaine Barlow, Blake Webster, Margaret Brough, Gavin Young, Tyler Young, Rick Johnson, Linda Johnson, Rob Parry, Sarah Parry, Gregory Frank, Katie Witt, Dale Lisby, Kate Lisby, Jay Gunnell, Jerry Goodspeed, Lorene Kamalu and Bobby Johnston.

PRESENTATION TO OFFICER TIM BARLOW

Chief Sol Oberg explained that Detective Tim Barlow is retiring. Officer Barlow has been an officer for 21 years and has done an incredible job. He was recently appointed Resource Officer of the Year. Chief Oberg also thanked Officer Barlow's wife for the support she has given to her husband.

Mayor Hiatt congratulated Officer Barlow for 21 years of service and presented him with a plaque.

Tim Barlow stated that he appreciates living in neighborhoods where kids can be safe. That was a great motivator for him to get into this line of work and serving in Kaysville has been a wonderful opportunity for him.

YARD AND GARDEN AWARDS

This item was postponed.

CALL TO THE PUBLIC

Rick Johnson thanked the Council and Andy Thompson for the solution reached regarding his irrigation concerns.

Blake Webster explained that he has reviewed a draft of the Traffic Calming Guidelines but has not had time to study that document in detail. He requested that the Council table adoption for two weeks so he can study it further with his neighbors.

Kim Blackburn stated that he believes it is different when the City Council allows flag lots in an undeveloped area as opposed to when flag lots are placed in established neighborhoods. He believes that placing them in established neighborhoods is invasive. There is also a chance that one property owner could request a flag lot and the neighbor next door could also request one, creating two flag lots side-by-side. That looks more like a road rather than a driveway. He asked the Council to consider not allowing the drive to be part of the required lot area and to require more acreage for flag lots.

Margaret Brough asked the Council to justify why there is a need for another Assistant Fire Chief and Police Detective as listed in the FY 2016 budget. She also wants to know what the loan to the Redevelopment Agency will be used for.

Susan Harris asked if there will be a lot of lighting around the new Maverik store on 200 North and if there will be access from 200 North into that store.

Andy Thompson stated that Maverik is required to direct lighting on their property and entry only from 200 North will be allowed.

Susan Harris wanted to know if four lanes will ever be painted on the 200 North overpass.

Mayor Hiatt stated that two lanes were painted on the overpass when it was first constructed. The City is currently in negotiations with insurance companies regarding failed panels on the side of the overpass. The City hesitates to modify any of the overpass construction for fear of jeopardizing any negotiations. It may be some time before this issue is completely resolved.

REZONE OF 3.0 ACRES OF PROPERTY AT 107 WEST SHEPARD LANE FROM R-A (AGRICULTURAL RESIDENTIAL) TO R-1-LD (RESIDENTIAL SINGLE FAMILY LOW DENSITY)

Andy Thompson explained that Shepard's Landing Subdivision was recently approved subject to the newly acquired three acre parcel being rezoned to the R-1-LD zone. The three acre parcel was added to the plat to accommodate the desired road pattern. The new parcel is requested to be rezoned to match the rest of the project. The R-1-LD zone is consistent with the General Plan and surrounds this property on two sides. The Planning Commission held a public hearing and recommended approval.

Council Member Garlick made a motion adopting Ordinance No. 15-6-6, Rezoning 3.0 Acres of Property at 107 West Shepard Lane from R-A to R-1-LD, 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.

FLAG LOT CRITERIA

Lyle Gibson stated that City staff recently reviewed the history of flag lot subdivisions. In 2008, an adhoc committee consisting of nine Kaysville residents reviewed polices and ordinances relating to infill development, which included flag lots, small cluster subdivisions, and multi-family homes and then gave recommendations, including possible ordinance changes, to the Planning Commission. The Planning Commission then passed on recommended changes to the City Council, which the Council adopted and which is the ordinance in effect today. Items considered were: not allowing infill, restricting or prohibiting infill based on zoning, making all these types of developments an overlay zone that would give the City Council discretion to deny it, no multi-family in these types of developments, larger area and larger lot sizes, increased setbacks, no double flags, no stacked doubles which would mean only side-by-side flag lots, orientation of the house on flag lot subdivisions, house height and scale and how it related to other buildings, fencing, limiting minimum size of flag lots, architectural review, architectural compatibility, accessory buildings and how they were affected, requiring additional separation between the main building on a flag lot and any accessory buildings, and just leaving the ordinance alone and being less restrictive. Most of the suggestions from the committee were accepted and adopted. The committee had suggested not including the area of the flag staff, but that was ultimately not adopted.

Council Member Stephens questioned whether a 20' setback is sufficient. At the last Council meeting, the Council worked out a solution on setback that seemed to work for all concerned.

Lyle Gibson stated that each lot is unique and discretion by the City Council is allowed because of the PRUD overlay zone. The City is seeing new development west of I-15 now because most of those lots are one-half acre in size.

Council Member Garlick stated that he believes if there is new development in an area requesting flag lots, then the current ordinance is sufficient. He struggles with flag lots adjacent to existing homes. Perhaps the City Council needs to be more restrictive and require additional setback in those areas. The Council should consider the right of a property owner who wants to develop as well as looking out for property owners adjacent to that property.

Mayor Hiatt stated that the City has an ordinance in place regarding flag lots and the City Council has some discretion regarding flag lots. He believes the ordinance should list language so there is some continuity so if a developer is looking to develop a flag lot subdivision they can determine if it will be allowed. He asked City staff to prepare an ordinance which tries to implement language about impact to adjacent structures. He believes the Council should also get feedback from residents who have expressed concern about flag lots recently.

Council Member Lee stated that she believes the Council should consider whether or not they would allow two flag lots side-by-side.

Council Member Garlick wanted to know if the City allows a private lane subdivision to include their street in the acreage.

Andy Thompson stated that the City does allow that.

Council Member Garlick recommended that the City be consistent with flag lot subdivisions and private lane subdivisions. Perhaps the ordinance should prohibit allowing a double flag lot to be built adjacent to property that already has a double flag lot.

Council Member Lee wanted to know if someone could share a road if they wanted to develop a double flag lot next to another flag lot.

John Thacker stated that they could convert their staff to a road if they had enough area in the lot after they removed the staff from the lot area.

Council Member Garlick made a motion to table this matter, asking City staff to bring back a draft ordinance that addresses side-by-side flag staffs, and increasing setbacks if the property is adjacent to existing structures, and asking City staff to obtain recommendations from citizens who have commented recently in Council meetings about flag lots, 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.

ADOPTION OF TRAFFIC CALMING GUIDELINES

Council Member Garlick made a motion to table this item until Blake Webster has had a chance to discuss these guidelines with his neighbors, 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.

APPROVAL OF AGREEMENT WITH UTAH STATE UNIVERSITY REGARDING CONSTRUCTION OF INFRASTRUCTURE AT THE BOTANICAL CENTER AND RESEARCH FARM

John Thacker explained that this Agreement outlines the respective responsibilities of Kaysville City and USU in constructing infrastructure, funded by State appropriation, at the Botanical Center and Research Farm. The City will be doing some of the work but most will be done by USU.

Council Member Johnson made a motion approving the Agreement with Utah State University regarding construction of infrastructure at the Botanical Center and Research Farm, 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.

APPOINTMENT OF PLANNING COMMISSION MEMBER

Mayor Hiatt explained that three citizens applied for the open position on the Planning Commission. After interviewing them, he recommends that Josh Sundloff be appointed to serve a four year term on the Planning Commission.

Council Member Garlick made a motion appointing Josh Sundloff to the Planning Commission for a term of four years, 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.

ADOPTION OF RESOLUTION AMENDING THE KAYSVILLE CITY BUDGETS FOR FISCAL YEAR 2015

Dean Storey stated that a public hearing was held two weeks ago and the reasons for amending the Fiscal Year 2015 budget were explained at that time. This Resolution would amend the General Fund budget, the Capital Projects Fund budget, and the Debt Service Fund Budget.

Council Member Lee expressed concern about transferring funds from utility funds. Rather than going that route, she wanted to know if there is a way to do direct costing instead so that wouldn't be necessary.

Dean Storey explained that there are two ways to make interfund transfers for utility services. One is the direct cost method where services are provided to governmental funds and a cash transfer is made to the enterprise funds. The other way is a non-cash transfer where expenditures are itemized and revenue is included as other financing sources on the balance sheet.

Council Member Taylor made a motion adopting Resolution No. 15-6-1, Amending the Kaysville City Budgets for Fiscal Year 2015, 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.

ADOPTION OF ORDINANCE ADOPTING THE KAYSVILLE CITY BUDGETS FOR FISCAL YEAR 2016, THE CONSOLIDATED FEE SCHEDULE, A COMPENSATION SCHEDULE FOR CITY OFFICIALS AND EMPLOYEES AND THE CERTIFIED TAX RATE FOR FISCAL YEAR 2016

Dean Storey explained that he has received the certified tax rate calculation from the State Tax Commission of .001782, which needs to be adopted as part of the budget.

Council Member Taylor made a motion adopting Ordinance No. 15-6-7, Adopting the Kaysville City Budgets for Fiscal Year 2016, Adopting a Consolidated Fee Schedule, Adopting a Compensation Schedule for City Officials and Employees and Adopting the Certified Tax Rate of .001782 for Fiscal Year 2016, 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.

ADOPTION OF RESOLUTION AUTHORIZING KAYSVILLE CITY TO LOAN FUNDS TO THE KAYSVILLE CITY REDEVELOPMENT AGENCY TO BE USED FOR PURPOSES AUTHORIZED IN THE KAYSVILLE CITY REDEVELOPMENT AGENCY BUDGETS FOR FISCAL YEAR 2015 AND FISCAL YEAR 2016

Dean Storey explained that the Redevelopment Agency is a separate entity. The City loans funds to the Redevelopment Agency from the General Fund awaiting tax increment financing. As tax increment comes in, the loan is repaid. The economic development activities are now accounted for in the Redevelopment Agency Fund. It is necessary to borrow money from the General Fund to make those payments related to the project areas.

Mayor Hiatt stated that when Proposition 5 passed, the City Council had to determine how to allocate current properties. The liability on properties the City purchased didn't go away just because the method went away, so the City Council moved the liability to the Redevelopment Agency.

Council Member Stephens stated that the City is not going to a loaning institution to borrow this money. The City has the funds.

Council Member Taylor made a motion adopting Resolution No. 15-6-2, Authorizing Kaysville City to Loan Funds to the Kaysville Redevelopment Agency to be Used for Purposes Authorized in the Kaysville Redevelopment Agency Budgets for Fiscal Year 2015 and Fiscal Year 2016, second by 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.

ADOPTION OF RESOLUTION ADOPTING REVISED WATER UTILITY RATES FOR KAYSVILLE CITY

Dean Storey explained that the Fiscal Year 2016 budget includes an increase in water rates.

Council Member Taylor made a motion adopting Resolution No. 15-6-3, Adopting Revised Water Utility Rates for Kaysville City, 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.

ADOPTION OF RESOLUTION ADOPTING REVISED SEWER COLLECTION, TREATMENT AND IMPACT FEES FOR KAYSVILLE CITY

Dean Storey explained that the Central Davis Sewer District modified their rates effective July 1, 2015. This Resolution provides for an increase in sewer rates which is a pass through to the Sewer District.

Council Member Taylor made a motion adopting Resolution No. 15-6-4, Adopting Revised Sewer Collection and Treatment and Sewer Impact Fees for 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.

COUNCIL MEMBER REPORTS

Council Member Garlick thanked the Parks Department for the beautiful new landscaping around City Hall and the Police Station. He also explained the activities that will be held on July 4th. He stated that the Arts & Music Festival that was held last Saturday at Heritage Park was a great success.

Council Member Taylor stated that the Yard and Garden tour will be this Friday and Saturday. He thanked the Community Development Department, especially Andy Thompson who meets with citizens continually. The workload in this department has increased significantly yet they have maintained the same number of staff.

Council Member Stephens stated that he met with concerned residents on Haight Creek Drive. The most positive thing about the meeting was the effectiveness of the presence of police officers and compliments they received on how safety concerns were handled and the carryover effect.

Council Member Johnson stated that Youth Court has been meeting in the Police Station. He thanked Chief Oberg for providing that space and a police officer who has been in attendance.

Mayor Hiatt stated that the Police Station ribbon cutting ceremony will be held on June 26 and tours of the station will be conducted on June 27.

MINUTES

Council Member Johnson made a motion approving the Public Hearing and City Council minutes of June 2, 2015, 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.

CLAIMS

Council Member Taylor made a motion approving claims in the amount of \$1,450,876.58, 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.

Council Member Stephens made a motion for adjournment at 8:30 p.m., second by Council Member Garlick and passed unanimously.