

## KAYSVILLE CITY COUNCIL

## Meeting Minutes

July 7, 2016

Minutes of a regular meeting of the Kaysville City Council held Thursday, July 7, 2016 at 7:00 p.m. in the City Council Chambers of the Kaysville City Municipal Center.

Council Members present: Mayor Steve Hiatt, Council Member Lee, Council Member Snell, Council Member Page, Council Member Adams and Council Member Garn.

Others present: City Manager Shayne Scott, City Engineer Andy Thompson, Zoning Administrator Lyle Gibson, City Recorder Maria Devereux, Parks Director Cole Stephens, Parks and Recreation Superintendent Vance S. Garfield, Hazel Parrish, Walt Parrish, Katie Witt, Bruce Robinson, Kate Hart, Margaret Brough, Carole Walker, Ramona Porter, Mary Lynne Morgan, Todd Morgan, Dick Bourne, Loraine Bourne, Stephen Marshall, Hunter Slade, Skye Slade, Doug Slade, Willow Slade, Teresa Slade, Taralyn Griffin, Clay Allen, Kay Allen, Manly Bren, Ron Zollinger, Brigg Lewis, Anna Auger, Canada Johanson, Isabelle Williams, Cami Limb, Rachel Rose, Jesslyn Abendroth, Cheryl Tarbet, Ryan Hadlow, Jared Rediwaton, Daren Lord, Peter Mann, Brady Nowers, Dave Davies, Emilee Cutler, Caleb Cutler, Avery Brown, Sydney Brown, Keegan Brown, Tracy Brown, Stephanie Brown, Cooper Brown, Greg Rasmussen, Scott Warren, Kelly Warren, Richard Ensign, Stephanie Ensign, Sam Christensen, Mitchel Campbell, Alison Campbell, Valerie Pound, Donna Egan, Shane N. Misrasi, Eric Orton, Jodie Orton, Shelly Johnson, Matthew Carlson, Joseph Walker, Betsy Nix, Dan Nix, Kim Christensen, Rod Randall, Steven Cuthbert, Emma Fernelius, Curtis Carter, Taniell Carter, Bryan Carter, Lana Carter, Krista Manning, Jackson Manning, Kelan Manning, Kobe Manning, Bentley Manning, Lauri Cragun, David Robinson, Louise Shaw, Janice Pruess, Katherina Christiansen and Marc Robinson.

**Public Hearing****THE ADJUSTMENT OF A COMMON MUNICIPAL BOUNDARY WITH FARMINGTON CITY TO REMOVE APPROXIMATELY 0.077 ACRES OF PROPERTY FROM KAYSVILLE CITY AND ANNEX IT INTO FARMINGTON CITY.**

Andy Thompson, City Engineer, explained that the owner of the vacant lot on Haight Creek Dr. would like to adjust the line between two properties to add property to the Farmington parcel. He noted that this requires the property to be annexed into Farmington. He stated that the remaining property in Kaysville City still complies with the existing R-1-8 zoning requirements and is buildable and serviceable land. He noted that our process is to approve the boundary exchange.

Mayor Hiatt opened the public comment period for the adjustment of the common municipal boundary with Farmington City.

There was no public comment. Mayor Hiatt asked for a motion to close the public hearing for this item.

Council Member Snell made a motion to close the public hearing, second by Council Member Lee.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Yea  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

**THE ANNEXATION OF APPROXIMATELY 13.42 ACRES OF PROPERTY AT APPROXIMATELY 750 NORTH KAYS CREEK ROAD.**

Andy Thompson, City Engineer, explained that this property went through the annexation procedure in 2007, and due to an issue at the County, the property was never annexed and recorded. He noted that the developer has requested the R-1-LD zone as it is annexed into the City. He explained that the R-1-LD zone is a hybrid zone and allows two units per acre.

Katie Witt noted that children were waiting for the Play Unplugged drawing and suggested it may be prudent to implement the drawing at the beginning of the meeting.

Mayor Hiatt asked for a consensus of the City Council members to suspend the public hearing and convene the City Council Meeting due to a drawing for the children that were present.

Council Member Lee initiated the 'Play Unplugged' drawing and announced Jaxson Manning and Kobe Manning as the winners.

**VOLUNTEER OF THE MONTH**

Council Member Snell congratulated Lana Carter as Volunteer of the Month.

He explained that Lana has been Kaysville City's Community Emergency Response Team (CERT) Coordinator for almost 12 years. She first became involved in the CERT program in 1996 and since then she has served on various Regional, State and County CERT committees. She plans, prepares and attends disaster trainings, attends many emergency preparedness meetings and works with other cities in our County to organize their CERT teams. She works with both the Fire and Police departments in assisting them with whatever they need. She organizes CERT training for the citizens of our City to learn how to take care of themselves, their families, their neighbors and their community in the event of a disaster. He stated that she has spent thousands of hours in volunteer service and has been a great representative for our City. She and her husband have lived in Kaysville for 26 years and have found it to be a wonderful place to raise their family.

### **KAYSVILLE/FRUIT HEIGHTS ROYALTY**

Anna Auger, Pageant Director, introduced the Miss Kaysville/Fruit Heights Royalty: Canada Johanson, Isabelle Williams, Cami Limb, Rachel Rose, and Jesslyn Abendroth. Anna Auger invited the City Council to the upcoming pageant on August 6, 2016.

Mayor Hiatt noted that he appreciates their attendance and the support they give to the community.

### **BUSINESS SPOTLIGHT**

The Business Spotlight will be postponed.

### **WALK N GAWK HOMEOWNERS APPRECIATION PRESENTATION**

An active committee since 2012, Ron Zollinger noted that the primary reason for the Walk N Gawk yard and garden event is to make Kaysville City more beautiful, healthy and more sensitive to water concerns.

Ron Zollinger expressed his appreciation to the homeowners featured in the Walk N Gawk. He expressed appreciation to the Council, the Walk N Gawk committee, local businesses, the City of Fruit Heights, Laura Holbrook, Vance Garfield and the City for all the support they provided. He explained that over 50 homeowners have volunteered to share their homes with the public. Ron Zollinger praised Jordan Hansen, GIS coordinator, for his strong work ethic and the creation of GIS mapping and home tours which are currently online. Ron Zollinger awarded the homeowners with a certificate and gift card.

Council Member Lee praised Ron Zollinger for his hard work and effort for a Tri-City Yard and Garden Tour.

### **Public Hearing**

Council Member Snell made a motion to recess into a Public Hearing, second by Council Member Lee.

Mayor Hiatt opened the Public Comment period for the annexation of approximately 13.42 acres of property at approximately 750 North Kays Creek Road.

### **THE ANNEXATION OF APPROXIMATELY 13.42 ACRES OF PROPERTY AT APPROXIMATELY 750 NORTH KAYS CREEK ROAD.**

Andy Thompson, City Engineer, explained that this property went through the annexation procedure in 2007, and due to an issue at the County, the annexation was never completed. He noted that the developer has requested the R-1-LD zone as it is annexed into the City. He explained that the R-1-LD zone is a hybrid zone and allows two units per acre.

Joe Walker, resident, stated that he lives on Kays Creek Road. He stated that their neighborhood exemplifies Kaysville City. He explained that they are seeking the Council's help. He stated that Kaysville City's planning and zoning ordinances are designed to provide for the health, safety and welfare of the community, both present and future.

He explained three points of consideration and asked that the City require the new subdivision to have points of access from the beginning of development.

- ✓ He asked that the City require access to Phillips Street from the Streams Edge subdivision. Joe Walker noted that Phillips Street has no sidewalks and a sharp curve making it difficult to navigate.
- ✓ Require direct access to the Rio Grande Trail from the new Streams Edge Subdivision. He noted that this will increase safety for residents.
- ✓ Maintain the nature of the neighborhood with the proposed zoning change.

He noted that the 750 Kays Creek Road is already zoned for two units per acre.

Rodney Pound stated that he moved here 20 years ago and enjoys bigger lots. He noted that it makes more sense to rezone lots to make them bigger instead of smaller.

Eric Horton, resident, stated that he appreciates the careful consideration and feedback of the Council and stated that he is in support of Joe Walker's comments.

Richard Ensign stated that he appreciates the Mayor and Council. He noted the importance of sustaining infrastructure.

Katherina Christiansen, stated that she was concerned for the safety of the residents in the community and feels that their safety would be compromised. She suggested that a road be put in.

Dan Nix echoed the same. He noted that he sent out a petition to be signed, via email. He noted that 63 adults have signed the petition and supports the suggestions his neighbors have made.

Taralyn Griffin emphasized the need for a safe roads and pleaded for an access road to be installed as soon as possible.

Mayor Hiatt expressed his gratitude for the comments made.

Jake Garn made a motion to adjourn the public hearing and reconvene into the City Council Meeting, second by Council Member Snell.

The vote on the motion was as follows:

Council Member Snell, Yea  
 Council Member Page, Yea  
 Council Member Adams, Yea  
 Council Member Garn, Yea  
 Council Member Lee, Yea

The motion passed unanimously.

### **SUCCESS FRAMEWORK**

Shayne Scott, City Manager, explained that this is a relatively new program implemented by the State of Utah in regard to efficiencies and ways to make subtle changes in the future. He introduced Steve Cuthbert, Director of Operations in the Governor's office.

Steve Cuthbert explained that he will be discussing the importance of the effort, measuring performance improvement strategies and results. He explained that the goal is to continually improve services at the same or lower costs, and maximize the value of taxpayer dollars. He gave examples of throughput and gave an overview of the presentation, Success Framework.

He explained that by creating and providing metrics, the City can gauge how they are doing and are creating transparency. He explained the terminology of 'working lean' by using a six-sigma approach, he discussed quality and the cost of poor quality and stated the goal is to find strengths and improvement strategies.

Shayne Scott, City Manager, stated that there are opportunities to apply this program in the future on a municipal level.

### **CALL TO THE PUBLIC LIMITED TO THREE MINUTES**

David Robinson respectfully requested to be granted the opportunity to exceed three minutes.

David Robinson stated that notice of this City Council meeting was not posted on the City website in a timely manner and should be, in order to create more attendance and awareness. He stated that the agenda was posted on the Public Notice website, however. He asked that the minutes be posted timely as well.

David Robinson asked for an adoption of a Code of Ethics, and asked that a dress code be implemented and the use of hand held devices be discontinued at City Council meetings. He asked the status of establishing a policy going forward that will guide the City and residents when the next windstorm happens.

David Robinson asked for a report of Bid Sync usage and asked for the number of projects that have been listed with Bid Sync. He stated that he would like to receive responses to the issues he has addressed.

Mayor Hiatt thanked David Robinson and asked for time to review the questions and give a response.

Steve Mitchell, resident, noted that he has heard rumors of eliminating the water fight at the parade. He expressed his desire to keep it going and stated that Kaysville City should be complimented for the water fight.

Cheryl Tarbot, resident, stated that during the windstorm that created much debris throughout the City, that the community helped each other more without City involvement. She suggested the residents assist in cleanup.

Mayor Hiatt thanked the public and closed the public comment period.

### **ADJUSTMENT OF COMMON MUNICIPAL BOUNDARY WITH FARMINGTON CITY TO REMOVE APPROXIMATELY 0.077 ACRES OF PROPERTY FROM KAYSVILLE CITY AND ANNEX IT INTO FARMINGTON CITY.**

Andy Thompson suggested that the City Council adopt the ordinance to adjust the common boundary with Farmington City as the remaining property left in Kaysville City still complies with the existing R-1-8 zoning district and is buildable and serviceable land.

Council Member Page made a motion to approve the ordinance adjusting the common municipal boundary with Farmington City to remove approximately 0.077 acres of property on Height Creek Dr. from Kaysville City and annex it into Farmington City, second by Council Member Lee

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Yea  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

**ANNEXATION OF APPROXIMATELY 13.42 ACRES OF PROPERTY INTO KAYSVILLE CITY AND ZONING DESIGNATION.**

Andy Thompson, City Engineer explained that approval of the plat is dependent upon the zoning of that property. He noted that the applicants have requested that the area being annexed be zoned R-1-LD (Low Density Residential). The property is surrounded by R-1-20 (Single Family Residential) zoning to the south and west and is bordered by Layton City to the north and east.

Andy Thompson recommends that the City Council adopt the ordinance to approve the annexation of the subject property and assign a zoning district to the property. He noted that developers are here to answer questions and suggested this be approved.

Mayor Hiatt noted that there were questions asked by Mr. Walker, he asked for clarification. He suggested that the modification seems to be what the majority will like.

Council Member Garn noted that every neighborhood should have safe access to the trail.

Russ Wilson, Symphony Homes, noted that trail connection is a safety concern. He stated that the original owner would like to maintain a minimum of five acres to farm. He stated that in regard to the access, an easement could be added by the City but feels it may be a redundant option. He explained that they are committed to purchase the land and doesn't want the expense of putting in a road. He noted there are constraints on three sides of the property. He feels that pursuing an LD zone would be beneficial.

Russ Wilson, Developer, noted that a road would certainly create more traffic. He advised that they will add a trail connection between lots eight and nine. He noted that the lots will not be smaller in this subdivision. They will maintain a 1700 sq. ft. standard or larger for the homes. He noted that they aren't opposed to putting access in, they are against asking the owner to pay for an access road against his will.

Council Member Adams asked the consensus of the residents.

Joe Walker noted that he would like to meet with the neighbors and then talk about plans and how to resolve issues.

Council Member Snell made a motion to table Items 10 & 11 for two weeks to establish a better understanding between the developer and residents, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Snell, Yea  
 Council Member Page, Yea  
 Council Member Adams, Yea  
 Council Member Garn, Yea  
 Council Member Lee, Yea

The motion passed unanimously.

**PRELIMINARY AND FINAL PLAT FOR AMENDMENT TO SUNSET POINTE  
 SUBDIVISION PHASE 5, ADJUSTMENT OF A SHARED LOT LINE.**

Andy Thompson, City Engineer, explained that Symphony Homes is requesting approval of a subdivision plat that adjusts a shared lot line between lots 19 and 55 of the Sunset Pointe Subdivision, Phase 5.

Council Member Snell made a motion to approve the proposed preliminary and final plat for the amendment to the Sunset Pointe Subdivision Phase 5, at 1571 and 1559 South Kay Drive with the stipulation that Lot 19A be used as the Utility Station, second by Council Member Page.

The vote on the motion was as follows:

Council Member Snell, Yea  
 Council Member Page, Yea  
 Council Member Adams recused himself from the vote due to a conflict of interest.  
 Council Member Garn, Yea  
 Council Member Lee, Yea

The motion passed unanimously with Council Member Adams recusing himself.

**REPORT ON BURTON LANE**

Andy Thompson, City Engineer, explained that the Council has asked that consideration be given to installing curb and gutter where it is absent, prior to paving Burton Lane. He noted that the benefits of having the curb installed are not in question, however, there are some timing challenges to overcome. He stated that the project has already been awarded and the contractor is ready to begin construction. Also, knowing that the project was coming, Haight Creek Irrigation Company upgraded their pressure irrigation lines in Burton Lane and were allowed to not repave the road anticipating the City project. He stated he would like to expedite the paving process.

Andy Thompson stated that in order to allow this project to be completed in a timely manner, his recommendation would be that the project be shortened to include only the areas on Burton Lane that already have curb. This would allow time to negotiate with each of the neighbors to verify payment for the curb and resolve any right of way issues. The remainder of the street could then be included in a paving project next season after the curb has been placed.

Mr. Stanger stated that his main concern is that they want the job done right but would also prefer to have the work completed with the current project this year. He stated that he talked to Andy Thompson earlier today and needs to see a plan, or possibly a survey. He noted that there are many questions that need to be answered in regard to cost, scope and timing.

Andy Thompson stated that he will have an agreement drawn up for each property owner. He recommends with curb and gutter be installed next season.

Council Member Snell made a motion to proceed with this project with the following provisions:

- To establish an agreement with each property owner to pay \$14 per foot for the curb and gutter with a payment plan available as needed.
- To complete the engineering and review both the horizontal and vertical alignment with the neighbors.
- And to suspend the \$15,000 formal bidding requirement for this additional work and go to an informal bidding process still getting a reasonable number of bids, second by Council Member Adams.

The vote on the motion was as follows:

Council Member Snell, Yea  
 Council Member Page, Yea  
 Council Member Adams, Yea  
 Council Member Lee, Yea  
 Council Member Garn, Yea

The motion passed unanimously.

### **SUNSET EQUESTRIAN DRAINAGE AGREEMENT**

Andy Thompson, City Engineer, stated that he continues to pursue a resolution to the drainage issues in the Sunset Equestrian Estates Subdivision. He stated that the affected residents have been given the Agreement and are in the process of reviewing the documents. He explained that the residents requested a simple change from 'HOA' to 'Effectuated Property Owners' and will incorporate signature lines for effectuated homeowners.

Andy Thompson noted that contractors are being contacted in an effort to obtain bid prices for the work. He explained that the City Council will need to approve an Agreement in order for this project to proceed to construction.

Joe Rangel noted that everyone is willing to sign the agreement.

Luis Kemeny expressed his thanks for moving forward with this project.

Council Member Snell made a motion to approve the Agreement with the modifications so that the City Engineer can move forward with the bid process, second by Council Member Adams.

The vote on the motion was as follows:

Council Member Snell, Yea  
 Council Member Page, Yea

Council Member Adams, Yea  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

**VEHICLE USE POLICY**

Council Member Adams noted that he has reviewed the policy and if no one has any other objections the Council should approve the policy.

Council Member Lee asked if all the vehicles have the new logo on them.

Shayne Scott, City Manager, stated that he will discuss this at his first staff meeting on Monday and find out then.

Council Member Snell made a motion to approve the Vehicle Use Policy as previously outlined, second by Council Member Lee.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Yea  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

**BID PROPOSAL FOR THE PURCHASE OF POWER POLES**

Shayne noted that the advertisement for the poles went out on Bid Sync among other vendors, however, there was no interest for this project, and no bids were received via Bid Sync.

Council Member Page made a motion to purchase the wood power poles for the Kaysville Power Department from Bell Lumber and Pole Co. for the amount of \$50,260.00, second by Council Member Adams.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Yea  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

**APPOINTMENT OF CITY TREASURER**

Mayor Hiatt explained that the City Manager serves as the City Treasurer.

Council Member Garn made a motion to appoint Shayne Scott as the new City Treasurer, second by Council Member Snell.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Yea  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

### **REPAVING PHILLIPS STREET IN CONJUNCTION WITH DEVELOPMENT**

Andy Thompson, City Engineer, explained that with the construction of Phase 3 of Hill Farms Subdivision the western portion of Phillips St. will have curb, gutter and sidewalk installed. This section of road will also be widened to the new curb and utilities rather than just patching the road, that all of the asphalt be replaced at this time. Staff has reviewed the proposal and believes that the prices are reasonable and that they are divided appropriately based on what the developer otherwise would have been required to do.

Council Member Snell made a motion to repave Phillips St. in conjunction with development, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Yea  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

### **COUNCIL MEMBER REPORTS**

Council Member Snell stated that he wanted to thank the Parks and Recreation Department for the activities on and leading up to the 4th of July. He noted that Vance Garfield was instrumental in making the fourth of July a huge success. He praised their efforts and noted that cleanup was done expeditiously.

Council Member Snell noted that the Pickleball group has raised approximately \$75,000 already and stated they are getting close to their \$100,000 goal.

Council Member Snell explained that the Ethics and Code of Conduct policy has been compiled and should be ready, in draft version, at the next meeting.

Council Member Snell noted that after a storm, it is good to have a plan in place for pickup of debris and garbage.

David Robinson, resident, suggested that a plan be developed and discussed for debris pick up after a storm.

Kate Hart, resident, asked if the Council was assisting with Pickball fundraising, or making in-kind donations as of yet.

Council Member Snell explained that the Council is supportive of the project, however, no funds have been spent yet.

Council Member Adams suggested they put a light in while road work is being done on Burton Lane. He noted that there is a bend in the road that could potentially be dangerous.

Council Member Adams noted that he had not been invited to lead the prayer or the Pledge of Allegiance, and expressed interest in doing so in the future.

### **MINUTES**

Mayor Hiatt asked for a motion to approve the Minutes for June 2 and June 16 if they have had a chance to review them.

David Robinson, resident, asked about the accuracy of the Minutes that were taken and posted.

Maria Devereux, City Recorder, stated that Minutes were not verbatim though stated that she is willing to discuss the Minutes with Mr. Robinson if he has a concern. She expressed that YouTube, posted online, is an option for Kaysville City and is a very detailed way to capture the meeting.

Council Member Garn made a motion to approve the Minutes for June 2 and June 16, second by Council Member Snell.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Yea  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

### **CLAIMS**

Mayor Hiatt asked for a motion to approve the July 6, 2016 claims.

Council Member Snell explained that he would like an accounting of the July 4<sup>th</sup> expenditures. He stated that the expenses in question are labeled *Bankcard Center* and are on pages 2, 3, and 4 of the claims. He stated that he wants to be sure that the City stays within budget in regard to expenses for activities. Council Member Snell asked about charges for the City's 4<sup>th</sup> of July activities placed on the City's credit card.

Council Member Garn stated that he would like to set purchasing controls in regard to credit cards. He asked Vance Garfield, who has access to his Bankcard in regard to purchasing for the July 4<sup>th</sup> activities.

Vance Garfield, Parks and Recreation Superintendent, noted that it takes time to process the July 4<sup>th</sup> expenses. He stated that if a Council person asked to use the credit card, he would provide it for their use.

Council Member Adams explained that he paid for repairs to his personal fire truck as well as an audio system with the City credit card. He noted that it was appropriate for the City to pay for repairs, the audio system included.

Council Member Snell noted that it is important to have controls set for purchasing and credit card usage.

Council Member Adams explained that he and his family have never asked for payment or recognition, and stated that he can't afford to personally fund the water fight at the parade anymore.

Mayor Hiatt called for a vote on the current set of claims.

Council Member Snell stated that he would like a detailed report of the charges, but voted in favor of paying the current set of claims.

Council Member Snell made a motion to approve the current set of claims, second by Council Member Lee.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Lee, Yea  
Council Member Adams, Yea  
Council Member Garn, Yea

The motion passed unanimously.

### **CALENDAR ITEMS**

The current calendar is on the website.

Council Member Snell made a motion for adjournment at 11:50 p.m., second by Council Member Garn, and passed unanimously.