

KAYSVILLE CITY COUNCIL
September 16, 2021

Minutes of a regular Kaysville City Council meeting held on September 16, 2021 at 7:00 p.m. in the Council Chambers in Kaysville City Hall at 23 East Center Street, Kaysville, UT.

Council Members present: Mayor Katie Witt, Council Member Michelle Barber, Council Member Mike Blackham, Council Member Andre Lortz, and Council Member Tamara Tran

Excused: Council Member John Swan Adams

Others Present: City Manager Shayne Scott, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Community Development Director Lyle Gibson, Information Systems Manager Ryan Judd, Assistant Police Chief Seth Ellington, Sam Taylor, Mark Vlasil, Howard Taylor, Chris Taylor, Abby Hunt, Jay Welk

OPENING

Council Member Tran opened the meeting with a prayer and led the audience in the pledge of allegiance.

PRESENTATIONS AND AWARDS

PROCLAMATION DECLARING OCTOBER 3-9, 2021 AS PUBLIC POWER WEEK

Mayor Witt read a proclamation declaring October 3-9, 2021 as Public Power Week to recognize the people behind public power at Kaysville Power and Light for their contributions to the community. Mayor Witt encouraged the residents to join in thanking our public power employees who help to bring low-cost, safe, reliable electricity to our community and businesses.

KAYSVILLE CITY GENERAL PLAN PRESENTATION

Sam Taylor, with Landmark Design, explained that their company has been working with the city as a planning consultant over a year now and have been helping to put together an update on the city's General Plan. Mr. Taylor explained they started by looking at existing conditions in the Plan, and then conducted a needs assessment. They held public scoping meetings and workshops to reach out to the public to see what they would like to see for the city. They used the data and feedback collected to create a draft plan and have since been working with the Planning Commission and advisory committee to refine the Plan. Most residents' responses indicated that they would prefer to see future development concentrated in downtown Kaysville, along 200 North, Main Street, Flint Street, and Deseret Drive. When asked what type of development they would like to see, there was a lot of interest in mixed-use low-rise, retail, and restaurant type of uses. People seemed to be very interested in the city having more of a variety than what we have had. Mr. Taylor explained that they took this feedback and created a couple of concept land use plans focusing on these concentrated areas along main arterial streets. The concept plans also introduced mixed-uses. Residents want to have historic Main Street remain untouched from

development. They also want any remaining undeveloped land in west Kaysville to remain as open space or be single-family neighborhoods. With the West Davis Corridor connecting to 200 North it will potentially bring some opportunities for small commercial development in this area. Their transportation consultant has been reviewing the city's transportation grid and the principal needs of the city, particularly getting better access across the freeway. They also looked at the city's parks system and distribution to see which areas have better access than others. In looking at all these different areas, they were able to create a placemaking plan which helps the city to see which areas might be best to focus their efforts on. This is essentially how the draft General Plan was created and it helps to give a vision of the future of Kaysville. The Plan indicates that the city is working to preserve existing neighborhoods while accommodating a full range of housing opportunities to meet the needs of residents. The city wants to ensure future growth and development are aligned with the city's transportation and infrastructure capacities. The draft plan also builds upon the already adopted Active Transportation Plan. The next step in consideration of adopting the General Plan will include an online comment period. The plan will be posted where the public can review and make comments regarding the proposed General Plan updates. They will also be holding a Public Open House on October 6th where the public can come to review, comment, and ask questions about the General Plan. The Advisory Committee will then review the draft plan and public comments provided, and then make amendments as needed. From there the Plan will go before the Planning Commission for review and to hold a Public Hearing. They hope to have the draft before the City Council to review by the beginning of November, and officially adopted before the end of the year.

Council Member Lortz commented that he would like to see redevelopment of Main Street considered. If those businesses would like to redevelop, they should be given the opportunity to do so. Especially if it would create more parking and a better traffic flow. Council Member Lortz added that he would also like to see a commercial district on the west side of the city.

Sam Taylor responded that the biggest challenge they faced when looking at the redevelopment of Main Street is the commercial properties abuts the historic district. The more development allowed here, the more infringement would occur into the residential area. Since parking was the biggest concern, they decided that it would be best to focus their efforts in improving the street corridor itself.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

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

- a. Approval of Minutes of August 19, 2021.
- b. Kaysville Wilderness Park Boundary Line Agreement.

The motion was seconded by Council Member Tran.

The vote on the motion was as follows:

Council Member Barber, yea
Council Member Blackham, yea

Council Member Tran, yea
Council Member Lortz, yea

The motion passed unanimously.

C. AWARD OF BID AND A RESOLUTION AUTHORIZING AN AGREEMENT WITH CONNEXT FOR THE 2021 FIBER RING FACILITY CONNECTION PROJECT

Council Member Blackham asked if this resolution included the stipulation that the project could not exceed the amount outlined in the bid.

Nic Mills responded that the stipulation has been included as Item #4 within the resolution that states, “The final Agreement shall not exceed the bid price without further action of this council.”

Council Member Lortz commented that this vendor is deploying a private fiber opportunity and because of the unique timing, it will allow the city to have improvements constructed to the city’s fiber ring at a much-reduced cost. This agreement is not to connect fiber to homes through the city but only to extend the city’s existing fiber ring. However, the vendor has indicated that they are interested in extending fiber to homes privately.

Council Member Lortz made a motion to approve the award of bid and Resolution authorizing an Agreement with Connex for the 2021 Fiber Ring Facility Connection Project, seconded by Council Member Barber.

The vote on the motion was as follows:

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

The motion passed unanimously.

ACTION ITEMS

A RESOLUTION AUTHORIZING NEGOTIATIONS WITH CENTRAL DAVIS SEWER DISTRICT TO ACQUIRE NECESSARY RIGHT-OF-WAY AND FINALIZE ANY NEGOTIATIONS WITHIN SET PARAMETERS

Shayne Scott explained that the city would like to obtain real property from Central Davis Sewer District to improve road connectivity relating to the West Davis Corridor. Central Davis Sewer District has expressed interest in exchanging this property for certain improvements that would benefit the services they provide. This resolution authorizes the City Manager to conduct negotiations to acquire the necessary real property. The resolution also sets forth parameters for the Manager to negotiate within, and then to execute documents to finalize the exchange.

Council Member Tran made a motion to approve a Resolution authorizing negotiations with Central Davis Sewer District to acquire necessary right-of-way and finalize any negotiations within set parameters, seconded by Council Member Lortz.

The vote on the motion was as follows:

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

The motion passed unanimously.

WORK ITEMS

A RESOLUTION AMENDING THE KAYSVILLE CITY CODE REGARDING DELETERIOUS OBJECTS AND STRUCTURES

Nic Mills explained that the city has noticed that while we have an ordinance that provides penalties and enforcement for having debris and neglected items in residents' yards, the current code is difficult to enforce. These proposed amendments seek to provide greater clarity on what items are prohibited, and allows the city greater ability to help residents maintain clean yards. The purpose of this ordinance is not to increase enforcement, but to obtain compliance and beautify the city's yards.

Council Member Tran asked if the code addresses problems with rodents that occur as a result of refuse in someone's yard.

Nic Mills responded that it does not but a separate ordinance could be created to address those types of situations.

Council Member Barber asked about code enforcement.

Nic Mills responded that most of these types of situations are brought to the city's attention through complaints. Our code enforcement will reach out to the property owner and will typically give them twenty-one days to get their property into compliance. As long as there is evidence that the owners are continuing to make good progress, the city will continue to try to work with the owners if they should need more time, rather than sending the complaint through legal. We have had very few cases where a case needs to go to court or a lien put on a property because we try to work with citizens to see that they succeed.

Lyle Gibson added that they try to be cordial and approachable when they speak with the residents about these complaints. If when we verify the complaint and we are unable to speak with the property owner directly they will send notice to the property owner through the mail.

Council Member Barber made a motion to move the Resolution amending the Kaysville City Code regarding deleterious objects and structures to an action item. The motion was seconded by Council Member Lortz.

The vote on the motion was as follows:

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

The motion passed unanimously.

A RESOLUTION ENACTING A PAID PARENTAL LEAVE POLICY FOR THE CITY

Mayor Witt commented that she had recently learned that the city did not have a parental leave available to staff. She asked city staff to look into providing this benefit to support the families of our staff.

Nic Mills explained that the city has a strong desire to recruit and retain quality employees and city staff feels that by approving this benefit it would help to accomplish this goal. This resolution will authorize paid parental leave when employees have a new birth or adoption. Eligible employees would receive a maximum of two weeks of paid parental leave per birth or adoption. Allowing for two weeks is an industry norm. The council could approve more or less leave time.

Council Member Barber said that she appreciates that the city is considering this benefit. However, she would like to see the time allowed be increased to six weeks for maternity and paternity leave. Council Member Barber asked about when the time could be taken.

Nic Mills responded that it's being proposed that approved parental leave be taken at any time during the three-month period immediately following the birth or adoption, and must be taken in one continuous period.

Council Member Barber commented that she would like to see that changed so that the time does not have to be taken in one continuous period.

Mayor Witt added that it would allow for some flexibility if an employee wanted to come back on a part-time basis. Mayor Witt said that she would support allowing for six weeks of leave for a birth mother, but it would be generous to give six weeks to a father or non-birth mothers for health reasons.

Council Member Tran said that no matter how a child is obtained, the leave should be the same. Council Member Tran added that she feels that allowing six weeks for parental leave is too much for a city our size.

Council Member Lortz said that it could be considered discrimination to assign different parental leaves depending on what type of birth it was. Council Member Lortz added that he also feels that six weeks is too much and would prefer to see the leave set at three weeks. This is a good benefit for our employees and will be competitive in the market.

Council Member Barber said that there are studies that show how a well-provided maternity and transition plan back to the workplace benefits the employer as a whole. It would give incentive to help to retain employees. Council Member Barber commented that she doesn't feel that the size of the city should dictate what type of benefits be provided.

Council Member Blackham asked what other cities do.

Mayor Witt said that city staff has done some research in reaching out to other cities about this, and found that it is not typical for cities in Davis County to provide parental leave to their employees at this point. We would be setting a precedence in this regard to our surrounding cities and would hope that other municipalities would join us in providing this.

Council Member Blackham said that he would be interested to see how often this benefit would have been used in the past and what the costs would be to the city.

Council Member Tran said that employees can currently donate their own sick leave hours to another employee in the event of a hardship, and that should be allowed with pregnancies as well.

Council Member Barber commented that we need to have a concise policy so it doesn't have to be adjusted on an at-need basis. Council Member Barber added that she would prefer to see six weeks maternity leave and two weeks for paternity.

SICK LEAVE AND RETIREMENT INCENTIVE

Shayne Scott explained that over the past year there has been an effort made to evaluate Kaysville City benefits and other non-payroll related benefits. This has been done through an ad-hoc committee of employees known as the Employee Morale Committee or EMC. One recommendation that came from this committee is to incentivize or reward an employee that is retiring and base that reward or incentive on sick leave accumulated. Although there was not unanimity on how best to do this, there was consensus to do something. The purpose of the proposal includes the following: retain and promote good employees, recognize time and contribution from valuable Kaysville City employees, encourage the use of sick leave when appropriate while also rewarding those that do not abuse this benefit, allow a higher salaried individual to retire while capturing savings in a replacement, and allow management throughout the city an opportunity to prepare, mentor, and succession plan.

Council Member Lortz commented that there would be a value to the city in having more of a time frame to be able to plan for a transition when someone retires. Council Member Lortz said that he's willing to consider a retirement incentive if there's an extended notice to the city when someone wants to retire. It will help us to transition from a long-term employee.

The City Council discussed the city's sick and vacation leave policy and asked staff to look into possibly transitioning into a paid time off policy.

Mayor Witt said that she would support helping employees with extended healthcare coverage at retirement.

Council Member Blackham commented that having healthcare coverage extended to him when he

retired from the city would have made a huge difference. There's currently a benefit that the city gives to those who don't use sick leave at the end of the year where they will pay you for four sick days, or you can use them as vacation days as long as you don't have more than 240 vacation hours.

EXTERNAL/DETACHED ACCESSORY DWELLING UNITS

Mayor Witt commented that the council recently approved an ordinance for internal accessory dwelling units and there was interest from some of the council members to continue the discussion regarding considering external or detached accessory dwelling units.

Lyle Gibson explained that when this idea was proposed to the council a couple of years ago, it proposed some height and setback restrictions. It was also suggested that detached ADUs be limited in size of habitable living space of no more than 800 square feet or 50% of the main floor of the primary house. Staff has looked at other city's regulations for these types of units including the restrictions mentioned, as well as parking, windows, balconies and decks, and entrance locations.

Council Member Blackham commented that there is no need to rush the approval of an ordinance allowing for detached ADUs. We need to gather more data and really put a lot of thought into this before making a decision. We need to see if there are any ramifications from allowing internal ADUs before proceeding forward. Approving detached ADUs will directly affect people in neighborhoods. Residents aren't aware that if detached ADUs are approved, they could have a dwelling placed in their neighbor's backyard, possibly close to their home. We need to have more public outreach to get some feedback from our residents. We also need to speak with the legislature and see what they have planned for this type of dwelling.

Council Member Tran said that she agrees we need to be thoughtful in considering this type of use, but we need to continue having ongoing discussions about it so that when it does come up with the legislation we are ready with comments. We need to be able to provide data and facts about what would be best for our community.

Council Member Barber agreed that any approval for detached ADUs shouldn't be rushed, but it would be neglectful to not do anything or stop any kind of discussion about them. We already have a lot of data from other cities and we should capitalize on the work that has already been done. These ADUs will become more commonplace and we will need an ordinance in place for external ADUs soon. It may be surprising to know how many other cities already have regulations in place for these dwelling types.

Mayor Witt agreed that discussion on external ADUs needs to continue, but we need to keep our residents in mind and how these dwelling units might impact them.

Council Member Blackham suggested that council members get involved with the Utah League of Cities and Towns and their discussions with the state legislation.

CALL TO THE PUBLIC

Rob Dansie commented that the Kaysville Museum Committee recently met with Preservation

Utah and have also been reaching out to architecture firms to discuss the renovation of the old library building. They feel like they are making progress and want to keep the council updated. Their committee feels like we will be most effective if we can all work together.

COUNCIL MEMBER REPORTS

Council Member Lortz commented that Gary Hatch recently retired as the Kaysville Power Superintendent and expressed appreciation for his leadership for so many years. He has made a great effort to make sure the city has a good electric grid and to keep it viable for the community.

ADJOURNMENT

Council Member Lortz made a motion to adjourn the City Council meeting at 8:47 p.m., seconded by Council Member Barber and passed unanimously.