

KAYSVILLE CITY COUNCIL
August 4, 2022

Minutes of a regular Kaysville City Council meeting held on August 4, 2022 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 Shayne Scott, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Community Development Director Melinda Greenwood, Information Technology Assistant Jordan Hansen, Stephanie Nielsen, David Nielsen, David Johnson, Clint Taylor, Christina Castro, Dawn Steele

OPENING

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

CALL TO THE PUBLIC

Nothing was brought under this item.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

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

- a. Approval of Minutes of July 21, 2022.

The motion was seconded by Council Member Blackham.

The vote on the motion was as follows:

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

The motion passed unanimously.

ACTION ITEMS

PRELIMINARY PLAT SUBDIVISION APPROVAL FOR HINKLEY LOT SPLIT LOCATED AT APPROXIMATELY 815 NORTH BROOKSHIRE DRIVE – CLINT TAYLOR

Community Development Director Melinda Greenwood explained that on July 14, 2022, the Planning Commission reviewed the preliminary plat for the Hinkley Lot Split, located at 815 North Brookshire Drive, and voted unanimously to send a recommendation of approval to the City Council. Planning and engineering staff have reviewed the plat, and are recommending approval with the following conditions:

1. Addresses be added to the lots.
2. The plat title be corrected from survey to subdivision.
3. Correcting the boundary description.
4. Correcting or adding any other items as deemed necessary by Staff.

Mayor Tran opened the public comment period for this item.

There were no comments or questions from the public for this item.

Council Member Adams made a motion to approve the preliminary subdivision plat for Hinkley Lot Split located at approximately 815 North Brookshire Drive for Clint Taylor, subject to the aforementioned conditions. The motion was seconded by Council Member Jackson.

The vote on the motion was as follows:

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

The motion passed unanimously.

REZONE OF 1.66 ACRES OF PROPERTY AT 602 SOUTH ANGEL STREET FROM A-1 (LIGHT AGRICULTURAL) TO R-1-14 (SINGLE FAMILY RESIDENTIAL DISTRICT) WITH A PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY – BEBUILDERS

Melinda Greenwood explained that the Planning Commission held a public hearing on July 14, 2022 regarding the rezone request of 602 South Angel Street from A-1 (Light Agricultural District) to the R-1-14 (Single Family Residential District) with a PRUD (Planned Residential Unit Development) overlay. The Planning Commission voted unanimously to send a recommendation of approval to the City Council. The Planning Commission felt that this rezone request provides a slightly different and greater variety of housing choice with lot sizes uncharacteristic to the west side of Kaysville, and that the rezone would not do harm to the general public in terms of infrastructure. They also felt that this proposal complies with the current 2019 General Plan, and

partly addresses the housing crisis. Based on the findings of Staff and the Planning Commission recommendation, Staff is also recommending approval of the rezone request. The applicant has submitted a concept rendering depicting four single-family dwellings within this property, but the property is large enough that it could potentially have up to five single-family dwellings on the property.

Mayor Tran opened the public comment period for this item.

There were no comments or questions from the public for this item.

Council Member Oaks asked if the existing home would remain on the property.

David Nielsen, representing the applicant, responded that the home was too costly to renovate, so they would be tearing it down.

Council Member Oaks asked why the applicant's concept drawing did not show the allowed five lots.

David Nielsen said that they are still trying to determine if five lots would be able to fit on the property. They are certain they can fit four lots on the property, while still meeting setback requirements. They would ultimately like to fit five lots on the property if they can.

Council Member Hunt asked about the estimated value of these homes.

David Nielsen responded that they anticipate them being valued at a million dollars or more.

Mayor Tran asked about the sizes of the homes.

David Nielsen responded that each property owner would build his or her own homes, but each home will likely take up every available piece of buildable property.

Council Member Oaks made a motion to approve the request to rezone 1.66 acres of property at 602 South Angel Street from A-1 (Light Agricultural) to R-1-14 (Single Family Residential) for BeBuilders, seconded by Council Member Hunt.

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.

Council Member Blackham made a motion to approve a Planned Residential Unit Development (PRUD) overlay zone for the property located at 602 South Angel Street for BeBuilders, with the condition that the number of lots on the property be limited to four.

Council Member Blackham commented that a PRUD overlay allows the applicant to have variations from city subdivision standards. Council Member Blackham said that the concept drawing presented to council tonight depicts a four-lot subdivision, and feels that this is what the applicant should be held to.

The motion failed for lack of a second.

Council Member Blackham stated that he is not against the applicant putting five homes on the property, but if the council were going to approve a PRUD overlay zone, he would prefer that it would limit the number of units to four because that is what is shown on the concept drawing.

Melinda Greenwood commented that if the council wants to limit the number of units on the property, it would need to be done through a development agreement with the applicant.

David Nielsen commented that it seems a misleading that the rezone request not be approved with the PRUD overlay, as it was presented for approval. Although the rezone was approved, without the approval of the PRUD overlay, the rezone approval will do them very little good. They need the PRUD overlay approval in order to have a private street and reduced setbacks. Mr. Nielsen said that they have made sacrifices and changes from their original rezone request to help make this project fit better into this neighborhood. The concept drawing shows the four lots because that is what we know we can fit on the property. Until they can work with a surveyor and engineer, they won't know if a fifth lot can fit onto the property. They have not done that yet because they did not want to spend the money until they received approval of the rezone and PRUD overlay.

Council Member Hunt made a motion to approve a Planned Residential Unit Development (PRUD) overlay zone at 602 South Angel Street for BeBuilders, seconded by Council Member Jackson.

Council Member Jackson said that the city is in need of more of these types of housing developments and we would be doing a disservice to restrict the applicant to only four units.

Council Member Hunt said that she has spoken to planners from other cities, and this type of PRUD development is standard. We do not require applicants to submit a surveyed subdivision plat with rezone requests.

David Nielsen commented that they are also working with FEMA to determine what if there are any flood zone requirements here that might affect how they will be able to build on the property.

Mayor Tran commented that the applicant came before us before with a much different plan and they have made the effort to be good neighbors and have changed their plans drastically. The applicant has done their due diligence and should not be limited on the number of units they can have outside of the regulations outlined for the R-1-14 zone.

Council Member Oaks commented that he would like to see the applicant be able to fit a fifth home on the property.

The vote on the motion was as follows:

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

The motion passed with a vote of four to one.

A RESOLUTION AMENDING SECTION 3.16 OF THE KAYSVILLE CITY PERSONNEL RULES AND REGULATIONS REGARDING HOLIDAYS

Shayne Scott explained that the council had previously discussed this item, which was initially brought up because earlier this year the Utah Legislature passed a bill recognizing Juneteenth as a state holiday. Staff is proposing that the Kaysville City Personnel Rules and Regulations be amended to recognize all State of Utah holidays as paid holidays, as well as the Friday after Thanksgiving. This scenario means that the city offices would be closed on all holidays. In the council's previous discussion, it was suggested that city staff could be asked to decide if they have Juneteenth off in exchange for another city holiday. However, after some discussion, it was felt that asking each employee whether they wish to take Juneteenth off could be negatively misconstrued. Staff feels that Juneteenth is an important holiday to observe as a city. This proposed amendment would not cost the city any additional funds, and would benefit the city. The state and federal government have set a precedence and it is a good precedence for the city to follow.

Mayor Tran opened the public comment period for this item.

There were no comments or questions from the public for this item.

Council Member Blackham said that in reading the previous meeting's minutes where this was discussed, he believed that the majority of the council agreed that they did not want to add an additional holiday for city employees, and that Staff would survey city employees about this matter to find out their thoughts.

Shayne Scott said that this had been discussed with department heads on multiple occasions.

Council Member Jackson said he also read the minutes and while the council asked Staff to survey employees, there was not a firm consensus or decision stated by all of the council.

Shayne Scott commented that it is not often that the State adds another state holiday. The holiday prior to Juneteenth that was recognized by the state as a holiday was Martin Luther King, Jr. Day.

Council Member Oaks said that he feels that city employees do not need an additional holiday because days off can potentially affect productivity. However, he also feels that the city shouldn't be contrary to the state or federal government and it's important that the city recognize Juneteenth.

Mayor Tran said that we would be putting our employees in an awkward position to decide whether they choose to observe the holiday by taking Juneteenth off or not.

Council Member Adams made a motion to approve a Resolution amending Section 3.16 of the Kaysville City Personnel Rules and Regulations regarding Holidays, seconded by Council Member Hunt.

Council Member Blackham commented that he is not against the Juneteenth holiday. However, having the city office closed effects some private industries that work with the city. Employees already receive several PTO days and holidays as it is, and it is difficult to have to explain to the private businesses our justification for our employees having so many days off. Having more days off effects productivity.

Council Member Adams said that if the council feels that employees are receiving too many days off, then instead of considering the number of holidays the city offices are closed, the council might consider reducing the number of PTO days that are given to new employees.

Council Member Jackson said that a decision like that would significantly impact our employees and they need to be part such a conversation. Juneteenth is a holiday that deserves our respect as a city.

The vote on the motion was as follows:

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

The motion passed with a vote of four to one.

COUNCIL MEMBER REPORTS

Council Member Hunt commented that she has been working with “Central Davis Communities that Care” who held a meeting this week. They are putting together working groups, and are excited to see what ideas come from them for drug prevention in our cities. Council Member Hunt added that the Planning Commission have two new recently appointed members, and have elected a new Chair and Vice-Chair for the year.

Council Member Blackham said that he has been a proponent trying to get an above or below grade crossing installed at the intersection of the new West Davis Corridor and 200 North. However, we are not seeing any willingness from UDOT to work with the city on this and are very disappointed. In the beginning, UDOT’s plans showed the above or below grade crossing, but at some point it was removed. The city requested that UDOT do a simple change order to put that crossing back in, but they would not work with us. At this point, we do not have many options and we should not waste Staff’s time on this effort anymore. Installing an above or below grade crossing now would cost the city seven million dollars, which the city does not have. We have monetary needs in other areas of the city that we should focus on. Everyone he has spoken to about this has said it is a good idea to create such a crossing, but it seems our requests have been ignored.

Mayor Tran thanked staff and council members who have worked on this matter.

CITY MANAGER REPORT

Shayne Scott said that an employee appreciation event was held today at the Davis Park Golf course that day and there have been many positive comments received from employees about the event.

ADJOURNMENT

Council Member Adams made a motion to adjourn the City Council meeting at 8:05 p.m., seconded by Council Member Oaks and passed unanimously.