

KAYSVILLE CITY COUNCIL

October 6, 2022

Minutes of a regular Kaysville City Council meeting held on October 6, 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 Systems Manager Ryan Judd, Fire Chief Paul Erickson, Parks and Recreation Director Cole Stephens, POP Officer Lexi Benson, Officer Mason Flint, Public Works Director Josh Belnap, Phil Holland, Jerry Goodspeed, T(illegible) Wilson, Kim Johnson, Mike Lyon, Lauri Storey

OPENING

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

CALL TO THE PUBLIC

Nothing was brought under this item.

PRESENTATIONS AND AWARDS

FIRE PREVENTION WEEK PROCLAMATION

Fire Chief Paul Erickson read a Proclamation declaring October 9 – 15, 2022 as Fire Prevention Week in Kaysville City and encouraged residents to take important actions to keep themselves and those around them safe from home fires.

USU BOTANICAL CENTER UPDATE

Jerry Goodspeed, USU Botanical Center Director, gave an update on their Agricultural Heritage Center that is currently under construction. Mr. Goodspeed thanked the city for their generous donation of recycled asphalt materials and pipes, which helped them with their budget for the project. The footings of the building were just recently poured, and they plan to have the building enclosed by the end of the year. They are scheduled to have the building completely done by the end of May 2023. They plan to hold the Davis Heritage Festival on this site in August 2023, and they will continue to hold the Davis Heritage Festival here annually. They will be able to hold equestrian and other events here. We don't want people to forget about our agricultural heritage. Photos will be hung inside of the center showing Davis County's agricultural heritage. Mr. Goodspeed thanked the city for their help and support with their events and encouraged residents take a tour of their facilities and become a member of their Botanical Center.

Mayor Tran thanked Mr. Goodspeed for reaching out to the residents to the north of their property to let them know about the construction of the Center.

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 September 1, 2022.
- b. Approval of Minutes of September 15, 2022.
- c. A Resolution appointing a Land-Use Administrative Law Judge.
- d. Acceptance of a Consultant for Engineering and Design Services for Trappers Field Park.
- e. A Resolution authorizing an Agreement to construct the Connector Road Project.
- f. Approval of Connector Road Construction Management, Public Involvement and Quality Assurance Support.

The motion was seconded by Council Member Hunt.

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

RAMP COMMITTEE RECOMMENDATIONS FOR FISCAL YEAR 2023

Parks and Recreation Director Cole Stephens explained that on March 3, 2022, the RAMP Advisory Committee was created to review grant applications and make recommendations to the City Council on expending collected RAMP funds. In the Fiscal Year 2023 budget, the City Council approved an overall total of \$300,000 in RAMP expenditures. How those funds are spent was not included at that time. The Committee met in the late spring to establish the grant application guidelines and the 2022 Grant Application window was set from June 15, 2022 to August 31, 2022. On September 8, 2022, the RAMP Committee met to review, discuss and forward a recommendation to the City Council for the Fiscal Year 2023 year. That recommendation, which was unanimous, from the Committee is now being presented to the Council for approval. In the following years, the RAMP application process and recommendations will coincide with the normal budget process. For the Fiscal Year 2024 RAMP grant application process, the application window will be January thru February, and the Committee's recommendations will be included in the City Council budget process.

Mayor Tran opened the meeting for public comment for this item.

There were no comments or questions from the public. Mayor Tran closed the public comment for this item.

Cole Stephens commented that each project receiving RAMP funding will be required to display one of the city's RAMP logos somewhere on their final project. We want people to be able to see which projects are being built from RAMP funds.

Council Member Blackham made a motion to approve the Funding for Fiscal Year 2023 RAMP Projects as recommended by the RAMP Advisory Board, seconded by Council Member Oaks.

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.

REQUEST TO REZONE 5.27 ACRES OF PROPERTY AT 67 NORTH ANGEL STREET FROM A-1 (LIGHT AGRICULTURAL) TO THE R-1-14 (SINGLE FAMILY RESIDENTIAL) DISTRICT – THE HOLLAND GROUP

Community Development Director Melinda Greenwood explained that the applicant, The Holland Group, is requesting a rezone of the property at 67 North Angel Street from A-1 (Light Agricultural) to the R-1-14 (Single Family Residential) zoning district. There is currently one existing single-family home on the property, and the proposed change in zone could allow for the construction of up to sixteen dwelling units if all zoning requirements and subdivision requirements are met. The applicant has submitted a concept drawing showing ten lots. The proposed rezone is consistent with the 2022 General Plan and would provide more diverse housing options in this area. On September 8, 2022, the Planning Commission held a public hearing and voted 6-1 to recommend approval of the rezone request. During the public hearing, comments received included concerns about irrigation water, not wanting a road to come from Angel Street, and keeping an agricultural feel. Staff also received an email from an individual who owns the adjacent property who expressed support of the rezone as long as his property's zoning was not impacted. They also expressed concerns about not having a flag lot or having fees assessed to pay for sidewalk. Staff is recommending approval of the rezone request based on the recommendation from the Planning Commission, and the 2022 General Plan calling for this property to be single-family residential.

Mayor Tran opened the meeting for public comment for this item.

There were no comments or questions from the public. Mayor Tran closed the public comment for this item.

Council Member Hunt asked about the water easement on the property.

Phil Holland, with The Holland Group, said that because of the layout of the property, it won't be beneficial to the development and would likely be sold to an adjacent property owner.

Council Member Adams commented that the existing residents should not have to deal with a lot more backyards being adjacent to their properties and hopes that this development be built as shown in the concept drawing.

Phil Holland responded that he does not anticipate building something different from what is depicted in the concept drawing. However, since this is just a rezone request being considered, there has been no official review of a subdivision plat. The layout may need to be adjusted based on subdivision plat review. Mr. Holland said that his intent is not to maximize density here because the homes they build would not fit onto smaller lots.

Council Member Jackson asked about the concern about a road being built to take access onto Angel Street.

Phil Holland responded that there was some concern that the strip of land where the water line easement is located would be made into a roadway. That strip of property is not wide enough to build a road. There has also been some concern that this development would land lack the undeveloped land to the north. This is something that will need to be discussed further with the city engineer and public works.

Council Member Adams asked about stipulating that not more than twelve lots could be created on this property.

Phil Holland said the frontage requirements of the R-1-14 zone makes it impossible to be able to fit more than eleven lots on the property.

Council Member Adams made a motion to approve the request to rezone 5.27 acres of property at 67 North Angel Street from A-1 (Light Agricultural) to the R-1-14 (Single Family Residential) district for The Holland Group. The motion was seconded by Council Member Jackson.

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.

AN ORDINANCE AMENDING SECTION 17-13-4 OF THE KAYSVILLE CITY CODE REGARDING CONDITIONAL USES IN THE R-D (DIVERSE RESIDENTIAL) ZONING DISTRICT

Community Development Director Melinda Greenwood explained that their office had recently received an application for multifamily dwellings within the R-D (Diverse Residential) zoning district and there was some confusion as to the interpretation of conditional uses related to multifamily dwellings within that zoning district. As a result, Staff is proposing a text amendment to remove the confusing paragraph. Staff feels that this will ensure multifamily dwellings not be approved in the R-D district and will eliminate issues with the interpretation of the confusing code. The Planning Commission held a public hearing on September 22, 2022 and only received one question from a resident in regards to the intent of the text amendment. The Planning Commission voted unanimously to recommend approval.

Mayor Tran opened the meeting for public comment for this item.

There were no comments or questions from the public. Mayor Tran closed the public comment for this item.

Council Member Blackham made a motion to approve an Ordinance amending Section 17-13-4 of the Kaysville City Code regarding conditional uses in the R-D (Diverse Residential) zoning district, seconded by Council Member Oaks.

The vote on the motion was as follows:

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

The motion passed unanimously.

WORK ITEMS

AMENDMENT TO KAYSVILLE CITY'S PET ORDINANCE AS RECOMMENDED BY DAVIS COUNTY ANIMAL CARE

City Manager Shayne Scott explained that as the Davis County Animal Care Department transitions to completely taking over animal care and control services from cities within the county, they have asked all of the cities to be consistent in how many pets are allowed within homes throughout the county. This will allow their enforcement division to be consistent, regardless of where within the county they are called to respond. They are also making this recommendation based on their expertise as animal control professionals. Their recommendation does not differ much from the city's current ordinance as outlined in Section 15-3-6 of the Kaysville City Code. The first difference is that the proposed ordinance increases the number of dogs allowed from two to three, and allows for a fourth if permitted by the animal care director. The second difference is that the proposed ordinance allows for exceptions to the animal cap by allowing service animals

and governmental animals (e.g., a police K9). These changes would provide some flexibility for residents who desire to own several animals while giving the animal control officers some clear policy direction.

Council Member Blackham commented that allowing for four dogs seems like a lot.

Shayne Scott responded that in order for someone to have four dogs, they would have to go through an application and vetting process through the County.

Council Member Jackson asked how the County currently contracts with the city.

Shayne Scott responded that currently the city contracts with the County for them to provide animal control services, and the County bills the city for their services. In the future, they would no longer bill the city, but would raise taxes to cover their costs. The residents likely will not see a difference in cost; instead of paying that tax towards the city, it would be directed to the county.

Council Member Jackson suggested that Staff speak with other cities to get their thoughts on this proposed amendment.

Council Member Oaks made a motion to move the amendment of Kaysville City's pet ordinance as recommended by Davis County Animal Care to an Action Item. The motion was seconded by Council Member Jackson.

The vote on the motion was as follows:

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

The motion passed unanimously.

AMENDMENT TO THE RULES OF PROCEDURE AND ORDER FOR COUNCIL MEETINGS

City Attorney Nic Mills explained that in recent Council meeting, the Council directed Staff to make some changes to the Rules of Procedure and Order for Council Meetings to alter the prescribed parliamentary rules for entertaining items on the agenda. Specifically, to allow for discussion prior to a motion.

Council Member Jackson made a motion to move the amendment of the Rules of Procedure and Order for Council meetings to an action item. 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.

COUNCIL MEMBER REPORTS

Council Member Jackson commented that Mayor Tran was selected to continue serving on the Utah League of Cities and Towns Board. It is a competitive process with other Mayors within the state to get onto the Board. This will allow us an opportunity to have somewhat of a voice at the state level.

Mayor Tran added that the City Council had been attending the Utah League of Cities and Towns Conference that week.

ADJOURNMENT

Council Member Blackham made a motion to adjourn the City Council meeting at 8:00 p.m., seconded by Council Member Adams and passed unanimously.