

KAYSVILLE CITY COUNCIL
October 20, 2022

Minutes of a regular Kaysville City Council meeting held on October 20, 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 Mike Blackham, Council Member Abbigayle Hunt, Council Member Nate Jackson and Council Member Perry Oaks

Excused: Council Member John Swan Adams

Others Present: City Manager Shayne Scott, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Information Technology Assistant Jordan Hansen, Fire Chief Paul Erickson, Power Superintendent Brian Johnson, Officer B. Bret Bateman, Rob Sant

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

WEST DAVIS CORRIDOR ECONOMIC IMPACT STUDY REPORT – ROB SANT

Rob Sant said that he was with Lewis Young Robertson & Burningham, who worked jointly on the West Davis Corridor Interchange Market Analysis. Their group met with staff from each city in the county to discuss the goals and strategies of each city in regards to the West Davis Corridor. The West Davis Corridor spans sixteen miles within the county, and weaves through five main cities. There will be seven interchanges along the Corridor and the Corridor will have significant impact on the cities it runs through. Kaysville will have two interchanges: one at 200 North, and another located near the sewer district and the border of Farmington City. The market analysis that was completed and is being presented tonight will assist cities within the county to evaluate current economic trends within the region and determine the highest and best uses for developable land near Corridor interchanges, also known as “nodes”. It can be utilized by cities with their planning, land use and zoning discussions related to the future vision for these interchanges. The analysis is based on a demographic overview, taxable sales research, market condition analysis, barriers to entry, and potential market supportable development. These nodes can help to create more jobs, will bring in more residents and could help generate fiscal revenues for cities. Overall, Davis County has a young, highly educated workforce, with a low unemployment rate. Each city along the West Davis Corridor has a strong retail sales category and many have experienced double-digit sales tax increases from 2011 through 2020. Taxable data indicates that the existing retail market in our area is focused on neighborhood-scale retail and regional retail, depending on

the city. Davis County office and industrial markets experienced little vacancy and lease rate disruption due to the COVID-19 pandemic, but new office construction was impacted, with little office development happening over the last couple of years. Office vacancy rates have remained at pre-pandemic levels and have continued to decline. Davis County needs to continue to promote industrial uses as the regional and national demand grows. Through the analyses that were done, the market study illustrates smart growth potential in each node. From 2010 to 2022, Kaysville's population has grown by 6,894 persons, or an annual growth of 2.38 percent. As the city's population ages, the City may experience an increase in income levels and buying power. Utah's median adjusted gross income represents an individual's total gross income, minus specific tax deductions. The median adjusted gross income in Kaysville is much higher than the County or State average. A comparison of 2020 data shows that Kaysville is higher than almost all other cities in the State. Existing taxable sales are concentrated along the I-15 corridor and 200 North. Through the residential analysis that was completed as part of this study, it was found that each city in the county needs a mix of development types to serve its populations and all income levels. They anticipate that within the 10-year forecast, an additional 16,039 housing units are needed in the county. The 20-year timeframe increases that number to 26,754. Cities should consider including a mix of all types of units to meet a future housing demand. The Kaysville-Layton node is located within an already heavily established area, leaving only 37.5 acres for change or development. Despite most of the land already being preserved or developed, potential still exists for land swaps with the Nature Conservancy for pockets of neighborhood commercial uses to support the existing neighborhoods. After analysis of this node location, they feel that the highest and best use would be to use approximately four acres for neighborhood type retail development, such as a convenience store, nine acres for neighborhood office development, and fourteen acres of mixed-use residential development. These proposed developments could generate approximately \$1.93 million in fiscal revenues for the city. For the Kaysville-Farmington node, it is characterized by its established residential neighborhoods and the Davis County Sewer District. Any future development at this node will be located on the Kaysville side, and there is only 47.4 acres available for development. A constraint to face here is the Sewer District owning a large portion of potentially developable land, which may bring some uncertainty to future developments. However, there may be opportunities for land swaps or development on Sewer District land later. The analysis done at this node location estimates the best use of land for the node would include approximately three acres for neighborhood type retail development, two acres of neighborhood office development, and twelve acres of mixed residential development, although it is likely that more single-family residential would be built in this area. If developed as outlined, this node could generate approximately \$1.30 million in fiscal revenues.

Mayor Tran asked if retail would be a better use over building commercial flex space.

Rob Sant responded that they feel that retail would be better suited.

Council Member Jackson said that it would be helpful to know what other cities are building near their West Davis Corridor intersections, or within their nodes, so that we may build uses that would be supportive of other developments at other nodes.

DECLARATION OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

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

- a. Approval of Minutes of October 6, 2022.
- b. Appointment of Nephi Harvey as a Historic Preservation Committee member.

The motion was seconded by Council Member Jackson.

The vote on the motion was as follows:

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

The motion passed unanimously.

ACTION ITEMS

AN ORDINANCE AMENDING SECTION 15-3-6 OF THE KAYSVILLE CITY CODE REGARDING THE NUMBER OF DOGS AND CATS ALLOWED WITHIN A RESIDENCE

City Manager Shayne Scott explained that this item was discussed at the council’s previous meeting and comes at the request of the Davis County Animal Care Department. They have asked all cities within the county to adopt this proposed ordinance amendment so that there will be consistency throughout the county in how many pets are allowed within homes. This will allow their enforcement division to be consistent, regardless of where in the county they are called and respond. This amendment also increases the number of dogs allowed to three, and allows for a fourth if permitted by the animal care director.

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 Jackson asked about service animals.

City Attorney Nic Mills responded that the ordinance allows for service animals and governmental animals to be an exception.

Council Member Oaks made a motion to approve an Ordinance amending Section 15-3-6 of the Kaysville City Code regarding the number of dogs and cats allowed within a residence. The motion was seconded by Council Member Hunt.

The vote on the motion was as follows:

- Council Member Blackham, yea
- Council Member Hunt, yea
- Council Member Jackson, yea

Council Member Oaks, yea

The motion passed unanimously.

A RESOLUTION AMENDING THE KAYSVILLE CITY RULES OF PROCEDURE AND ORDER FOR CITY COUNCIL

City Attorney Nic Mills explained that this item appears at the request of the council and was discussed by the council at their previous meeting. This amendment alters the prescribed parliamentary rules for entertaining items on the agenda and allows for discussion prior to a motion.

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 Jackson made a motion to approve a Resolution amending the Kaysville City Rules of Procedure and Order for City Council, 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

The motion passed unanimously.

ACCEPTANCE OF AWARD OF CONTRACT TO DIAMOND TREE EXPERTS FOR ENERGIZED LINE CLEARANCE SERVICES

Power Superintendent Brian Johnson explained that the city has utilized the services of Asplundh Tree Trimming for our energized line clearance needs in the recent past. Our contract with them will be ending soon, and they have informed us that their rates would be increasing. Due to this, staff advertised a request for bid for energized line clearance services and we received three bids. Staff reviewed those bids and called several references of those submitted bids. Staff is recommending that the contract be awarded to Diamond Tree Experts for the duration of one year. After that one-year period, their services will be reevaluated with the intent to renew their service if their quality and productivity is appropriate for our desired needs. As part of the contract, the city would stipulate that in the event we renew our contract with Diamond Tree Experts, they would not be able to raise their rate over 4% the next year. Kaysville Power currently has the approved budgetary funds to meet this year's energized line clearance costs. This item was also presented to the Power Commission who agreed with the proposed award of bid to Diamond Tree Experts. Our energized line clearance continues to be a high priority and of great concern to us. As we have seen a large amount of tree growth this year in the City, the Power Department is anxious to move forward with this, in hopes to mitigate concerns before they become detrimental to our power infrastructure.

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.

Mayor Tran asked how long the bid was posted.

Brian Johnson responded that it was posted for six weeks.

Council Member Jackson asked about the benefits of going with this new company.

Brian Johnson responded that Staff was beginning to feel that Asplundh Tree was becoming more complacent the longer they worked in Kaysville. We had spoken with their management about our concerns, and were told that they would be addressed. However, because of our contract ending soon, as well as the rate increase with Asplundh Tree, Staff felt that it would be best to look into other companies to see what was available. After speaking with other cities and references, we felt it would be worth contracting with Diamond Tree Experts to see how things go with them for a year.

Council Member Blackham made a motion to accept the Award of Contract to Diamond Tree Experts for energized line clearance services, 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 Hunt, yea

The motion passed unanimously.

Council Member Jackson asked that the Power Department work with Diamond Tree Experts to ensure that they are trimming the trees in a way to keep the health of the tree in mind.

PURCHASE OF FIRE ENGINE APPARATUS

Fire Chief Paul Erickson explained that the last time the Fire Department did a build of a new fire engine was in 2018 and the city was able to receive that truck within eight months. In the past, the city has ordered their apparatus from Pierce Manufacturing. Knowing that the city would likely need to replace our twenty-one year old reserve engine within the next few years, they reached out to Staff to notify us that they currently have a three-year waiting time for vehicles and now would be the time to start designing and placing an order for a new replacement engine. Because we were unaware of the wait-times on a fire apparatus, this item was not included in the Fiscal Year 2023 budget. The prices for these engines have gone up 30%, will go up another 6.5% as of November 1, and will go up another 5% in February. It is likely that we will see more of these types of situations come up more frequently as wait times and costs for equipment have gone up

substantially over the last few years. We will likely need to look even further ahead and adjust for the current times.

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 Jackson asked about when the city was notified by Pierce about the wait time.

Chief Erickson responded that he was notified about a month ago. At that time they had informed him there was a thirty-month wait. Four weeks later when he spoke with them again, they were quoting a thirty-five month wait time.

Council Member Oaks asked if payment was due up front.

Chief Erickson said that he believes they are requiring full payment upfront. If the council decides to commit to purchasing this new apparatus before November 1, the city could receive a cost savings.

Council Member Blackham said that he is concerned because this item was not shown or brought up in the budget process earlier this year. By the time the replacement truck is planned to be delivered, the reserve truck will be twenty-four years old. The city's sales tax revenues are looking promising, and maybe some of those funds could be used to help pay for the new truck. We can't keep raising taxes every time something comes up. We have reserves that we could use to make these payments. This is a one-time purchase and we should use our reserve funds to pay for it. Council Member Blackham commented that he would like to see that reserves from the power fund be used towards purchasing the truck.

Council Member Jackson asked about the maintenance of fire engines.

Chief Erickson responded that because of the hard weather we get here, there is a lot of wear and tear on our fire trucks. Aging trucks require more maintenance and the costs are very substantial. Chief Erickson said that they average about \$60k annually in maintenance on many of their vehicles. They all are sent in routinely for regular maintenance to ensure that they are kept up to standard.

Council Member Jackson asked about the possibility of the price decreasing in a few years.

Chief Erickson responded that it is unlikely that the cost of a new fire engine would decrease in the future.

Council Member Hunt commented that this is something the city will need and she trusts the judgement of Staff. It does not sound like there is much bartering the city can do with Pierce in regards to timing and cost. Council Member Hunt suggested asking Pierce if the general pricing were to decrease in the future, if we would be able to get the lesser price.

Mayor Tran stated that the city has owned this truck since it was built and it is not often that we have to purchase a new one.

Council Member Oaks asked if the city would need to purchase another new engine if a second station is built.

Chief Erickson responded that one of our existing engines would be rotated to the new station.

Council Member Jackson asked what is done with retired engines.

Chief Erickson said that the city could try to sell it to another city, but at a significant reduction in cost.

Council Member Blackham added that oftentimes cities can find anyone to purchase the engine, and will donate the vehicle to a jurisdiction that cannot afford one.

Council Member Blackham made a motion to approve the purchase of a fire engine apparatus with the caveat that the engine be purchased with sales tax revenues or reserve funds, such as power funds. The motion was seconded by Council Member Oaks.

Shayne Scott said that sales tax revenues would not pay for the engine alone, but there are reserves within the general funds that could potentially be considered. Staff will consult with our Finance Director to see what areas of the budget would be most appropriate to use funds.

Council Member Hunt made a substitute motion to approve the purchase of a fire engine apparatus with the caveat that monies from the power fund are not used.

Council Member Hunt commented that it does not seem appropriate to use power funds, when the residents voted years ago on a proposition restricting the city from using power funds for anything other than power needs.

Council Member Hunt's motion died for lack of second.

The vote on the motion was as follows:

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

The motion passed with a vote of three to one.

COUNCIL MEMBER REPORTS

Council Member Blackham commented that Council Member Hunt and he were able to take a tour of the new expansion to Bowman's Market for their donut sales. That expansion was paid exclusively through the sales they made of donuts. They have installed a drive-up window and they hope to be able to open by the end of the year.

CITY MANAGER REPORT

Shayne Scott said that the city held an employee appreciate lunch earlier that day and had a great time. We are appreciative of all of our staff members and what they do.

CLOSED SESSION

Council Member Blackham made a motion to adjourn the city council meeting at 8:11 p.m. and reconvene into a closed session to discuss the purchase the sale of real property, and to discuss reasonably imminent litigation, in conformance with Utah State Code §52-4-205. The motion was seconded by Council Member Oaks and passed unanimously.

Council Member Blackham made a motion to adjourn the closed session at 8:49 p.m. and reconvene into the city council meeting, seconded by Council Member Jackson. The motion passed unanimously.

ADJOURNMENT

Council Member Oaks made a motion to adjourn the City Council meeting at 8:50 p.m., seconded by Council Member Blackham and passed unanimously.