

**MINUTES OF LAYTON CITY
COUNCIL MEETING**

APRIL 3, 2014; 7:00 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR BOB STEVENSON, JOYCE BROWN, TOM
DAY, JORY FRANCIS, SCOTT FREITAG AND JOY
PETRO**

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,
PETER MATSON, TERRY COBURN AND THIEDA
WELLMAN**

The meeting was held in the Council Chambers of the Layton City Center.

Mayor Stevenson opened the meeting and led the Pledge of Allegiance. Dave Smedley gave the invocation. Scouts and students were welcomed.

MINUTES:

MOTION: Councilmember Francis moved and Councilmember Brown seconded to approve the minutes of:

**Layton City Council Work Meeting – March 6, 2014;
Layton City Council Work Meeting – March 20, 2014; and
Layton City Council Meeting – March 20, 2014.**

The vote was unanimous to approve the minutes as written.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Brown said on April 18th the Family Recreation Program would sponsor Flap Jack Friday and Bingo. She said this was a free event that would be held at Central Davis Jr. High. Participants could play bingo for prizes and eat flap jacks.

Councilmember Brown said UDOT would be involved in the South Davis Improvement Project on I-15. She said the project included 10.5 miles and would include express lanes in both directions. Councilmember Brown said the project would run through the summer of 2015.

Mayor Stevenson said it was nice to see UDOT doing work in this area.

Mayor Stevenson said on April 14th UTA would begin bus service into Hill Air Force Base.

Councilmember Petro asked if the pickup point would be the Frontrunner Station.

Mayor Stevenson said the main pickup point would be the Frontrunner Station in Clearfield.

PRESENTATIONS:

PROCLAMATION – NATIONAL FAIR HOUSING MONTH

Mayor Stevenson read a proclamation proclaiming the month of April as National Fair Housing month.

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CONSENT AGENDA:

BID AWARD – TWIN D ENVIRONMENTAL SERVICES, INC. – 2013 CLEANING AND TELEVISIONING OF STORM DRAIN SYSTEM LINES – RESOLUTION 14-12

Terry Coburn, Public Works Director, said Resolution 14-12 authorized the execution of an agreement with Twin D Environmental Services for the 2013 Cleaning and Televisioning of Storm Drain System Lines Project. Terry said the project included the televisioning and cleaning of an estimated 50,000 lineal feet of storm drain lines varying in size from 12 to 48 inches. He said the project would extend the life and improve the performance of the City's storm drain system, enabling Staff to evaluate where repairs were needed. Terry said three bids were received, with Twin D Environmental Services submitting the lowest responsive, responsible bid of \$64,199.80; the engineers estimate was \$60,000. He said Staff recommended approval.

Mayor Stevenson asked if the City would ever look at relining the pipes similar to what the Sewer District was doing.

Terry said that it was a possibility.

BID AWARD – GREAT BASIN DEVELOPMENT & CONSTRUCTION, INC. – 2013 STORM DRAIN SMALL REPAIRS – RESOLUTION 14-13

Terry Coburn said Resolution 14-13 authorized the execution of an agreement with Great Basin Development & Construction for the 2013 Storm Drain Small Repairs Project. Terry said the project included replacement of approximately 700 lineal feet of 15 inch to 24 inch storm drain pipe and other associated work items in five separate locations throughout the City. He said the project would improve storm drainage and provide minor roadway improvements for enhanced traffic safety and flow. Terry said six bids were received with Great Basin Development & Construction submitting the lowest responsive, responsible bid of \$145,467.50; the engineer's estimate was \$175,000. He said Staff recommended approval.

ON-PREMISE RESTAURANT LIQUOR LICENSE – TASTE OF INDIA – 1664 NORTH WOODLAND PARK DRIVE, SUITE 401

Bill Wright, Community Development Director, said this was an on-premise restaurant liquor license request for Taste of India, located at 1664 North Woodland Park Drive. Bill said the location met all buffer requirements and background checks had been approved by the Police Department. He said Staff recommended approval.

OFF-PREMISE BEER RETAILER LICENSE – LAYTON II, LLC/HOSPITALITY INVESTORS III, LLC DBA HAMPTON INN – 1700 NORTH WOODLAND PARK DRIVE

Bill Wright said this was an off-premise beer retailer license for the Hampton Inn located at 1700 North Woodland Park Drive. Bill said this was an off-premise license request because they placed beer in containers in the lobby of the hotel for sell and the beer was taken from the lobby and consumed. He said the location met all buffer requirements and background checks had been approved by the Police Department. Bill said Staff recommended approval.

Mayor Stevenson asked if other hotels were selling beer in a similar manner.

Bill said most of them did.

Councilmember Brown said they usually saw off-premise licenses at a convenience store; could the beer be consumed in a hotel room.

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Bill said yes; it would operate very similarly to a convenience store.

FINAL PLAT APPROVAL – GARN SUBDIVISION – 11 SOUTH BOYNTON ROAD

Bill Wright said this was final plat approval for the Garn Subdivision located at 11 South Boynton Road. He said the request was for a 1 lot subdivision to accommodate a single family home. Bill said the property contained 2.3 acres and had 300 feet of frontage on Boynton road. He said property would be dedicated for a public road. Bill gave a brief history of the property. He said the Planning Commission recommended approval and Staff supported that recommendation.

Councilmember Petro asked if this was located where the pavement ended on Boynton Road.

Bill said yes. He said the eight acres of park property was located to the west of this property.

Councilmember Brown asked about the property to the east being landlocked.

Bill explained opportunities to access the property. He said the property was owned by Mr. Garn as well.

REAPPOINTMENTS TO THE BOARD OF ADJUSTMENT – LANCE D. SHIELDS, DAVID ELIASON AND MICHAEL J. OSTERMILLER – RESOLUTION 14-15

Bill Wright said this was reappointment of members to the Board of Adjustment. He said it had become necessary to reappoint some existing members to the Board of Adjustment that had served on the Board in the past. Bill said an application for review had been filed and it was important to take care of this action this evening. He said the members the Mayor was recommending were Lance Shields and David Eliason as full members, and Michael Ostermiller would be appointed from an alternate to a full member. Bill said Staff recommended support of the Mayor's recommendations.

Councilmember Brown said this Board didn't meet very often.

Bill said they hadn't met for over 2 years, which was a positive statement about the City's zoning Code. He said most development complied with the standards of the Code. It was important to be able to review appropriate cases for variances under the Code.

Mayor Stevenson asked Bill to explain the background the City looked for in the members.

Bill explained that it was good to have a range from the community, both in their professional backgrounds and geographically. He said it was good to have members with land use or legal backgrounds, because much of what the Board did was very much constrained to the law that was stated in State Code and City Code. Bill said Mr. Ostermiller had a background in both land use development and law, and was a very good candidate to have. He said Mr. Ostermiller did not live within the boundaries of the City, but there was not a residency requirement. Bill said there was a lot of support for Mr. Ostermiller because he often operated within the City in his professional business.

Mayor Stevenson asked Bill to explain what some cities were doing in moving away from a Board of Adjustment.

Bill said there had been a change in State Code allowing a provision for a community to move to an administrative law judge. He said it would be a single person instead of a board. Bill said it had some good applicability in the City's situation because the City was not getting very many cases filed. He said because of the infrequency of cases that option was appealing; had the current case not been filed the City would probably be moving in that direction. Bill said information about changing the City's process would be

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brought to the Council for consideration in the near future.

Councilmember Brown asked how many members were on the Board.

Bill said five.

Councilmember Brown said she assumed members of the Board would have to recuse themselves if they were involved in something that was before the Board.

Bill said that was correct.

STUDY REGARDING MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITHIN THE CITY – RESOLUTION 14-07

Gary Crane, City Attorney, said the Mayor and Council had committed to look at the multi-family housing situation in the City. He said there had been a lot of growth in that area and it was a concern to the Council, Planning Commission and Planning Staff. Gary said Resolution 14-07 provided the initiation of a process that would allow the City to look at and gather information for the Planning Commission and Council to consider relative to the location of multi-family areas, and to be able to do that without the urgency of feeling that people would come in to apply for zone changes under the current General Plan.

Gary said from tonight until the time the Council made a final decision, any new application to change a zone to multi-family would be held up until the process was completed. He said anyone that was already vested in the multi-family zone could move forward with the review of their plan. Gary said Staff recommended approval.

Councilmember Francis said the General Plan advised updating every five years; would this include looking at everything in the General Plan or just multi-family zoning.

Bill said the grant that the Council was briefed on earlier would study more than just multi-family housing. He said it was focused on housing in the General Plan. Bill said there was a Transportation General Plan review that was already underway, but that was a separate process.

Councilmember Francis said the Council expressed an interest in mitigating business activity on the Layton Parkway. He asked if that issue could be tackled at the same time.

Bill said absolutely.

MOTION: Councilmember Brown moved to approve the Consent Agenda as presented. Councilmember Francis seconded the motion, which passed unanimously.

The meeting adjourned at 7:30 p.m.

Thieda Wellman, City Recorder